

Mr [REDACTED]
Director General



European Commission
Directorate General Migration and Home Affairs
Sent by email only

Your ref: HOME/C.2/SM (2016)/23.12.2016
Our ref: OPD/JOU/DINT/ B45 /2017
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Warsaw, 18 January 2017

Dear Mr [REDACTED]



Thank you for your letter of 23 December 2017 concerning the situation at Hungary's southern border and the provision of information on the outcome of the visit of the Commission on 18 and 19 October 2016. The main findings of this mission have been duly taken into account in the Decision not to suspend our operational activities at the green border between Hungary and Serbia, within the framework of JO "Flexible Operational Activities 2016 Land / WB" as a reaction to the CF recommendation.

Starting on 1st February 2017, JO Flexible Operational Activities 2017 Land / WB and JO Focal Points 2017 Land will be launched as a continuation of the previous year's activity, to facilitate the implementation of IBM concept at the EU external land borders, to implement coordinated operational activities in order to control irregular migration flows towards the territory of the MS of the European Union and to tackle cross border crime. These actions are in line with your remark that the presence of the Agency at the Hungarian Serbian border shows solidarity and commitment for the support to Hungary in protecting the common Schengen border.

I also took note of your suggestion on the attention the Fundamental Rights Officer should pay to the implementation of these operations; any information on alleged violation of fundamental rights is scrutinized and followed up with particular attention taking into consideration the particular importance of the specific area in order to ensure that our activities are implemented with full respect of fundamental rights.

Concerning the bilateral arrangements for the support of the so called 'Visegrad group' countries, currently there are no officers deployed to Hungary on bilateral basis. As you know, those deployments are not coordinated by Frontex and we therefore have only indirect knowledge about their activities. According to our understanding they are performing routine border surveillance activities, alongside the established technical obstacle with tasking to prevent the entry of persons to Hungarian territory by providing early warning to the Serbian authorities, or supporting the escorting of those persons who have managed to enter Hungary to the transit zones by directing them to the other side of the obstacle.

Finally, I would like to provide you my assurances that we are monitoring the situation in Bulgaria with the same intensity as in Hungary concerning all aspects of effective border control, including the safeguarding of fundamental rights.

Yours sincerely,

[REDACTED]
Fabrice Leggeri
Executive Director

