

OPERATIONS DIVISION
Joint Operations Unit
LAND BORDER SECTOR

Specific annex of the Operational Plan

JO Flexible Operational Activities 2015
2015/LBS/01



European Agency for the Management
of Operational Cooperation
at the External Borders of the Member States
of the European Union

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Table of Contents

ANNEX 1 - Description and assessment of the situation	5
1.1. South Eastern Land border	5
1.1.1. The Greek-Turkish Land Border	5
1.1.2. The Bulgarian-Turkish Land Border	7
1.1.3. Forecast	9
1.1.4. Recommendations	10
1.2. Western Balkan	12
1.2.1. The Hungarian-Serbian border	14
1.2.2. The Croatian-Serbian border	15
1.2.3. Forecast	16
1.2.4. Recommendations	17
ANNEX 2 - Operational Objectives and Indicators	19
ANNEX 3 - Description of the Tasks and Specific Instructions to Guest Officers and other Participants (Rules Of Engagement)	20
BULGARIA	20
CROATIA	31
GREECE	43
HUNGARY	54
ANNEX 4 - Operational Area	59
ANNEX 5 - Initial plan of deployed resources	63
ANNEX 6 - Operational Briefing and Debriefing	66
1. Operational briefing	66
2. Operational debriefing	67
ANNEX 7 - Cooperation with Third Countries	68
ANNEX 8 - Cooperation with other Union agencies and bodies or International Organizations	69
1. Cooperation with Europol	69
2. Cooperation with EASO	69
ANNEX 9 - Command and control scheme	70
ANNEX 10 - JORA	71
1. JORA Actors	71
2. JORA Incidents Reporting Structure	73
3. JORA Incident Template Attributes' List	74
4. JORA Timeline for reporting	75

ANNEX 11 - Contact Details	76
1. South Eastern land borders	76
2. Western Balkans	81
3. Frontex Operational Team	85
ANNEX 12 - Accommodation	86
ANNEX 13 - Supporting fingerprinting and registration	89
1. Introduction	89
2. Guidelines for the fingerprinting activities	89
2.1. General information	89
2.2. Tasks of experts	90
2.3. Use of cultural mediators / interpreters	91
2.4. Vulnerable groups	91
2.5. Status of Experts	91

ANNEX 1 - Description and assessment of the situation

1.1. South Eastern Land border

The Eastern Mediterranean route continued to be one of the most important regions for the entry of irregular migrants to the EU, mostly connected with illegal border-crossings from Turkey to Greece (sea and land borders) and Bulgaria (land border).

According to data reported in JORA in 2015, from 1 January to 30 September in the operational area of the JO FOA 2015 land SE, a total of **6 486** irregular migrants were reported for crossing the border illegally (**4 616** migrants in the Bulgarian operational area and **1 870** migrants in the Greek operational area), which represents an increase of **54%** compared to the same period in 2014, when **4 197** irregular migrants were reported.

Of the total number of irregular migrant apprehensions at the land borders in the operational area during the aforementioned period, 71% were reported at the Bulgarian-Turkish border, while only 29% were reported at the Greek-Turkish border. These figures represent a relatively stable trend compared to 2014.

However, although the irregular migratory flow increased in the operational area, an even more significant increase in migration pressure was reported at the Greek sea borders with Turkey. From 1 January to 30 September 2015, a total of 366 000 migrants were apprehended by the Greek authorities compared with 30 300 during the same period in 2014. It is most likely that a shift of migration pressure from the Greek sea border to the Bulgarian Turkish or to the Greek Turkish land border section will take place during the winter period, taking into account the extremely high number of migrants that are waiting in Turkey to cross the border illegally and, in addition, the fact that the weather conditions, will deteriorate and the sea crossing for migrants will become extremely dangerous, especially for family groups.

Notwithstanding a reduction in the strength of personnel in the ongoing operations implemented at the Greek-Turkish and Bulgarian-Turkish land borders in 2015 both operations can be considered as the main factors in stemming the irregular migratory flow at these border sections.

1.1.1. The Greek-Turkish Land Border

From 1 January to 30 September 2015, a total of **1 870** irregular migrants were apprehended in the operational area of the Joint Operation FOA 2015 land SE at the Greek-Turkish land border section. This figure represents an increase of 41% compared to the same period in 2014 when **1 330** migrants were apprehended.

One of the main factors which contributed to the increasing number of irregular migrants apprehended in 2015 was the continuation of the Special Police Operation implemented by the Bulgarian authorities at the beginning of November 2013 as well as the deteriorating humanitarian situation in Syria, Iraq and Afghanistan.

The number of personnel taking part in operation Aspida, which began in August 2012, comprised a total of **1 615** additional officers. This figure has gradually decreased to **301** additional staff deployed during September 2015.

The increasing number of apprehended irregular migrants reported during 2015 so far and the pressure at the Greek-Turkish land border is confirmed by the data provided by the Turkish authorities: for instance, **18 500** migrants were apprehended in the area of responsibility of the [REDACTED] from 1 January to 30 September 2015. In addition, inland detections and intelligence gathered from interviews indicate that the risk of undetected illegal border-crossings along the Greek Turkish land border remains high.

Since the launch of operation Aspida and the extended detention period for apprehended migrants, migrants have attempted to cross the border undetected by [REDACTED] [REDACTED]

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The main areas affected by illegal border-crossings during the first nine months of 2015 were the ██████████ with 990 irregular migrant apprehensions, the ██████████ with 305 irregular migrant apprehensions and the ██████████ with 225 irregular migrant apprehensions.

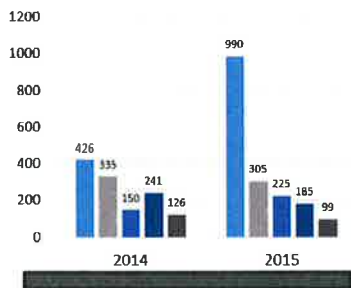


Figure 1: Irregular migrant apprehensions in Greece per BCU 2015 compared with 2014

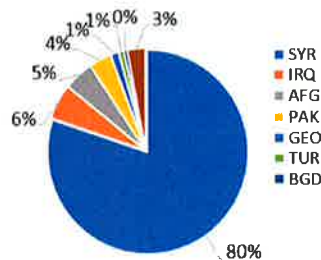


Figure 2: Main nationalities apprehended in Greece in 2015

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In the period under review, a total of 80 people smugglers involved in the facilitation process were arrested by the Greek authorities. During the same period in 2014 the number of people smugglers arrested totalled 119 which represents a decrease of 32% in 2015.

In 2015 so far, the five most common migrants nationalities apprehended were Syrian (1 424), Iraqi (107), Afghan (86), Pakistani (65) and Georgian (22).

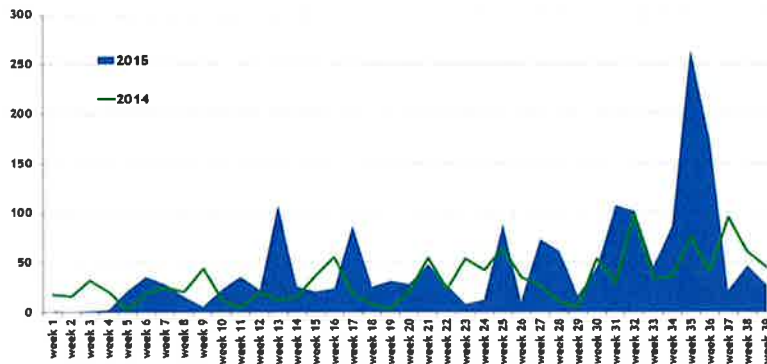


Figure 3: Weekly apprehensions in Greece from the beginning of the operation 2014/15.

In relation to cooperation with the Turkish authorities, regular meetings between the Greek and Turkish authorities take place on a monthly basis with the exchange of relevant data and information for the purpose of assessing the latest situation related to illegal immigration in the area of responsibility. Furthermore, in the event that the Greek authorities observe would-be migrants on Turkish territory, they can inform the Turkish authorities by telephone, sms text message or by email.

Additionally, during the Greek-Turkish bilateral meeting held on 30 Sep 2015, the Turkish authorities reported for the first eight months of 2015 a total of 18 458 irregular migrants apprehended on exit at the Turkish land borders with Bulgaria and Greece. Even though the accuracy of these figures is not ascertained, the number is nearly 2.5 higher than the number of migrants reported on entry by the Greek and Bulgarian authorities in JORA, during the same period.

This difference in figures might be attributed on one hand to double counting of migrants (multiple attempts to cross illegally the border to the EU), but on the other hand it might indicate that the migratory pressure at the EU's land border with Turkey is extremely high and many migrants manage to enter undetected the EU area from Turkey or waiting in the border area for a possibility to cross.

1.1.2. The Bulgarian-Turkish Land Border

In 2014, irregular migration pressure at this border section decreased considerable compared with 2013 when the migration pressure reached its peak with a total of 856 irregular migrants apprehended in one week during October. The implementation of the Special Police Operation in Bulgaria and the deployment of approximately 1 500 additional officers starting on 11 November 2013 resulted in a sharp decrease in the number of irregular migrant detections in the Bulgarian operational area.

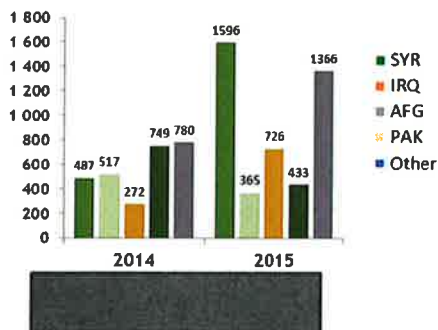


Figure 4: Irregular migrant apprehensions in Bulgaria per BCU 2015 compared with 2014

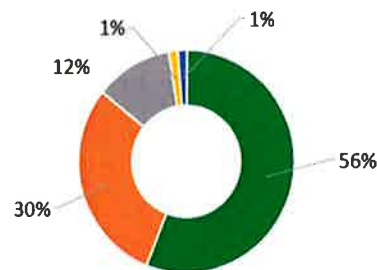


Figure 5: Main nationalities apprehended in Bulgaria in 2015

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However, from January 2015 the Bulgarian authorities

The total number of irregular migrants apprehended from 1 January to 30 September 2015 was 4 486 compared to 2 805 apprehensions during the same period of 2014. This represents an increase of irregular migrant apprehensions in 2015 of 60% compared to the figure reported during the same period last year.

The main nationalities apprehended from 1 January to 30 September 2015 were nationals from Syria (2 525) followed by migrants from Iraq (1 337), Afghanistan (526), and Pakistan (63).

During the first 9 months of 2015, the [REDACTED] reported the highest number of migrant apprehensions with 1 596 apprehensions. During the same period in 2014 the number of apprehensions at this BCU was 487 which represents an



Figure 6: Current state of play of the implementation of the IBSS and the ETO at the Bulgarian Turkish land border

increase of almost 230% in the period under review. The second highest number in 2015 was reported from the [REDACTED] with 1 366 migrant apprehensions (+75%). The third highest number of migrant apprehensions was reported by the [REDACTED] with 726 apprehensions (+167%).

In addition to the implementation of the Special Police Operation in November

2013, in October 2013 the Bulgarian authorities started the construction of a 30 km technical engineering obstacle (ETO) in the border area between the villages of [REDACTED] which was completed in July 2014. In order to counteract the constant increase in migration pressure at their land border section with Turkey the Bulgarian authorities decided in January 2015 to continue the construction of a "temporary technical engineering obstacle" which would cover a distance of 132 km, starting from the [REDACTED] and run eastwards. Even though the completion of the first 30 km of the technical engineering obstacle and the further development of the integrated border surveillance system (IBSS) resulted in a shift of the main irregular migration pressure in 2014 to the eastern part of the Bulgarian land border, namely towards the [REDACTED], the figures reported during the first nine months of 2015 show that this trend partially shifted towards the [REDACTED]. Moreover, this particular BCU reported the highest figures in terms of migrant apprehensions in 2015 followed by the [REDACTED] which reported the highest number of migrant apprehensions starting from week 34/2015.

The proportion of irregular migrants apprehended in the Bulgarian operational area applying for humanitarian protection immediately after apprehension remained at a high level during the implementation of the JO in 2015. In these types of cases, irregular migrants are transferred to open asylum centres from where they can easily plan their further travel to other EU Member States.



Figure 7: Density of migrant apprehensions at the Bulgarian Turkish land border 1 Jan 30 Sep 2015

Sofia remained the main hub for migrants on their way, mainly via Serbia, to other EU Member States.

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People smuggling networks provide, [REDACTED]

As a result of increased [REDACTED]

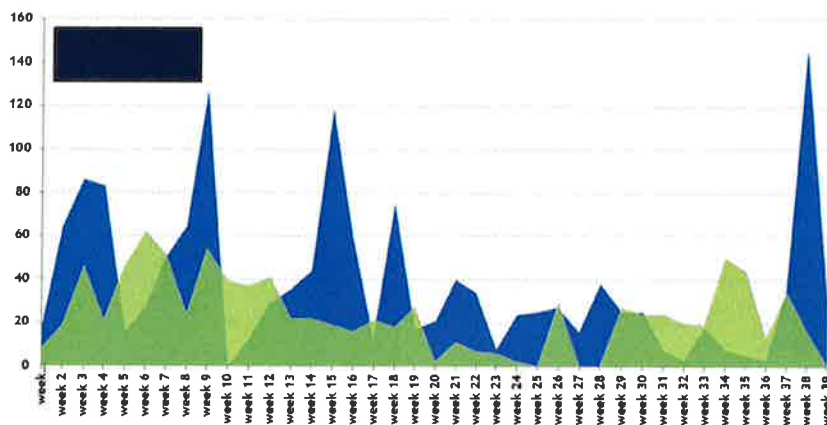


Figure 8: Clandestine entries at the Bulgarian [REDACTED] from Jan to Sep 2015

Regular bilateral joint meetings for preventing and resolving border incidents take place under the signed agreement between the Bulgarian and Turkish authorities. Following established rules, in cases where would-be migrants are observed on Turkish territory, the Turkish authorities are informed by telephone.

1.1.3. Forecast

There is an indication that in 2016, the situation at the Greek-Turkish and Bulgarian-Turkish land borders will be linked to the following factors:

- The worsening of the sea conditions to cross the Aegean Sea from Turkey to the Greek Islands will most likely result in an increase of migrants attempting to use the 'safer' route across the Greek Turkish or Bulgarian Turkish land border.
- In the view of the forecasted partial diversion of the migratory flow from the Greek Aegean Islands to the land borders, not only a higher number of migrants than during previous years is expected. By making use of social networks migrants are well informed and will not limit themselves only to some specific border sections or modus operandi but they will target in large numbers multiple border areas and use diverse modus operandi to make their attempt successful. Therefore the Turkish authorities are likely to face great difficulties in tackling and curbing this high migratory inflow as their forces might be stretched along their whole land border with EU.

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The disclosure of those variables is therefore refused, as it would undermine the protection of the public interest as regards public security as provided in Article 4(1)(a) first indent of the Regulation (EC) No 1049/2001.

- The continuation of the implemented **national operations** (operation Aspida and the Bulgarian Special Police Operation depending on the number of additional staff deployed).
- The increasing number of migrants that have continued gathering in Turkey and in particular in [REDACTED] and the development of the crises in the countries neighbouring Turkey.
- As a consequence of the conflicts in Syria and in Iraq there are large numbers of people living in refugee camps in Turkey.
- The expansion of Islamic State in Iraq, (IS) and the fact that thousands of Iraqi refugees are leaving their homes and could move to Turkey and further to the EU using the Eastern Mediterranean land route.

[REDACTED]

- To be released [REDACTED]
- The figures provided by the Turkish authorities during the bilateral meetings lead to the conclusion that the pressure along the Greek-Turkish land border will remain high, or even increase during 2016.
- The further [REDACTED]
- The aforementioned increase in technical border surveillance capacity in combination with the involvement of the Bulgarian Army at the border with Turkey, which is assisting the Border Police in border surveillance activities, [REDACTED]

1.1.4. Recommendations

In order to ensure and to continue with a suitable operational response, the main focus of the extension of the joint operation is to improve border controls and border surveillance in the operational areas at the Greek-Turkish and the Bulgarian-Turkish land borders.

In addition, it is recommended to enhance [REDACTED] for analytical and intelligence purposes to identify of suspects involved in smuggling of irregular migrants.

Greek Operational area

- It is recommended to extend the implemented operational activities and to [REDACTED]
- Information and intelligence gathering [REDACTED]

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Commented [A7]: The non-disclosed text contains detailed information regarding the modus operandi of law enforcement officials. It contains references to the methods applied by law enforcement officers to perform border control tasks in general and to counter illegal activities in particular. Its publicity would expose the working methods applied in those activities which would jeopardize the implementation of ongoing and future operations, and thus facilitate irregular migration and other cross-border crime such as facilitation of irregular immigration, trafficking in human beings and terrorism. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

It is assumed that the [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

With regard to intelligence gathering, it is recommended to [REDACTED]
[REDACTED]
[REDACTED]

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1.2. Western Balkan

The number of migrant apprehensions registered from January to September 2015 (204 406) at the EU's external land borders with the Western Balkan region broke the record in terms of the number of illegal border-crossings in any given year since Frontex data collection started in 2008. Additionally, the number of migrant apprehensions registered at the EU's external borders with Serbia during the first three quarters of 2015 was five times higher than the total number of migrants detected during 2008 - 2014 at this border section.

Irregular migration in the Western Balkans is largely influenced by two distinct flows, one coming from the region itself and another linked to non-regional migrants who gather in Turkey and afterwards transit via Greece or Bulgaria and the Western Balkan region en-route to Western Europe.

The main nationalities detected for illegal border-crossings from January to September 2015 at the Hungarian and Croatian borders with Serbia were Syrian 88 142, Afghan 52 993, Kosovo citizens 23 523, Pakistani 16 889 and Iraqi 7 148.

Main nationalities apprehended at the HUN and HRV borders with SRB during Jan-Sep 2015

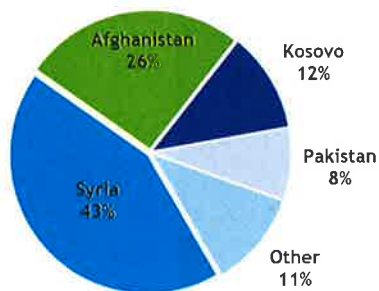


Fig. 10: Main nationalities of the migrants apprehended during Jan-Sep 2015 at the Hungarian and Croatia borders with Serbia

The first two months of 2015 were largely dominated by the irregular migration of Kosovo citizens whose numbers rose steadily during the second half of 2014 and reached a peak at the beginning of 2015. During this period, approximately 2 000 migrants from Kosovo entered Hungary each day across the green border. Most of these migrants decided to leave their country because the Kosovo economy has been in continuous decline over the past few years. This economic contraction has severely affected the labour market and new sources of income have been even scarcer for the local population. However, this trend was reversed after an array of comprehensive and concerted countermeasures implemented by Serbia, Hungary, Austria and Germany in mid-February 2015.

Not long after the large scale migration from Kosovo ended, the number of non-regional migrants composed of mainly Syrians, Afghans, Iraqis and Pakistanis recorded at the Hungarian border with Serbia started to increase. These non-regional migrants travelled on the Eastern Mediterranean route via Greece most of them via the Greek Eastern Aegean Islands. Therefore, the notable rise of migration registered on the Greek Eastern Aegean Islands was also reflected in the high number of migrants detected at the EU's external borders with the Western Balkans. The most significant growths were registered by Afghan and Syrian nationals.

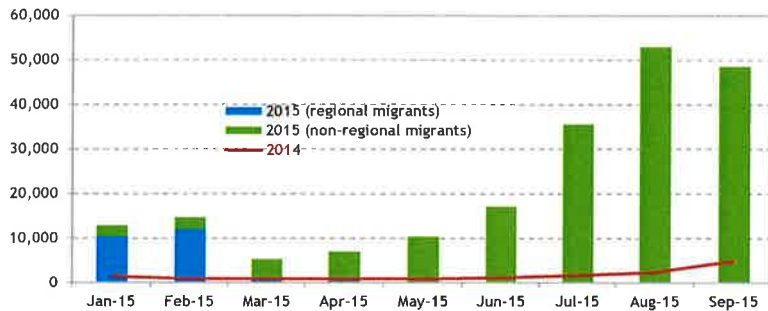


Fig. 11: Migrant apprehensions registered during Jan-Sep 2015 at the Hungarian and Croatia borders with Serbia

In addition, during the second half of June 2015, the former Yugoslav Republic of Macedonia Parliament amended their 'Law of Asylum and Temporary Protection', and according to the new amendments, irregular migrants apprehended in the former Yugoslav Republic of Macedonia were presented with an official document which allowed them to move freely inside the country for 72 hours, in order to seek humanitarian protection.

The aforementioned legislative changes have resulted in migrants being able to traverse the country more safely and with lower costs and consequently, the number of non-regional migrants increased notably after these measures were implemented.

In response to the growing migratory pressure, at the end of June 2015, the Hungarian authorities announced the implementation of changes in the migration and asylum policy aimed at curbing the growing influx of migrants entering illegally from Serbia. Moreover, they started implementing measures to reinforce border surveillance.

On account of these measures, migrants (especially Syrians living in Turkey) hastened their journey to enter EU MS/SAC by crossing the Hungarian-Serbian border into Hungary, before these measures were fully adopted.

The situation that has developed because of the massive inflow of migrants has created a migration crisis in the region.

The new measures previously announced by the Hungarian authorities took effect on 15 September 2015 with the aim of tackling and curbing the mass flow of irregular migrants entering Hungary from Serbia.

Thus, Hungary reinforced its border with Serbia by deploying military units to support police officers already stationed at the border and the main border crossing point, i.e. the [REDACTED], was temporarily closed.

Additionally, in order to stop migrants from trespassing and to discourage migrants from transgressing the razor wire fence erected along the Hungarian border with Serbia, the Hungarian authorities amended their legislation with the purpose of criminalising acts of illegal border-crossing and damage to the temporary technical obstacle.

Following the measures introduced by the Hungarian authorities to strengthen border control activities at their border with Serbia, the number of migrant apprehensions decreased from an average of 2 000 migrants per day in August and early September to an average of 200 migrants per day after 15 September 2015.

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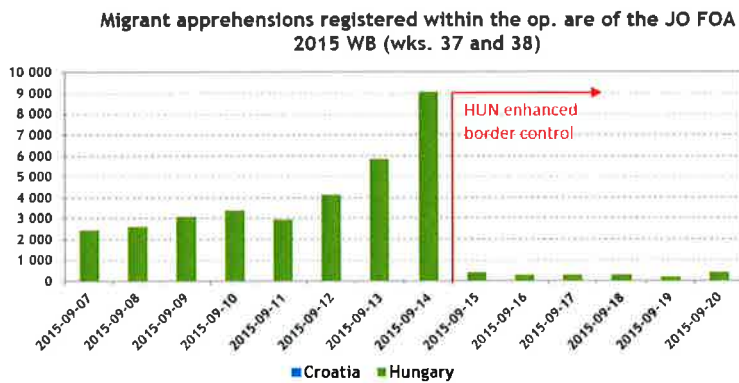


Fig. 3: Migrant apprehensions registered during Jan-Sep 2015 within the operational area of the JO FOA 2015 WB

This can be largely attributed to the fact that many migrants travelling to EU Member States via the Western Balkans, changed their route; for instance, instead of entering Hungary at the Hungarian-Serbian land border, they began travelling towards Croatia due to the effective closure of the Hungarian border.

Open media sources report that, from 15 to 30 September 2015, more than 90 000 migrants illegally entered Croatia from Serbia.

However, these figures are not reflected by the data reported in JORA by the Croatian authorities, as nearly all irregular migrant apprehensions registered within the operational area of the JO Flexible Operational Activities 2015 WB from 15 to 30 September were reported by the Hungarian authorities (99.9%).

This can be partly attributed to the fact that many of the migrant apprehensions made at the border of Croatia with Serbia, were made outside the operational area of the [REDACTED].

1.2.1. The Hungarian-Serbian border

From 3 March, when the JO Flexible Operational Activities 2015 WB was launched, to 30 September 2015, a total of 174 520 irregular migrants were apprehended within the Hungarian operational area. The main nationalities were Syrian (86 950), Afghan (49 782), Pakistani (16 168), Iraqi (6 442) and Bangladeshi (4 078).

Information from interviews indicates that many Arab speaking irregular migrants detected within the operational area of the JO Flexible Operational Activities 2015 WB, claimed to be Syrian after apprehension based on a widespread perception amongst migrants that they will be released faster.

Therefore, the high number of Syrian migrants is not only linked to Syrian nationals, but also to other migrants of other nationalities who claim to be Syrian (especially Iraqis, Algerians and Moroccans).

With regard to the profile of the apprehended migrants, most of them were young males in the 18 to 35 age bracket (the share of females within the total number of apprehended migrants was around 11% and this percentage was relatively stable throughout the operation).

Migrants travelling across Western Balkan countries mainly used trains and buses but crossed the borders on foot. The former Yugoslav Republic of Macedonia was the main transit country used by irregular migrants *en route* from

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Greece to other EU Member States. Since June 2015, when the former Yugoslav Republic of Macedonia authorities granted migrants the right to use public transport for free, the majority of migrants gather in [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] After that, the migrants [REDACTED]

[REDACTED] (92% of the total number of migrant apprehensions) [REDACTED]

[REDACTED]

[REDACTED] It was typical for large groups of migrants, often over 100 people at a time, to cross the border.

Most of these migrants crossed the border from Serbia to Hungary illegally [REDACTED]

[REDACTED]

[REDACTED]

From March to September 2015, 280 people smugglers were arrested and the main nationalities were Serbian (56%) and Hungarian (9%). Most of these people smugglers were residents of the Hungarian-Serbian border area and they were mainly used by migrants who wished to cross this border undetected. These migrants knew that if apprehended by the Hungarian authorities their fingerprints would be uploaded into EURODAC and thus, due to the Dublin agreement, they might be at risk of being returned to Hungary from the destination EU Member State.

Nearly all irregular migrants detected for illegal border-crossing at the Hungarian border with Serbia sought asylum after apprehension (98%). However, after that, nearly all of them absconded from the open reception centres for asylum applicants and continued their travel onwards to their countries of destination in other EU MS/SAC.

According to EASO, nearly 97% of the total number of asylum claims lodged in Hungary from January to September 2015 were discontinued, due to implicit withdrawals of the asylum applications. This clearly indicates the scale of asylum abuse by migrants in order to reach those Member States which they believe will provide them with the best living conditions.

During the second half of September 2015, the number of apprehensions remained under 300 persons per day, as most of the irregular migrants which transited the Western Balkan region entered the EU via Croatia.

1.2.2. The Croatian-Serbian border

During the JO Flexible Operational Activities 2015 WB from 3 March to 30 September 2015, 69 irregular migrants were apprehended within the Croatian operational area; the main nationalities were Afghan (43), Syrian (8), and Serbian (6). Additionally, one French national was arrested for smuggling people across the Croatian border with Serbia.

In recent years, Serbia has become the main nexus point where migrants travelling across the Western Balkan region gather before entering illegally into the EU area. Nearly all migrant apprehensions reported, from January to mid-September 2015, at EU's external borders with Serbia, were registered at the Hungarian border with Serbia and this can be largely attributed to the fact that Hungary represents the only Schengen member neighbouring Serbia

Travelling across Hungary involved fewer travel difficulties for irregular migrants compared to travelling via Croatia or Romania due to the fact that once migrants successfully entered Hungary they could continue their journey to other destination EU MS/SAC.

Conversely, would-be migrants travelling across Croatia or Romania would need to avoid not only border controls at the external borders of these countries with Serbia, but also border controls at the borders of these countries with members of the Schengen zone.

Commented [A12]: The non-disclosed text contains information regarding the operational area. Ongoing operations tend to cover similar operational areas as the operations of preceding years in the same geographical area. In this regard, disclosing the location of the operational areas of previous years, would be tantamount to disclosing the current operational areas. The result of this will only be to hamper the course of the ongoing operations, by depriving them of any strategy and element of surprise during border surveillance, ultimately obstructing their purpose to counter and prevent cross-border criminality as well as prevent unauthorized border crossings. In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.

The non-disclosed text contains detailed information regarding the modus operandi of criminal networks. Its disclosure would jeopardize the work of law enforcement officials and harm the course of ongoing and future operations, facilitating irregular migration and thus undermining the protection of the public interest as regards public security. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)a of Regulation 1049/2001.

However, after 15 September 2015, when the Hungarian authorities reinforced their border with Serbia, the number of migrant apprehensions detected at the Croatian border with Serbia rose sharply and according to open media sources, during the second half of September 2015, more than 90 000 migrants illegally entered Croatia from Serbia.

[REDACTED]

As a result of these travel services being offered to migrants, an increasing number of migrants who had entered Serbia illegally decided to continue their journey towards EU MS/SAC of destination via Croatia, rather than via Hungary.

After they manage to enter illegally into Croatia, migrants tried to find means of public transport that might take them to other EU MS/SAC of destination via Hungary.

The Croatian authorities were overwhelmed with the number of migrants arriving in Croatia from Serbia and faced great difficulties in coping with the situation, as this represented the highest irregular migratory pressure witnessed by Croatia in its history.

1.2.3. Forecast

[REDACTED]

- [REDACTED]

[REDACTED]

Commented [A13]: The non-disclosed text pertains to information crucial for situational awareness at the external borders of the EU which is used for risk analysis and in turn, operational decision making by the Agency. Disclosing this information publicly will undermine the effectiveness of Frontex operations as the risk analysis based on this information and used by Frontex to run its operations, would become common knowledge rather than intelligence to combat crime and prevent illegal cross-border activity. If this information would become public the efforts carried out by the European Union and Member States to curtail criminal activities would be jeopardized. Furthermore, there is a real risk that disclosing this information contained therein would be of benefit for the smuggling networks who would change their modus operandi accordingly, thus putting the life of migrants in danger. The disclosure is therefore refused, as it would undermine the protection of the public interest as regards public security in the sense of Article 4(1)(a) of the Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

Commented [A14]: The non-disclosed text contains detailed information regarding the modus operandi of criminal networks. Its disclosure would jeopardize the work of law enforcement officials and harm the course of ongoing and future operations, facilitating irregular migration and thus undermining the protection of the public interest as regards public security. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)a of Regulation 1049/2001.

[REDACTED]

1.2.4. Recommendations

The unprecedented and mass flow of people along the Western Balkan route are proving to be unmanageable for the border authorities involved and therefore the operational response has to be tailored accordingly.

The main activities which need to be reinforced are:

[REDACTED]

Hungarian Operational Area

[REDACTED]

Debriefing [REDACTED]

Croatian Operational area

[REDACTED]

Commented [A15]: The non-disclosed text contains detailed information regarding the modus operandi of law enforcement officials. It contains references to the methods applied by law enforcement officers to perform border control tasks in general and to counter illegal activities in particular. Its publicity would expose the working methods applied in those activities which would jeopardize the implementation of ongoing and future operations, and thus facilitate irregular migration and other cross-border crime such as facilitation of irregular immigration, trafficking in human beings and terrorism. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

Commented [A16]: The non-disclosed text contains information regarding the operational area. Ongoing operations tend to cover similar operational areas as the operations of preceding years in the same geographical area. In this regard, disclosing the location of the operational areas of previous years, would be tantamount to disclosing the current operational areas. The result of this will only be to hamper the course of the ongoing operations, by depriving them of any strategy and element of surprise during border surveillance, ultimately obstructing their purpose to counter and prevent cross-border criminality as well as prevent unauthorized border crossings. In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.

The non-disclosed text contains detailed information regarding the modus operandi of law enforcement officials. It contains references to the methods applied by law enforcement officers to perform border control tasks in general and to counter illegal activities in particular. Its publicity would expose the working methods applied in those activities which would jeopardize the implementation of ongoing and future operations, and thus facilitate irregular migration and other cross-border crime such as facilitation of irregular immigration, trafficking in human beings and terrorism. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

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Commented [A17]: The non-disclosed text contains detailed information regarding the modus operandi of law enforcement officials. It contains references to the methods applied by law enforcement officers to perform border control tasks in general and to counter illegal activities in particular. Its publicity would expose the working methods applied in those activities which would jeopardize the implementation of ongoing and future operations, and thus facilitate irregular migration and other cross-border crime such as facilitation of irregular immigration, trafficking in human beings and terrorism. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

ANNEX 2 - Operational Objectives and Indicators

General Objectives	Specific Objectives
Enhance border security	<ul style="list-style-type: none"> Carrying out effective border control at external borders in order to detect all suspicious means of transportation enabling to intercept persons, preventing unauthorized border crossings, countering and preventing cross-border criminality and taking measures against persons who have crossed the border illegally as well as reporting other illegal activities detected to the competent authorities Supporting the national authorities in disclosing cases of smuggling of migrants, trafficking in human beings and other cross-border crime Fostering MS operational structures (NCC/ICC/R-LCC/FP) Assist Greece in the registration of refugees and migrants who have not yet been registered in the country. Prevent the exit of the migrants who do not fulfil the conditions in accordance with the Schengen Borders Code
Enhance operational cooperation	<ul style="list-style-type: none"> High level of MS participation in operational activities Enhanced cooperation with other Union agencies and bodies or international organisations by implementing multi-character operational concept Enhanced cooperation between national authorities of host MS as well as on international level Seeking involvement of Third countries in operational activities / Participation of TC Observers in specific operational activity
Enhance exchange of information	<ul style="list-style-type: none"> Collection of operational information from all actors involved in order to obtain intelligence Distribution of operational information to all involved actors through authorized channels Implementation of fully automated online reporting system Seeking standardized format and quality of the reports and interviews Use of the "Guidelines for JORA Incident Template" giving detailed information on definitions and establishing a sets of priorities when selecting the appropriate attributes
Identify possible risks and threats	<ul style="list-style-type: none"> Carrying out debriefing activities to support migration management and obtaining intelligence, thus improving the risk assessments that underpin the operational activities Monitoring political, economic and social situation in the countries of origin and transit
Establish and exchange best practices	<ul style="list-style-type: none"> Delivering and supporting workshops, meetings, operational briefings, other networking events to participants Delivering and supporting operational briefings/debriefings to all participants of the joint operations including information on the fundamental rights and access to international protection Supporting targeted training activities

ANNEX 3 - Description of the Tasks and Specific Instructions to Guest Officers and other Participants (Rules Of Engagement)

BULGARIA

ARTICLE 3b (4) OF FRONTEX REGULATION

"Members of the European Border Guard Teams shall, in the performance of their tasks and in the exercise of their powers, fully respect fundamental rights, including access to asylum procedures, and human dignity. Any measures taken in the performance of their tasks and in the exercise of their powers shall be proportionate to the objectives pursued by such measures..."

1. Border surveillance

Surveillance methods (stationary surveillance, patrolling, etc)

In general, the tasks performed by the member of the EBG, as defined in Schengen Handbook are:

- to monitor the terrain they operate in,
- to ensure that there is no risk to public policy and internal security in the atrolling area,
- to check documents of persons being in the area, who are not known to the patrol team,
- to stop all suspected persons who do not have any documents and ask them to explain in detail their reasons for being in that area,
- to stop and bring to the nearest border guard's station persons who crossed or tried to cross the border illegally

(a) Definition of restrictions on access to some areas (e.g., military area and who/under-what-conditions is entitled to access)

(b) Definition of the possibility/conditions of hot pursuit

RELEVANT APPLICABLE LAW:

Patrolling and border surveillance by technical means:

According Article 39 (3) of the Ministry of Interior Act, Chief Directorate Border is national specialised structure for the purposes of the activities mentioned in Article 6 (1) points 1, 2, 5-7 in the border zone, in the areas of the border check-points, the international air and sea ports, the internal sea waters, the territorial sea, the adjacent area, the continental shelf, the Bulgarian section of the river Danube and the other border rivers and water basins on the territory on the country.

The border zone depth is 30 km. from the border line. The border strip is 10 to 300 m. depth and any activity in it shall be communicated in advance to and coordinated with the Director of the corresponding Regional Directorate of Border Police in which area of responsibility the activity will be conducted.

Depending on the specific tasks for land border surveillance, the following types of patrols/posts are performed:

- **Patrol** - carries out patrol activities on foot or as **Auto patrol** (by vehicle) in search of any signs (traces) for illegal border crossing; checks the presence and condition of the border signs (border marks) as well as the presence of other patrols;
- **Post** - secures preliminary defined area of the border or object; carries out surveillance with/without technical means from preliminary defined position;
- **Secret patrol** - undisclosed implementation of tasks for surveillance, detection and apprehension of persons;
- **Patrol "Border crossing checkpoint"** - carries out checks of passengers and vehicles at the border area;
- **Operational-investigation Team** - carries out hot pursuit and apprehension of wanted persons and persons who have illegally crossed the border or intend to cross the border illegally;
- **Convoy Team** - convoys apprehended persons;
- **Blocking/Cordon Team** - blocks main routes with aim to stop persons/vehicles from passing specific area/territory;
- **Mobile Unit for Control and Surveillance** - Joint patrol unit consisted by Border police and Customs' officers who carry out checks of persons, vehicles and facilities for concealed persons and excise goods;
- **Reserve** - carries out suddenly emerged tasks.

The type, composition and the time for carrying the duties of the patrols are determined by the Team leader. The specific tasks for each patrol and the methods of its implementation, along with risk-analysis conclusions and the current situation in the operational area for twenty-four hour period, are communicated to the officers at their Briefings which are not longer than 30 minutes. Officers are briefed prior to their duties implementation. **BGs attendance at the Briefings is obligatory.**

Definition of the possibility/conditions of hot pursuit

Hot Pursuit is police pursuit of persons violated or attempting to violate the State border. The pursuit can be done along the 30 km. border area and when needed, beyond the border area with the cooperation of other Mol bodies. The pursuit cannot be done in neighbouring country's territory. When personas have been detected for crossing illegally towards neighbouring country, based on the signed bilateral agreement, the neighbouring authorities shall be informed.

2. Interception/apprehension

Persons who crossed or tried to cross the border illegally shall be brought to the nearest border guards' station according to the Schengen Handbook.

a) Definition of the actions to be taken towards apprehended persons

Security body searches, transportation to the nearest BPU/BCP, etc.

Rules for security body searches and evidence collection on the spot

Transportation of migrants - security standards; rules and instructions;

RELEVANT APPLICABLE LAW:

Interception/apprehension/detention/arrest:

(a) Definition of the actions to be taken towards apprehended persons and Rules for security body searches and evidence collection on the spot

Police officers can do searches, to check and seize personal belongings following the procedures of Ministry of Interior Act, as follows:

Article 80. (1) of MIA: Police bodies shall carry out a search of any person:

1. Detained under the terms of Article 63 (1) of MIA;
2. Who is reportedly in possession of hazardous or prohibited objects;
3. Found at the scene of a crime or a violation of the public order, when there is sufficient evidence that he/she is in possession of objects, related to the crime or the violation.
4. In regard to whom a signal exists in the Schengen Information System (SIS) for applying specific control.

(2) Personal searches may be carried out only by a person of the same gender as the person searched.

Article 81. (1) Police bodies may search the personal belongings of persons:

1. In respect of persons of whom there is data that they had perpetrated a crime or another violation of the public order;
2. When required for the purpose of detecting or investigating crimes, and in cases of opened administrative penalty proceedings;
3. At checkpoints, established by the police;
4. The identity of a person cannot be established;
5. An alien, seeking protection under the Asylum and Refugees Act, entered at variance with the legal procedure or is illegally staying in the Republic of Bulgaria.
6. Who manifests serious mental disorder and by his/her behaviour disturbs the public order or exposes own life or the life of other individuals to clear danger;
7. A juvenile delinquent, having left his/her home, custodian, guardian or specialised institution in which he/she was placed;
8. Who had evaded a prison sentence or the premises where he/she was detained as accused by virtue of a police administrative measure or by an order of a judicial body;
9. Designated for international investigation upon request from another state in regard to his/her extradition or in fulfilment of an European arrest warrant;
10. When there is sufficient evidence of concealment of physical evidence of crime perpetrated;
11. In other cases, prescribed by a law.

The search shall be done in strictly obeying person's dignity.

Article 83. (1) of MIA: Police bodies may carry out inspections in premises without the consent of the owner or the occupant, or in their absence, only when:

1. When an imminent serious crime or one in progress must be prevented;
2. There is evidence that a perpetrator of a serious crime is hiding on premises;
3. It is required in order to provide urgent assistance to persons whose lives, health or personal freedom are endangered, or another in case of ultimate necessity is at hand.

(2) Upon completion of the inspection police bodies must draw up a protocol, indicating:

1. The name and position of the official and his/her place of work;
2. The identity of the owner or of the occupant;
3. The legal grounds for the inspection;

4. The time and place of conducting it;
5. The outcome.

(b) Transportation of migrants - security standards; rules and instructions;

If the apprehended for illegal border crossing persons cannot be handed over to the neighbouring country in 24 hours period, they shall be transferred to Specialized Facilities for Temporary Accommodation of Foreigners which is under the umbrella of Migration Directorate - Mol or to the State Agency for Refugees within the Council of Ministers.

During their transportation, the following internal regulations shall be strictly obeyed:
Ordinance Iz-1143/04.05.2011 for the organization and rules for carrying escorts in Mol;
Internal Methodological Guidelines for carrying escorts;
Ordinance Iz-2271/01.10.2010 for the methods and the organization of carrying land/sea/river border surveillance.

Escorting is compulsory transportation of one or more persons in specific route, carried by Escort Teams. It is conducted:

- by feet;
- with specialized escort vehicles or service cars;
- with regular civil transportation busses;
- with railways;
- with airplanes;
- with sea/river transportation;

The escort type is chosen prior to the convoy and individually for each case, depending on the escorted person/s, operational situation, the weather conditions and the available resources.

It is strictly prohibited to appoint officials for escorting activities who:
does not have police powers;
have family relations or other personal relations with the escorted person/s;
are somehow connected and dependent by the results of the criminal process against the escorted person/s;

3. Follow up measures at the BPU/BCP/reception centre

Rules for security body searches and evidence collection in the BPU/BCP/reception centre;

(a) Basic human needs met prior the reception activities;

Members of the EBGTs shall, prior to any other action described below, and when required, support the host MS authority rendering the basic human needs of apprehended persons such as food and medical assistance, etc

(b) Status assessment and procedure to be followed

Members of the EBG T shall assess whether a possible removal could lead to a violation of the principle of non refoulement. Members of the EBG Ts shall also refer to the authorities of the host MS the cases when a person intercepted/apprehended expresses, in any way, a fear of suffering serious harm if (s)he is returned to his/her country of origin or former habitual residence, or if he/she asks for asylum.

(c) Special measures applicable to vulnerable persons

Members of the EBG Ts shall support the host MS authorities providing special treatment to vulnerable groups of apprehended persons, i.e.: unaccompanied minors, women victims of trafficking or pregnant, disabled persons and victims of exploitation or trafficking, etc.

RELEVANT APPLICABLE LAW:

Interception/apprehension/detention/arrest:

Rules for security checks and evidence collection;

Police officers can do searches, to check and seize personal belongings following the procedures of Ministry of Interior Act, as follows:

Article 80. (1) of MIA: Police bodies shall carry out a search of any person:

1. detained under the terms of Article 63 (1) of MIA;
 2. who is reportedly in possession of hazardous or prohibited objects;
 3. found at the scene of a crime or a violation of the public order, when there is sufficient evidence that he/she is in possession of objects, related to the crime or the violation.
 4. in regard to whom a signal exists in the Schengen Information System (SIS) for applying specific control.
- (2) Personal searches may be carried out only by a person of the same gender as the person searched.

Article 81. (1) Police bodies may search the personal belongings of persons:

1. in respect of persons of whom there is data that they had perpetrated a crime or another violation of the public order;
2. when required for the purpose of detecting or investigating crimes, and in cases of opened administrative penalty proceedings;
3. at checkpoints, established by the police;
4. the identity of a person cannot be established;
5. an alien, seeking protection under the Asylum and Refugees Act, entered at variance with the legal procedure or is illegally staying in the Republic of Bulgaria.
6. who manifests serious mental disorder and by his/her behaviour disturbs the public order or exposes own life or the life of other individuals to clear danger;
7. a juvenile delinquent, having left his/her home, custodian, guardian or specialised institution in which he/she was placed;

8. who had evaded a prison sentence or the premises where he/she was detained as accused by virtue of a police administrative measure or by an order of a judicial body;
9. designated for international investigation upon request from another state in regard to his/her extradition or in fulfillment of an European arrest warrant;
10. when there is sufficient evidence of concealment of physical evidence of crime perpetrated;
11. in other cases, prescribed by a law.

The search shall be done in strictly obeying person's dignity.

Bulgarian Child Protection Act

Police protection

Article 37.(1) Provision of police protection to a child shall be done by the specialized bodies of the Ministry of the Interior.

(2) The bodies under par. 1 shall work in cooperation with child protection bodies.

Grounds

Article 38. Police protection is an urgent measure to be applied when:

1. the child has become subject of crime or there is an immediate threat for his or her life or health, as well as when there is a danger of the child getting involved in a crime;
2. the child has been lost or is in a helpless condition;
3. the child has been left without supervision.

Police protection measures

Article 39.(1) The specialized bodies of the Ministry of the Interior may:

1. accommodate the child in special premises, where they shall not permit any contacts with the child that may prove harmful to him or her;
2. place the child in specialized institutions and where necessary provide him or her with food;
3. return the child back to his or her parents or the persons entrusted with the parental functions.

(2) The specialized bodies under par. 1 shall inform the child and explain to him or her in an understandable manner the measures undertaken and the grounds for them.

Obligation to notify

Article 40. The police bodies, who have implemented the protection, shall notify immediately:

1. the child's parents;
2. the social assistance directorate of the region where protection has been implemented;
3. the social assistance directorate at the current address of the child;
4. the prosecution.

Period

Article 41. The child may not remain under police protection longer than 48 hours.

Article 43. The order and conditions to provide police protection shall be governed by an ordinance issued by the Minister of the Interior in agreement with the State Agency for Child Protection.

Specialized protection of children at public places

Article 43a. (1) Specialized protection of children at public places is setting up of conditions that do not threaten the physical, mental, and moral development of the children.

(2) Specialized protection of children at public places shall be provided by the bodies of the Ministry of Interior, social assistance directorates, municipality, regional educational inspectorates under the Ministry of Education and Science, regional centers of health as well as the owners, tenants, users and organizers of public events, commercial places, cinemas and theatres.

Basic human needs met prior the reception activities;

According the provisions of Article 12 of Ordinance I-13/29.01.2004 for the procedures of temporary accommodation of foreigners and the organization and tasks of the specialized facilities for temporary accommodation, the foreigners are subject to obligatory medical examination, which results are

recorded in Register. The examination must be conducted by medic from the medical services of Mol or by one of the Specialized Facilities for Temporary Accommodation of Foreigners. Emergent medical assistance is provided by the Emergency Assistance Centres within Ministry of Health.

Status assessment and procedure to be followed

CDBP is applying all measures defined in the Ministry of Interior Act (MIA) regarding foreigners detained for irregular crossing of the state border of the Republic of Bulgaria, including those in need of protection. All those measures are mentioned in the MIA and Regulation for the Structure and Functions of Ministry of Interior (RSF of Mol) and respect detainees' rights stipulated in the Constitution of the Republic of Bulgaria, the Convention regarding the Status of Refugees since 1951, New York Protocol since 1967 and the European Convention on Human Rights.

Police officers of GDBP-Mol have the power to detain foreigners in the border area while ensuring their rights under the provisions of MIA. Detention of the persons is allowed with written order under the provisions of (RSF of Mol) these written orders cannot be issued for more than 24 hours.

Acting procedures of CDBP officers related to detention of foreigners at the state border Republic of Bulgaria, preparation of the necessary official documents, escort and detention of foreigners in Distribution Centre under State Agency for Refugees (SAR) are based on the existing secondary legislation.

When the foreigner declares in writing, verbally or otherwise to employees GDBP-Mol desire to receive special protection in Bulgaria, pursuant to Art. 59 (1) of Law for Asylum and Refugees (LAR), the document (application) of the applicant should be sent to the SAR.

Verbal or otherwise, the act of an applicant is recorded by an official, signed or otherwise authenticated by the applicant and the translator, interpreter, respectively, as it is obligatory all communication to be performed by them.

When communicating with foreigners, with aim to assess the need for protection, the questions used for the interviewing should be open type questions. Thus the interviewee has the opportunity to tell the events in their own way as the open end questions contributing to this.

In the process of their work with detainees border guards should treat them with respect and dignity, which is a necessary condition for successful communication.

In the event of cases in which persons detained in relation with illegal crossing of the state border and have been subjected to violations of their human rights due to illegal actions of law enforcement officers (border guards) from the Ministry of Interior, respectively GDBP the following legal options action are applicable:

disciplinary proceedings can be formed and conducted if there is an evidence of violations of official discipline of employees of the CDBP in relation with the MIA;

an assessment of the professional work of the border guards can be started on the basis of which their employment may be terminated or they can be transferred to another position after a proposal from their relevant management;

investigation and prosecution organs shall be promptly notified of the obtained evidence of an indictable offense under the Penal Code by the staff of the CDBP in order to take actions under the Criminal Procedure Code (CPC);

when charges are pressed against officers from CDBP suspension actions against their access to classified information under the Law on the Protection of Classified Information and the follow-up actions on termination of their employment relationship as a civil servants in Mol should be taken.

During the implementation of each of the investigative proceedings is legally provided and guaranteed order (according to MIA and CPC) to ensure the confidentiality of the information under investigation as well as the provision of medical and psychological care and to the provision of legal aid and necessary assistance to those who are victims of crime.

Special measures applicable to vulnerable persons

Subsequent to persons' apprehension and their temporary accommodation at the facilities for apprehended persons for a period no longer than 24 hours, a Compulsory Administrative Measure is imposed to the foreigners.

According to the Bulgarian Law for Foreigners, Compulsory Administrative Measures are imposed to foreigners, detected for illegal border crossing or detected irregulars at the border area, as well as to those who are illegally staying in Bulgaria. If any obstacles for handling the irregular migrants back to the neighbouring country exist, an ordinance for accommodation at the premises of Migration Directorate's temporary accommodation facilities of foreigners is issued. Their returning back to neighbouring country is carried out when possible.

According to the above mentioned law, foreigners who applied for protection shall not be imposed with Compulsory Administrative Measure until the decision for providing protection of the Chairman of State Agency for Refugees is issued.

As it comes to families and children seeking asylum in Bulgaria detained during the current year in the area of responsibility of GDBP, this category of foreigners have precedence over the other detainees. With Families and children who claimed in front employees GDBP desire to obtain protection in Bulgaria should be proceed according to the order mentioned above (for persons seeking special protection in Bulgaria), the actions and activities in the processing of this category of persons is under the principle of preserving the integrity of the family and in the case of unaccompanied children to observe the principle of the best interests of the child.

The latest amendments in to the Law for the Foreigners in the Republic of Bulgaria (LFRB) (article. 44 tons. 9) introduced a ban unaccompanied minors to be forcibly detained in detention centres of Migration Directorate - CDBP - Mol. The law requires this category of persons to be transmitted in the Directorate Social Assistance to take measures for protection under the Law on Child Protection.

As regards detected unaccompanied minors at the border area, their accommodation at the facilities is considered according Article 44 (9) of the Bulgarian Law for Foreigners. Article 38 of the Child Protection Act provides possibilities for "police protection" (Article 37) during the 24 hours arrest.

The conditions for providing police protection of minors are described in Ordinance I-51/12.03.2001 for the conditions and procedures for providing police protection of minors.

If minors are detected in the border area, according Article 3 of the above mentioned Ordinance, they are being transferred to the National Police's authorities for providing police protection. According Article 6 (2) the protection is provided 24/7 hours a day. Minors under police protection are being accompanied by Border police officers to the National police facilities or to the Home for Temporary Accommodation of Children (aged between 3-18) within 15 days strictly following the conditions of Ordinance Iz-2019/09.11.2006 for the organization and rules for accompanying minors by Ministry of interior officials. The approach towards each person who belongs to the vulnerable groups is individual according to person's needs.

4. Use of force/weapons

a) Define the principles on the use of force

When using force, members of the EBGTs shall not exceed the minimum degree that is necessary, proportional and reasonable in the circumstances. The force of force or coercive measures is possible for the performance of duty or in legitimate self-defence and in legitimate defence of other persons.

b) Define the principles on the use of weapons

The use of firearms, as it may affect the life or health of persons is the last resource of the actions of guest officers. Firearms may only be used in case of legitimate self-defence and in legitimate defence of other persons. If the use of a firearm is inevitable the members of the EBGs shall ensure that it will be done in such a way that causes the less possible injuries.

- c) Define the type of equipment/weapons permissible*
- d) Define the conditions to use coercive measures/weapons (warnings, targets, etc)*
- e) Define the immediate measures to be taken following the use of coercive measure/weapons*
- f) Special rules to dog handlers*

RELEVANT APPLICABLE LAW:

(a) Define the principles on the use of force;

According Ministry of Interior Act (MIA)

Article 85. (1) Police bodies may apply force and auxiliary means in the course of discharging their official functions only if the latter may not be achieved otherwise, in the following cases:

1. Resistance or refusal to obey a legal order;
 2. Detention of an offender who does not obey or resists a police body;
 3. Escorting a person or when the person attempts to escape or take his/her life or the life or health of other persons;
 4. (Supplemented, SG No. 98/2008) rendering assistance to other state bodies or officials, including the inspectors of the European Commission, who are illegally impeded to fulfil their duties;
 5. Attacks on citizens and police bodies;
 6. Freeing of hostages;
 7. Group violations of the public order;
 8. Attacks on buildings, premises, facilities and vehicles;
 9. Release of illegally occupied sites, if so ordered by a competent body.
- (2) (New, SG No. 88/2010) In the course of discharge of their official duties the bodies of receipt, carriage and delivery of correspondence, containing classified information, shall be entitled to apply physical force and auxiliaries in cases of attempted unauthorised access to the correspondence only if protection from unauthorised access may not be ensured in any other way.
- (3) (Renumbered from Paragraph 2, SG No. 88/2010) Auxiliaries shall be: handcuffs; strait jackets; rubber, plastic, assault and electric shock batons and devices; chemical substances approved by the minister of health; service animals - dogs, horses; blank cartridges, rubber/plastic/shock cartridges; roadblock applications; forced entry devices, diverting flash and sound devices; water cannons and air jet machines; armoured vehicles and helicopters.

(4) (Renumbered from Paragraph 3, SG No. 88/2010) The procedure for applying auxiliaries shall be determined by an ordinance of the Minister of Interior.

Article 86. (1) Force and auxiliaries shall be used following a warning, with the exception of the cases of sudden attack and release of hostages.

(2) Use of force and auxiliaries shall reflect the specific circumstances, the nature of the public order violation and the identity of the offender.

(3) In the cases mentioned in article 85 police bodies shall use only absolutely necessary force.

(4) In using force and auxiliaries police bodies must, when possible, protect the targets' health and take all possible measures to protect the targets' lives.

(5) The use of force and auxiliaries shall be terminated immediately after achieving the objective of the applied measure.

(6) Force and auxiliaries may not be used in regard to obviously underage persons and pregnant women. This prohibition shall not apply to mass disorders, when all other means had been exhausted.

(7) The uses of life-threatening force for apprehension or prevention the escape of a person who has committed a non-violent offense if the person is not endangering life and health of others is forbidden.

(b) Define the principles on the use of weapons

Use of firearms is defined, according Ministry of Interior Act (MIA)

Article 87. (1) Police bodies may use firearms as a last resort:

1. in cases of armed attack or threat with firearms;
2. in the course of releasing hostages and kidnapped persons;
3. following a warning in the course of detaining a person, committing or having committed a felony, if it resists or tries to escape;
4. after having issued a warning to prevent the flight of a legally detained felon.

(2) In using firearms, where possible, police bodies must protect the life of the target person and ensure that the life and the health of other persons shall not be jeopardised.

(3) (Amended in 2010) Police bodies may use firearms without warning when conducting border surveillance:

1. in the event of armed assault on them;
2. against persons, putting up armed resistance;

(4) When conducting border surveillance within the limits of internal sea waters and the territorial sea of the Republic of Bulgaria, police bodies shall be entitled to use firearms in the cases provided for by the Maritime Space, Inland Waterways and Ports of the Republic of Bulgaria Act.

(5) Police bodies cease use of firearms immediately after the achievement of the legal purpose

(6) Use of firearms for apprehension or prevention the escape of a person who has committed or who is performing non-violent offense if the person is not endangering life and health of others is strictly prohibited

(7) After having used firearms, the police bodies shall draw up a report.

(c) Define the type of equipment/weapons permissible;

Service weapons and equipment which can be used by foreign experts officially while performing service on the territory of the Bulgaria have to comply with following characteristics:

1. Non automatic system short barrel handguns with length of the barrel - not more than 300 mm. long;
2. Ammunitions - not more than 50, the first cartridge-clip have to be "stop" type;
3. Blank cartridges
4. Cartridges with rubber
5. Plastic or shock bullets
6. Batons - plastic and patent;
7. Handcuffs;
8. Assault or electric shock stick and devices;

9. Pepper spray;
10. Specific aerosols -containing „kapsaicinid“.

(d) Define the conditions to use coercive measures/weapons (warnings, targets, etc)

While apprehending persons BGs are allowed to use service weapons, force, surveillance equipment as well as auxiliary means according the law.

During the apprehension, any actions and methods which threaten the persons' life or health shall not be undertaken.

Physical force and auxiliary means shall be used after appropriate forewarning except in cases of sudden adversary attack and during hostages rescuing missions.

The usage of physical force and supporting means shall be undertaken according the specific situation, public order violation type and violator's personality.

During the physical force and auxiliary means usage, the BGs are obliged to protect persons' health as well as to take all measures needed to protect the violator's life.

The physical force and auxiliary means usage shall be immediately discontinued after reaching the aim of their use. While using service weapons BGs are obliged to protect, when possible, violator's life and not to threaten the life and health of other persons.

The use of physical force and auxiliary means is prohibited against persons apparently looking as minors and pregnant women. The prohibition is not referring to cases of mass disorders when all other means have been useless.

(e) Define the immediate measures to be taken following the use of coercive measure/weapons

The border guards must provide first aid assistance of persons injured after the use of weapons, force or auxiliary means. For each individual case of use of service weapons, force and auxiliary measures, BGs must prepare written report, signed by the officer who has conducted the action and/or the superior who has ordered their usage.

The written report must consist of:

- Officer's name, rank and service;
- Place, date, time and type of actions taken (use of service weapon/auxiliary means or force);
- The conditions and reasons of its usage;
- Type and amount/quantity of the used impact;
- If possible, any personal data concerning the person/s against whom the actions was/were taken;
- Follow up health/life safety measures taken of injured persons against whom the actions were taken;
- Visible aftereffects of the actions taken;

g) Special rules to dog handlers

As a last resort, when all other measures for apprehension of violators have been useless, the dog handler releases the dog, as prior the releasing is obligated to command loudly "Police, stop immediately! I will release the dog!"

CROATIA

Description of the tasks and special instructions for the members of the EBGT¹

ARTICLE 3b (4) OF FRONTEX REGULATION

"Members of the European Border Guard Teams shall, in the performance of their tasks and in the exercise of their powers, fully respect fundamental rights, including access to asylum procedures, and human dignity. Any measures taken in the performance of their tasks and in the exercise of their powers shall be proportionate to the objectives pursued by such measures..."

The national border guard service of host countries and first of all the local staff has the leading role of the implementation this joint operation. The members of EBGTs, support the local staff and based on their (different) mandate carry out measures in line and in agreed way with the officers of local staff based on in accordance with the Schengen Border Code.

1. Border surveillance

(c) *Surveillance methods (stationary surveillance, patrolling, etc)*

- **TEAMS FOR BORDER PROTECTION** (vehicle patrols, vessels patrols, off-road motorcycle patrols and patrols on foot with the use of the official dog for protection-researching purposes)

(d) *General tasks of the members of the EBGT*

In general, the tasks performed by the member of the EBGT, as defined in Schengen Handbook are:

- to monitor the terrain they operate in,
- to ensure that there is no risk to public policy and internal security in the atrolling area,
- to check documents of persons being in the area, who are not known to the patrol team,
- to stop all suspected persons who do not have any documents and ask them to explain in detail their reasons for being in that area,
- to stop and bring to the nearest border guard's station persons who crossed or tried to cross the border illegally

(c) *Specific tasks/instructions in relation to each surveillance method*

➤ **TEAMS FOR BORDER PROTECTION**

Team for border protection is a group of police officers to protect the border that is managed by the group leader for border protection. Group consists of: a group leader for the border protection, police officers for border protection, which are arranged in a vehicle patrols and patrols on foot in the border sectors. Team can be accompanied with a Sector border leader, a leader of patrol boats, police officers for combat against cross-border crime, a motorcyclist and a police officer/dog handler with a dog for the border protection.

¹ Pursuant to the provision of Article 3a(d) of the Frontex Regulation

The methodology of the group:

- mobility, unpredictability and a quick response to the event
 - work on the basis of information, risk analysis and strategic assessment
 - prevention of corruption border police - according to Plan for combat against anti-corruption measures in the border police and the use of technical equipment
-
- sector border leader - participates in the development of risk analysis in the field of the state border protection, participates and directs the preparation of daily schedule, participating in operational tasks
 - group leader for the border protection - meets the overall composition of the group with news relevant to the performance of state border protection, plans operational measures and tactical actions within police station jurisdiction according to the collected information, coordinate the implementation of operational activities and suggests the police officers in the proper performance measures and actions on the protection of state borders in order to prevent illegal crossings, as well as all forms of cross-border crime and cooperate with the leader sector border leader and the head of the shifts
 - leader of patrol boats - apply police powers within inland waterways as defined by international and national law
 - police officers for border protection - acting as a group for the protection of state border, perform border protection tasks, take measures to prevent violations of the state border, control movement and stay in the area along the border, undertake observations, escorts and ambushes in the places of illegal crossings, controlling accuracy of the border marks, submit reports about the identified violations, observations and gathered information regarding the security of the state border
 - directly perform tasks in crime investigation and crime control in order to prevent the execution of criminal acts in the area of cross-border crime, capture and detection of offenders, collect criminal charges, fills the criminal forms about offenses and offenders for EOS record input, and participate in investigative activities that are entrusted to the border police
 - police officer/dog handler - perform with the official dog for protection-research purposes the tasks of protecting the state border in order to prevent illegal border crossings, detecting and finding people who have illegally crossed the state border, helps in performing the tasks of suppression cross-border crime, conducts the training of a dog

(d) *Definition of restrictions on access to some areas (e.g., military area and who/under-what-conditions is entitled to access)*

- Temporary restriction of movement:

- National legislation includes cases when can be temporarily restrict access or movement in a particular area or facility or to keep people in order to:
 - preventing a criminal offence prosecuted *ex officio* or a misdemeanor locating and capturing a perpetrator of a criminal offence prosecuted *ex officio* or a misdemeanor punishable by a prison sentence
 - locating and capturing a person for whom the police are searching
 - finding traces and objects which may serve as evidence of a criminal offence prosecuted *ex officio* or a misdemeanour punishable by a prison sentence
 - securing protected persons, buildings and areas
- Unless otherwise stipulated by a special law, detention in a particular area or building may not be extended beyond the time necessary to achieve the purpose for which the power is exercised, and no longer than six hours.
- Temporary restriction of access or movement within a certain area or building may not be extended beyond the time necessary to achieve the purpose for which the power is exercised.
- Temporary restriction of freedom of movement is carried out with following a criminal tactical actions: blockade, raids, ambushes, pursuit and restriction of access, restriction of movement in the area or facility for safety reasons

(e) Definition of the possibility/conditions of hot pursuit

The pursuit is the criminal tactical action that arising out of police powers temporary restriction of movement:

- A police officer is obligated promptly notify the initiated pursuit. Operational Communication Centre of Police Department or Operational duty service in police station in order to timely join other law enforcement officers with the necessary resources
- In conducting criminal tactical action the pursuit can be used and other police powers: the use of means of coercion or the use of the device for forcibly stopping the vehicle, the use of official dog and firearms
- A police officer shall use the mildest means of coercion sufficient to achieve the objective
- A police officer shall discontinue using the means of coercion as soon as the reasons for which he applied them are no longer present
- In carrying out police duties on inland waterways police officer is authorized to use police powers to persecution vessel or vessel:
 - The pursuit of a vessel may commence if a vessel fails to stop in response to a call to stop conveyed by visible visual or auditory signals or signals of the International Code of Signals from a distance sufficient for reception of the call.
 - If the pursuit referred to in paragraph 2 of this Article was not interrupted, it may be continued in the high seas until the pursued vessel enters the territorial sea of another state.
 - If the pursued vessel fails to stop, a police officer shall endeavour to stop it with a manoeuvre or by other means.

- In the course of pursuit, shots may be fired in the air above the vessel or at a safe distance ahead of the bow in order to warn or intimidate the crew of the vessel.
- If the vessel fails to stop even after the mentioned actions use of firearms against the vessel is permitted.
- When using firearms in the mentioned circumstances the police officer shall make sure not to jeopardise the lives of the persons aboard the pursued vessel.
- Police pursuit and prosecution are prescribed by national legislation in the Law on Police Duties and powers and the Regulations on the conduct of police officers
- If the joint patrol operates close to the common state border, the pursuit can continue at a distance of up to ten kilometers from the border line towards the interior of the state territory in accordance with the implementing protocols arising from agreements on police cooperation with neighboring countries

RELEVANT APPLICABLE LAW:

Law of state border protection

The Law of Police Duties and powers

2. Interception/apprehension

Persons who crossed or tried to cross the border illegally shall be brought to the nearest border guards' station according to the Schengen Handbook.

b) Definition of the actions to be taken towards apprehended persons

A person that was arrested on suspicion of having committed a criminal offense must be immediately:

- informed of the reasons for arrest
- instructed about the right to remain silent
- instructed about his right to legal counsel of his own choice
- instructed that competent authority will, at request inform family member or any other person designated by person arrested

Exceptionally, a person will not be instructed about their legal rights if, under the circumstances, is not possible due to the circumstances.

If there are reasons that justify the arrested individual to be enchained (suspect of escaping or reacts violently), then he is enchained always with his hands behind his back and never in front of him.

The tactic of enchainment is always conducted by one police officer, while the second one covers his partner from a proper distance. The same tactic is been followed in case more police officers participate in the control process or there are more individuals to be apprehended.

All the apprehended persons are transferred to the respective police service or to a designated for them place.

For safety reasons and respect to the personality of the apprehended the police officers must avoid if possible transfer on foot, and call for support of a vehicle unit.

Rules for security body searches and evidence collection on the spot

Upon apprehension, body search is carried out while at the same time evidence is collected. Body search can be done visually, by touch, using other senses, using technical means or official dog. Body search for possible explosive devices is performed by specially trained police officer.

Police officers will extract a person over which body search is performed, and familiarize the person with the reasons for the examination.

Body search is performed by two police officers in a manner that one police officer performs a body search while another police officer takes care of the safety of police officers, and in exceptional cases, if there are reasonable grounds; body search can be performed only one police officer.

The search of a person shall be performed by a person of the same sex. Exceptionally, when an emergency search is necessary for the purpose of seizing weapons or objects which can be used for assault or self-injury, the search can be performed by a person of the other sex.

Transportation of migrants to the nearest BPU/BCP - security standards; rules and instructions;

After completed body search and verification of identity a person will be transported with a special vehicle to the police station.

RELEVANT APPLICABLE LAW:

Law of state border protection

The Law of Police Duties and powers

3. Follow up measures at the BPU/BCP/reception centre

Rules for security body searches and evidence collection in the BPU/BCP/reception centre;

After the body search, objects found will be confiscated from persons with confirmation for the seized items.

After the forfeiture of the objects, they will be safely stored and transported together with the person to the police station.

(d) *Basic human needs met prior the reception activities;*

Members of the EBGs shall, prior to any other action described below, and when required, support the host MS authority rendering the basic human needs of apprehended persons such as food and medical assistance, etc

Upon the arrival of persons to the police station the persons will be provided with adequate medical care and food and beverage.

(e) Status assessment and procedure to be followed

Members of the EBGs shall examine the personal circumstances of each person before removal. Collective expulsions are prohibited. Members of the EBG shall assess whether a possible removal could lead to a violation of the principle of non refoulement.

Members of the EBGs shall also refer to the authorities of the host MS the cases when a person intercepted/apprehended expresses, in any way, a fear of suffering serious harm if (s)he is returned to his/her country of origin or former habitual residence, or if he/she asks for asylum.

If a person who is found on the green border asks for an asylum, police officers will take that person to the police station and the police officers for illegal migration will take further action, and provide the person all the rights under the Law on Asylum.

No person shall be returned to a country where there is a serious risk that he or she would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where his or her life or freedom would be threatened on account of his or her race, religion, nationality, sexual orientation, membership of a particular social group or political opinion; or from which there is a serious risk of such an expulsion or removal to another country in contravention of the principle of non-refoulement.

(f) Special measures applicable to vulnerable persons

Members of the EBGs shall support the host MS authorities providing protection to vulnerable groups of apprehended persons. They shall take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, victims of human trafficking disabled people, elderly people, pregnant women, single parents with minor children, persons with serious illnesses, persons with mental disorders and persons who could have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence."

UAM

If these categories of persons are apprehended on the green border they will be taken to the police station and handed over to specialist officers of the Crime police for further action and in case of unaccompanied minors presence of social worker is mandatory. Children or adolescents are transported in vehicles without police insignia and by the police officers in civilian clothes.

UAM cannot be detaining in reception centre without legal guardian. Maximum length of detention of minor is 6 months without possibility of extension. UAM are usually accommodated in houses for children.

Victim of trafficking

In case of victim of human trafficking according to national referral mechanism first step is providing first forms of aid and protection to victim. Mobile teams which provide aid and protection are available 24/7, and they arrive upon call by national coordinator from Mol.

All measures undertaken to vulnerable persons must be done in shortest possible time.

RELEVANT APPLICABLE LAW:

Law of state border protection

The Law of Police Duties and powers

Asylum Law

Act on aliens

Protocol about procedure with foreign UAMs.

Protocol on identification, assistance and protection of victims of human trafficking

4. Use of force/weapons*h) Define the principles on the use of force*

When using force, members of the EBGs shall not exceed the minimum degree that is necessary, proportional and reasonable in the circumstances. The force of force or coercive measures is possible for the performance of duty or in legitimate self-defence and in legitimate defence of other persons.

Use of force may be applied in cases prescribed by law (Law on police duties and powers) for the protection of human life, overcoming resistance, preventing escape, repel an attack and to eliminate danger if it is likely that issuing a warning or a command will not achieve the goal.

Means of coercion are applied with special regard to the child, the person whose movement is considerably more difficult, a pregnant woman in the visible stage of pregnancy, and the person who is obviously sick.

Use of force is applied following a warning, unless it is likely that a pre-warning could jeopardize achievement of the objective.

A police officer shall use the mildest means of coercion sufficient to achieve the objective.

Police officer will discontinue with the use of force as soon as objective is accomplished.

i) Define the principles on the use of weapons

The use of firearms, as it may affect the life or health of persons is the last resource of the actions of guest officers. Firearms may only be used in case of legitimate self-defence and in legitimate defence of other persons. If the use of a firearm is inevitable the members of the EBGs shall ensure that it will be done in such a way that causes the less possible injuries.

A police officer is authorized to use firearms:

a) In self-defence,

b) As a last resort if he without the use of firearms cannot remove immediate or imminent danger to his own or another person's life, which otherwise could not be removed,

j) Define the type of equipment/weapons permissible

Police officer may use service firearms (pistols and revolvers), also rubber batons, metal handcuffs and sprayer with irritant substances (pepper spray).

k) Define the conditions to use coercive measures/weapons (warnings, targets, etc)

Prior to the use of firearms officer shall make a verbal command: "Stop, police!", Then the command and warning: "Stop or I will shoot!"

A police officer will after issuing verbal command and warning, fire a warning shot into the air, if this does not create a hazard to the safety of people and property.

The police officer will not make a verbal command and a warning if this would threaten his life or the lives of others or if issuing a verbal command and a warning would brought into question the performance of official duties.

The use of firearms is not allowed when its usage would endanger the lives of other persons, unless the use of firearms only means of defence against attack.

The use of firearms is not allowed against a child or a minor, except when the use of firearms only way to defend against attacks or to prevent the danger.

l) Define the immediate measures to be taken following the use of coercive measure/weapons

The border guards must provide first aid assistance for persons injured after the use of force/ firearms.

In case there is use of force/firearms by a police officer, he has to report immediately this incident to his Police service.

m) Special rules to dog handlers

Official dog with muzzle and leash police officer may use as a means of coercion when it is allowed to use physical force, spray with irritant substances and batons.

Official dog without a muzzle and a leash, a police officer may use as a means of coercion, if the conditions for the use of firearms are fulfilled.

RELEVANT APPLICABLE LAW:

Law on police duties and powers

5. Border checks

a) Rules guaranteeing protection of fundamental rights of any person seeking to cross borders, i.e. prohibition of inhuman and degrading treatments, prohibition of discrimination, protection of human dignity, right to be informed, etc.

Fundamental Rights enshrined in the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union must be guaranteed to any person seeking to cross borders. Border control must notably fully comply with the prohibition of inhuman and degrading treatments and the prohibition of discrimination enshrined, respectively, in Articles 3 and 14 of the European Convention on Human Rights and in Articles 4 and 21 of the Charter of Fundamental Rights of the European Union.

All travellers have the right to be informed on the nature of the control and to a professional, friendly and courteous treatment, in accordance with applicable international, EU and national law.

EBGTs shall, in the performance of their duties, fully respect human dignity. Any measures taken in the performance of their duties shall be proportionate to the objectives pursued by such measures. While carrying out border checks, border guards shall not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Human rights in Croatia are defined by the Constitution of Republic of Croatia, chapter three, sections 14 through 69. Chapter III of the Constitution guarantees the protection of human rights and fundamental freedoms, and a large number of individual rights.

Except Constitution, there is many laws which guarantee protection of human rights. One of most important is Croatian Criminal procedure act. In article 7 is proscribed: A person who was arrested on suspicion of having committed a criminal offense must be immediately:

- 1) informed of the reasons of arrest
- 2) instructed that is not obliged to testify
- 3) they can use lawyer
- 4) instructed that authority, on its request, can call somebody of its family or any other person designated by him.

b) Examinations of applications for international protection (including asylum)

All applications for international protection (including asylum) lodged at the border must be examined by Member States in order to assess, on the basis of the criteria laid down in Council Directive 2004/83/EC of 29 April 2004, whether the applicant qualifies either for refugee status, in accordance with the Geneva Convention relating to the Status of Refugees of 28 July 1951 as supplemented by the New York Protocol of 31 January 1967, or for subsidiary protection status, as defined in the same Directive.

In Croatia is not allowed to forcibly remove or in any way to return an alien to a country where his life or freedom would be threatened on account of race, religion or nationality, membership of a particular social group or political opinion, or in a country where they are subjected to torture, inhuman or degrading treatment or punishment.

The Republic of Croatia shall grant asylum to an alien who is outside the country of his nationality or to stateless person who is outside the country of habitual residence, which is due to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinions.

c) **Define the tasks of the member of the EBG while border checking of third country nationals (first line check, second line check, etc.)**

According to the Law on the State Border protection the first line of control is place where basic and thorough border control is performed. Second line of control is place where additional checks are performed.

Border control of person can be basic and through.

Basic controls include checking a person's identity by examining the documents required for crossing the border, and consists of a fast and simple validation of documents required for crossing the border.

During border control police officer can, from time to time, by examining the database to check that the person does not pose a threat to public order, national security or public health.

Through control of persons includes checking the conditions for entry and stay, validity of the documents required for crossing the border and checking the relevant database.

Through control of persons on exit includes verification of documents required for crossing the border and checking the eventual reasons for the prohibition of leaving the country, and may include checking the data in the records of wanted persons and the legality of residence.

The basic border control is performing on persons who are Member of the European Economic Area on specially designated and marked line, if is that possible.

Over all other persons a thorough check is performed.

d) **Rules for security body searches and evidence collection in the BCP**

Security body search takes place immediately after the arrest and aims at:

- Discovering and seizing weapons or other objects that may facilitate the escape of the apprehended person.
- Collecting evidence related to the crime, which could be destroyed by the apprehended person.

Search does not involve searching body cavities.

In accordance with the Regulations on the conduct of police officers (Official Gazette 89/2010) police officers will extract a person over which is performing examination and before starting, person will be informed about the reasons of the examination.

Examination of person perform two police officers in a way that one police officer is examining while another police officer take care of the security, and exceptionally, if there are reasonable grounds, examination of the person can perform a single police officer.

Examination of the person performs police officer of the same sex. Exceptionally when urgent examination of a person is necessary (if weapons or items suitable for attack or self-harming are present), examination can be done by a person of the opposite sex.

e) Status assessment and procedure to be followed

Members of the EBGT shall assess whether a possible removal could lead to a violation of the principle of non refoulement. Members of the EBGTs shall also refer to the authorities of the host MS the cases when a person intercepted/apprehended expresses, in any way, a fear of suffering serious harm if (s)he is returned to his/her country of origin or former habitual residence, or if he/she asks for asylum.

In Croatia is not allowed forcibly remove or in any way to return an alien to a country where his life or freedom would be threatened on account of race, religion or nationality, membership of a particular social group or political opinion, or in a country where they be subjected to torture, inhuman or degrading treatment or punishment. If police officer performing border checks come across asylum seeker, they should call specially trained officers to work with such person.

f) Special measures applicable to vulnerable persons

Members of the EBGTs shall support the host MS authorities providing special treatment to vulnerable groups of apprehended persons, i.e.: unaccompanied minors, women victims of trafficking or pregnant, disabled persons and victims of exploitation or trafficking, etc.

The Asylum Act in Republic of Croatia defined the term vulnerable groups and every police officer while performing duties take special care to these groups. If police officer recognizes a person who belongs to the vulnerable category, they will call specially trained officers to work with such groups. That police officers are trained to recognize their needs and if needed they call other service out of Ministry of the Interior.

g) Rules regulating consultation of national databases

For the effective exercise of state border, in order to enable the free movement of persons and goods across the border, while facilitating better border control and protection in the fight against cross-border crime and illegal migration, a National information system for the border management is established, which is a part of the information system of the Ministry of Interior.

According to the Law of the State Border Protection, Border Police is authorized in the performance of police duties and implementation of police authority in order to control the border, take photography, take fingerprints, palm prints and other biometric data, perform recording, post video surveillance and used in accordance with the technical achievements and other technical aids.

If the devices for video surveillance and recording posted on the border crossings points, they must be visible, and people who are in this field have to be alerted.

If using device for surveillance and recording personal data, it is necessary to destroy these images within one year, unless they are necessary for the prosecution of perpetrators of crimes or misdemeanors.

h) Procedure related to stamping

In accordance with the Regulations of state border surveillance (Official Gazette 38/2009) purpose of stamping documents required for crossing the state border is a recording of the date of entry and exit from the Republic of Croatia, border crossing where the person entered or left the Republic of Croatia, as well as data logging of refusal of entry, reducing visa annulment entered data, cancelling the validity of certain documents and labelling of expiry of certain documents on the basis of which a right is realized.

Stamp of the entrance and exit of the Republic of Croatia entered in foreigners documents required for state border crossing at entering and exiting the Republic of Croatia, in order to prove the duration of stay, unless otherwise provided by international contract.

At the request of Croatian citizen stamp can be entered in their documents required for crossing state border at entering and exiting the Republic of Croatia.

If entering stamp can inflict heavy damage for foreign national documents, exceptionally on passenger request can give up from stamping the document while entering or exiting Republic of Croatia.

RELEVANT APPLICABLE LAW:

Law of state border protection (Official Gazette 173/03, 141/06, 8/07, 40/07, 146/08, 130/11)

Aliens Act (Official Gazette 130/11)

The law on police (Official Gazette NN 34/11)

The Law of Police Duties and powers (Official Gazette 76/09)

The Criminal Procedure Act (Official Gazette 121/11, 143/12)

Magistrates Act (Official Gazette 107/07)

Asylum Law (Official Gazette 79/07, 88/10)

Arms Act (Official Gazette 63/07, 146/08, 59/12)

GREECE

Description of the tasks and special instructions for the members of the EBG

INTRODUCTION

Council Regulation (EC) 2007/2004

"The responsibility for the control and surveillance of external borders lies with the Member States. The Agency should facilitate the application of existing and future Community measures relating to the management of external borders by ensuring the coordination of Member States' actions in the implementation of those measures." The national border guard service of host country and first of all the local staff has the leading role of the implementation this joint operation. The members of EBG, support the local staff and based on their (different) mandate carry out measures in line and in agreed way with the officers of local staff based on in accordance with the Schengen Border Code.

Article 3b (4)

"Members of the European Border Guard Teams shall, in the performance of their tasks and in the exercise of their powers, fully respect fundamental rights, including access to asylum procedures, and human dignity. Any measures taken in the performance of their tasks and in the exercise of their powers shall be proportionate to the objectives pursued by such measures..."

BORDER SURVEILLANCE

Surveillance methods (stationary surveillance, patrolling, etc)

- Patrols
- Ambushes
- Sighting - Surveillance

In general, the tasks performed by the member of the EBG, as defined in Schengen Handbook are:

- to monitor the terrain they operate in,
- to ensure that there is no risk to public policy and internal security in the patrolling area,
- to check documents of persons being in the area, who are not known to the patrol team,
- to stop all suspected persons who do not have any documents and ask them to explain in detail their reasons for being in that area,
- to stop and bring to the nearest border guard's station persons who crossed or tried to cross the border illegally

Tasks in relation to each method

Patrols

Patrol is a small group of two or more police officers performing duties in its area of responsibility.

The composition, specific mission and patrol area of responsibility is determined by the head of the police service who orders it.

Patrols are divided into foot and vehicle patrols.

The mission of the patrol may be either general, including the preservation of order and security in general or specific, appointed to specific tasks.

Patrols:

Are ordered during all 24-hours, in case there are special security and order circumstances or there are reasons to exercise stronger and coordinated policing or when there is a need to carry out special checks, particularly in cases of large-scale police operations, involving numerous police services.

Follow their patrol schedule and do not deviate from it unless they hear any noise or police whistle or they are informed about a crime or other serious incident. In these cases they hurry to the spot and act according to the law and their specific orders.

Assist the Armed Forces patrols, when invited by them, and ask for their assistance in an emergency situation.

The vehicle patrols perform their duties moving on patrol cars or motorcycles.

They have the same responsibilities as foot patrols, and in addition the following, which are peculiar to the place of their movement:

Act swiftly on anything happening in their area of responsibility and is under the responsibility of police.
Accompany officials and large amounts of money and values transported.

The patrol cars:

Are manned by police personnel, called crew. If possible, at least one ranked officer participates in the crew. The higher ranked among the crew members is called the crew leader. If it is impossible to man the patrol cars with police officers, patrol cars may, at the discretion of the Director or Head of the police service, patrol with only the driver, in order to perform regular police duties. However, in these cases they are not allowed to move away from inhabited areas and intervene in cases of serious or widespread incidents of disorder, without the assistance of other colleagues.

They move on 24 hours basis or less time, depending on the personnel available and the operative needs of each Police authority.

The police cars are allowed to board, with the approval of the Director or Head of the respective police authority or, in urgent cases, with the approval of the crew leader:

- state officials that collaborate with police, as magistrates, coroners, health workers etc.,
- persons who, due to serious injuries or serious illness require immediate transfer to health care facilities because there is absence of such facilities on the spot having jurisdiction to handle such cases,
- Individuals who have been arrested or being transferred as suspects for examination, verification of identity and information gathering,
- minors, drunk and others individuals set under protective custody,
- individuals who are transferred to the competent judicial authorities upon request or as perpetrators of flagrant crimes.

Ambushes

Ambush is the settlement of a small police force, of at least two people, in some key points or intersections, under full coverage, with specific and clear mission.

The purpose of an ambush is to prevent and suppress crimes and the preservation of a feeling of security mainly to rural populations, achieved through checking passing individuals and vehicles, in order to identify and arrest persons and seize weapons carried, stolen items or other items evidences to a crime.

Ambushes are at any time of the day, in case there are special security circumstances or there are reasons to exercise stronger and coordinated policing or when there is a need to carry out special checks, particularly in cases of large-scale police operations, involving numerous police services.

The composition, armament, mission, duration and location of the ambush are determined by the one ordering this police activity, who also gives the leader of the ambush the necessary instructions.

The leader of the ambush leads the police staff participating to settle on the identified spot, taking the necessary precautions and safety measures accordingly.

The staff participating in the ambush is prohibited from moving, making noise or giving away its location in any other way.

Checks are always performed by part of the staff of the ambush, while the rest is ready to protect those performing the checks.

Sighting

Sighting is the monitoring from appropriate location, of traffic and any other movement, to identify and check persons of concern to the police as suspects or perpetrators of crimes.

Sighting is performed during the day from at least two policemen.

A sighting may turn into an ambush during the night and vice versa an ambush may turn into a sighting during the day.

The purpose of the sighting and the actions to be taken in each case are clearly defined to the leader of the sighting.

At the location of the sighting, its leader has the responsibility to take security measures and to deploy the team in a way that its action will be easy and effective.

The staff participating in the sighting is prohibited from moving, making noise or giving away its location in any other way.

Special Instructions - Operational Tactics

Each team of the Border Control Units:

Operates in a systematic, methodical and flexible way, to ensure its swift and effective action and additionally to render the measures taken not possible to be predicted or circumvented by facilitators of illegal migrants, or by persons attempting to enter or having entered the country illegally.

Puts special effort into ensuring that the change of shift takes place at the most vulnerable places of its area of responsibility, in order to avoid time gaps, during which illegal migrants, facilitators, etc., may achieve illegal crossing or other cross border criminal activities.

Handles cases related to offenses (crimes) that come to light after the arrest and detention of aliens, and persons involved in them.

Conducts stationary surveillance, ambushes and sighting. To this end, gives great priority to the control of key points (spots) taking always into account the prevailing circumstances and peculiarities of the area and using for this purpose all available technical means.

Implements the respective law on Aliens.

Patrols rendering its presence sound in all areas inhabited areas of responsibility, in order to contact the residents and obtain information.

Moves, behaves and acts in a manner that demonstrates a well-structured and organized group, taking into account what the presence of such a group has a particularly beneficial effect on the psychology of residents and a negative one in the persons under control.

Demonstrates special attention to the legitimacy of its actions and behaviour which in any case must be governed by a spirit of understanding and humanity.

Ensures its continuous communication with the BCU or any other nearest authority, in order to ensure availability of communication in case of emergency need for assistance and exchange of useful information / data on the checked persons and vehicle support to transfer the illegal migrants arrested.

Conducts checks of persons and vehicles, suspected to transport illegal migrants during which:
Takes the necessary self-protection measures.

Performs body checks of illegal immigrants and persons suspected to be facilitators, meticulously researching any luggage and vehicles.

Restriction and access to military areas

Specific areas close to the border line are subject to security measures defined under the exclusive jurisdiction of the Military Authorities.

In the case of Evros, the area close to the borderline constitutes a military restricted area and thus the local Military authorities must be informed in advance prior to any entrance to this area.

Therefore access to that area is only allowed in the presence of a Hellenic Police Officer and only when on specific duty (e.g. border surveillance).

Pursuit

Pursuit is divided into two categories:

- Pursuit on foot
- Vehicle Pursuit

Takes place when an unknown criminal runs away in order to avoid arrest by the Police.

Conditions of pursuit on foot:

The police officer has to inform his police service about the pursuit and provide in parallel the characteristics of the person and the direction that he follows.

If the police officer, due to the conditions, loses contact with the pursued person, the pursuit stops and tactical checks are conducted to the nearby area. At the same time the police officer informs his service to conduct coordinated search.

In case the pursued person carries a weapon or his hands cannot be seen by the police officer, the police officer keeps visual contact from a fixed safety distance, while informing regularly his service on his position and the direction that the pursued person follows. The purpose in that case is to arrest the pursued person when feasible, either due to the arrival of reinforcements or under other circumstances.

In case the hands of the pursued person are visible and empty, the police officer's aim is to reach the person and arrest it.

Vehicle Pursuit

Takes place when a vehicle runs away not responding to a legal call for control by a police vehicle patrol.

Rules for vehicle pursuit that the police officers must follow:

Report the beginning of the pursuit and any relevant information.

Wear their seatbelts.

Try to drive in controlled speed, behind and to the left of the pursued vehicle, while keeping visual contact from a proper distance.

During the pursuit use the sound and light signals of the patrol car.

Inform their police service regularly on the location and the course of the vehicle, in order for reinforcements to organize a coordinated response.

Avoid answering to any gun firing during the pursuit, when the officers are not in a position to control the secure landing of the projectile and do not attempt to hit, divert or block the pursued vehicle, in order to stop it.

Stop the vehicle pursuit if due to the traffic it is dangerous for the police officers or the citizens.

Keep the firearms secured on their belt, in order to avoid accidental detonation or loss during the pursuit except other circumstances do not allow it.

Pays attention to objects that will possibly be thrown by the pursued vehicle and, without stopping, informs their police service in such case since these objects might be related to illegal actions

In case the patrol cars taking part in the pursuit are more than one, they are moving in a row, one after the other, and not side to side, following the patrol car that has the visual contact with the pursued vehicle, in order to tactically change the leading patrol car, in case of need.

In case vehicle pursuit turns into pursuit on foot and allowed by the circumstances, follow the rules of pursue on foot, while securing the service vehicle.

In case the pursued vehicle stops and one or more people are running away from it, while others do not leave the vehicle, they give priority in apprehending the ones that have stayed and providing description of the others to the police service for further search.

In case a patrol car receives fires from the pursued vehicle, if possible keep the visual contact increasing the distance from it while the police officers avoid to use their firearms if they cannot control the secure landing of their projectiles, informing simultaneously their police service.

In case the pursued vehicle managed to escape the police officers stop the pursuit and perform tactical control to the nearby area while at the same time inform their police service for the search to be coordinated, giving description of the vehicle and the passengers, if possible.

There might be the case that a patrol car is given the order to block the road and technically block the pursued vehicle. In this case this has to be done enough time before the pursued vehicle reaches that point, in order for the spot to be properly signed, so the block could be easily visible from a great distance and avoid accidents. Finally the police officers stand off the spot in a safe place.

INTERCEPTION/APPREHENSION

Persons who crossed or tried to cross the border illegally shall be brought to the nearest border guards' station.

Actions to be taken towards apprehended persons

During the control process of a suspect and when there is evidence connecting the individual to a criminal action, the suspect is apprehended and body search is conducted while at the same time evidence is collected.

If there are reasons that justify the arrested individual to be enchained (suspect of escaping or reacts violently), then he is enchained always with his hands behind his back and never in front of him.

The tactic of enchainment is always conducted by one police officer, while the second one covers his partner from a proper distance. The same tactic is been followed in case more police officers participate in the control process or there are more individuals to be apprehended.

All the apprehended persons are transferred to the respective police service or to a designated for them place.

For safety reasons and respect to the personality of the apprehended the police officers must avoid if possible transfer on foot, and call for support of a vehicle unit.

Rules for security body searches

Security body search takes place immediately after the arrest and aims at:

Discovering and seizing weapons or other objects that may facilitate the escape of the apprehended person.

Collecting evidence related to the crime, which could be destroyed by the apprehended person.

Body search on women is conducted by a woman police officer. If there is not one on the spot, the police officer indicates another woman to conduct the body search.

During the search the police officers must take care to not offend the personality or to unreasonably bother the individual under search, to the level that this is feasible.

In case no other woman is in the area, police officers pay special attention to secure that women apprehended do not carry any weapon or attempt to throw away possible evidences.

Evidence collection on the spot

The police officers that arrive first on the spot shall:

Keep intact the crime scene prohibiting to anyone non-authorized to approach and affect traces or objects found on the spot which can help in the investigation of the crime.

If the crime was committed in a room, to guard it at the exterior and not allow the entrance to anyone non-authorized.

Verify and report to their superiors the identity of the persons found, upon arrival at the crime scene or within short distance from it.

When evidences is possible to be lost, police officers arriving first on the spot and have no jurisdiction to investigate, list everything in details and submit their report to the investigating officers. They also gather any evidence and any information on the crime and the perpetrator given by the victims and other persons and where possible act in order to pursue and arrest the perpetrator.

Transportation of migrants

Transportation of the apprehended persons on land takes place with special service cars. Exceptionally, if there are no such cars available, any other services vehicle can be used, given that the Commander of the Unit responsible for this transportation considers this vehicle appropriate.

All the apprehended persons are transferred to the respective police service or to a designated for them place.

For safety reasons and respect to the personality of the apprehended the police officers must avoid if possible transfer on foot, and call for support of a vehicle unit.

FOLLOW UP MEASURES AT THE BPU/BCP/RECEPTION CENTRE

Basic human needs met prior the reception activities;

Members of the EBGs shall, prior to any other action described below, and when required, support the host MS authority rendering the basic human needs of apprehended persons such as food and medical assistance, etc.

Status assessment and procedure to be followed

Members of the EBGs may assist the local authorities on the examination of the personal circumstances of each person before removal processes. Collective expulsions are prohibited.

Members of the EBG may conduct their tasks with respect to the principle of non refoulement. No person shall be returned to a country where there is a serious risk that he or she would be subjected to the death penalty, torture, persecution or other inhuman or degrading treatment or punishment, or where his or her life or freedom would be threatened on account of his or her race, religion, nationality, sexual orientation, membership of a particular social group or political opinion; or from which there is a serious risk of such an expulsion or removal to another country in contravention of the principle of *non-refoulement*.

Special measures applicable to vulnerable persons

Members of the EBGs may support the host MS authorities in applying the special measures foreseen for the protection of vulnerable groups, who have been detected in the area of deployment. For this purpose and in accordance with the relevant EU and national legislation, the Members of the EBG will take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, victims of human trafficking disabled people, elderly people, pregnant women, single parents with minor children, persons with serious illnesses, persons with mental disorders and persons who could have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence.

Introduction and access to asylum

First Reception Service is the competent authority to inform third country citizens for both their rights and obligations after their detection in Hellenic territory by the Hellenic Police officers. Those who seek international protection are being sent over to the responsible Asylum Office, a department of which may be in operation in the first reception center.

In each stage of first reception procedure, submitting a demand of being under international protection obligates the separation of the demanding person and his being sent over to the proper Asylum Office. Receiving the demands and the interviews of the seekers may be held inside the facilities of the first reception services, and the persons remain in the facilities for as long as the examination of their demands lasts. Priority is given to the examination of international protection applications of persons under detention.

If the above mentioned timelines are expired and the international protection demand is not completed, the Asylum Office provides the seeker with a Bulletin of Asylum Demand, and he is being sent over to proper facilities, for which is responsible the Health and Social Care Ministry. Since the demand and the recourse are rejected while the third country citizens remain in the first reception center or unit, they are being sent over to the responsible for the deportation, return and readmission authorities.

After the suggestion of the medical and psychosocial support subdivision supervisor, the Head of each Center or Unit hands over the persons who are considered to be vulnerable to the service which is responsible for social support or protection. In each case, the appropriate cure treatment is ensured when it is demanded. As vulnerable groups are considered the following individuals:

- a. Unaccompanied minors.
- b. Disabled persons or persons with incurable diseases.
- c. Elder people.
- d. Pregnant women.
- e. One parent families with minor children.
- f. Victims of torture, rape, or other severe psychological, somatic, sexual violence or exploitation.
- g. Trafficking victims.

According to the Hellenic Legislation, every alien has the right to submit in person a demand for international protection either for himself/herself or for the members of his/her family, as long as the above mentioned adult members, agree with the demand.

More specifically, for victims of human-trafficking and unaccompanied minors

1. Vulnerable persons-Potential victims of human-trafficking

In the case when in entry points (BCPs, airports, etc.) individuals with evidence of being potential victims of human-trafficking are detected, the first-line (Police) officers (border guards) hands them over to the second-line (Police) Services (Departments and Teams responsible for combating human-trafficking), the personnel of which has undergone special training on the identification, approach and conduct of interviews with potential victims of trafficking with the purpose of acknowledging with certainty their true status.

In the latter case, the competent Judicial Authority identifies the person as a "victim of human-trafficking". Afterwards, via the National Center for Social Solidarity, assistance is provided to the victim, in terms of accommodation, legal and psychological support, medical care, residence permit etc. (further details are foreseen in the Presidential Decree N. 233 of 2003 on the "Protection and assistance of victims of human-trafficking"), with the purpose of social inclusion or the safe repatriation of the victim.

2. Unaccompanied minors

Every unaccompanied minor who is detected arriving in Hellenic territory is referred to the competent Judicial Authorities, according to the national legislation. Afterwards, they are transferred to the First Reception Services,

which are responsible for the identification of their nationality and overall status (as unaccompanied). Furthermore, these Services conduct every possible effort for the localization of their families in due time and take all necessary measures for their legal representation. It is important to stress that the Legal Representative can either be a member of the competent local Judicial Authority (on a provisional basis) or a social worker (on a permanent basis).

Then the minors are transferred to "Pre-Removal Detention Centers". In such centers are accommodated migrants awaiting repatriation. The minors are separated from the rest of the migrants and are accommodated in special until the procedures for the specification of their infancy, origin identification and asylum status are completed. Afterwards, they are transferred, according to the national legislation and in cooperation with the National Center for Social Solidarity and NGOs, in special accommodation facilities/youth hostels.

In the case of minors not applying for asylum and when after the conclusion of the relevant investigation, their parents are not tracked in Greece, the INTERPOL is informed for further investigation. Then, repatriation decisions are issued with or without detention for the minors. When they are detained, they are accommodated in special facilities, apart from the rest of (adult) migrants. When their repatriation is not possible due to a variety of reasons, such as the lack of direct flight, they are transferred to Special Centers of Accommodation for youths. Repatriation is always subject to the protection of the child, the reassurance that the child is not put in danger in the country of origin and that the social and family environment can provide for the normal reintegration of the minor.

In the case of unaccompanied minors applying for asylum, the Police Services following the principle of family-reunification, are trying to reunite the minors with other members of their families residing in other MSs of the EU. For this purpose, they cooperate with the UNHCR and with NGOs, in order to compose the relevant applications and manage the transfer of the minors close to their families guaranteeing their safety. Then they are transferred to appropriate accommodation facilities, where all necessary procedures are taking place for the nomination of a guardian, who is assisting the minor through all the asylum processes.

Guide to Behaviour

Thousands of individuals with different religious beliefs and cultural background reside in Greece. In order to promote the protection of fundamental rights and to avoid discrimination towards any human-being living in Greece, the following safeguards are foreseen by the National Constitution:

Article 2 § 1 of the Constitution guarantees the fundamental constitutional principle of respect of human value as a person.

Article 5 § 2 of the Constitution absolutely protects the human life, the honour and the freedom of everyone who lives in the Greek territory without discrimination on nationality, race, language and religious or political beliefs.

Article 13 of the Constitution guarantees the inviolability of freedom of religious conscience and in addition protects according to the law every known religion and everything about its worship, which are committed without hindrance, if these do not offend public order and morality.

During police checks, identification, arrest or detention, police officers should be professional avoiding any racist or degrading behaviour. Moreover, police personnel should treat every person equally according to the provisions of the Constitution and relevant national legislation.

Religious Beliefs

All religions are worthy of respect.

It is prohibited to insult sacred texts or symbols.

The disturbance of places in which worship and ceremonies are taking place is prohibited.

Minors

Any person stating that has not yet reached the age of 18 is considered a minor.

Minor residing outside the country and away from any parent or legal guardian is considered an unaccompanied minor.

During the police checks, identification, arrest or detention, police officers should:

- know that when there is no evidence of a person being a minor, then it is considered a minor.
- not bind minors in handcuffs unless it is considered necessary
- inform the parents of the minor immediately
- inform the minor about his/her right to contact a lawyer
- be aware that restricting the freedom of minors is always the last resort and is necessary only for the minimum required time
- be aware that minors are detained in premises specially designated and separate from adults
- be aware that unaccompanied alien minors have the right to seek international protection and asylum.

USE OF FORCE/WEAPONS

Principles on the use of force

When using force, members of the EBGs shall not exceed the minimum degree that is necessary, proportional and reasonable in the circumstances. The force of force or coercive measures is possible for the performance of duty or in legitimate self-defence and in legitimate defence of other persons.

Principles on the use of weapons

The use of firearms, as it may affect the life or health of persons is the last resource of the actions of guest officers. Firearms may only be used in case of legitimate self-defence and in legitimate defence of other persons. If the use of a firearm is inevitable the members of the EBGs shall ensure that it will be done in such a way that causes the less possible injuries.

Permissible weapons

According to the provisions of the laws n. 2168/1993 and 3169/2003, policemen (police personnel, special guards and border guards) may carry revolvers and semi-automatic pistols.

The following rules apply for the carrying of service weapons:

"Policemen shall be allowed to possess and carry firearms for which they have been trained, since they are considered physically and mentally appropriate. Policemen shall carry fixed firearms, in accordance with the provisions of the Presidential Decree 141/1991.

Policemen shall always carry personal service firearms during their service, while they shall be allowed to carry such firearms while they are out of service. Exceptionally, policemen shall not carry firearms, when carriage is prohibited by electoral legislation and during their service, upon relevant order. This order shall be given in the event of a particular danger for the success of a mission or their own and the citizens' security or for the keeping of firearms"

Permissible equipment

Following the provisions of the law 3169/2003, the following equipment may be carried:

Metal handcuffs and Rubber baton.

Moreover, no kind of spray is allowed for carriage/usage within the Hellenic territory.

The above list is exhaustive and restrictive to any other equipment.

Procedure of issuing weapon permits

When notified by MSs or Opera platform on the advent of new Guest-Officers carrying weapons, the Hellenic NFPoC submits a written request to State Security Division of the Hellenic Police Headquarters in order to issue weapon permits. The request should always include the following:

- Last name, first name and any other id details of the Guest Officers who are about to be deployed in the Hellenic territory.
- Exact deployment period (including arrival/departure dates in Greece).
- Entry/exit point and point of deployment.
- Weapon details (s/n, type, brand, model).
- Ammunition details (possible s/n, type, brand, model, amount).
- Any other personal equipment the Guest Officer may carry (button, handcuffs) and is allowed by the Legislation on Weapons.
- Matching each weapon in each guest officer (the weapon permits are issued separately for every officer and for specific weapons to carry with).
- In case of weapon rotation, the Hellenic NFPOC must be informed about the same above mentioned details.

The State Security Division then orders the proper regional or local authority (according to the entry point or the point of deployment) to issue the relevant weapon permits.

The issued weapon permits shall be given to the Guest Officers at the entry and/or deployment point by the competent authority. In the case of one GO carrying more than one weapons and large amount of ammunition, to be handed over to his/her colleagues on the spot the Hellenic NFPOC must be informed about the above mentioned details, as well as the id details of the one GO who will be responsible for carrying them in and out of the Hellenic territory.

Conditions to use weapons

Use of firearms is defined, according to the law 3169/2003, as activation of firearm against a target and the projection of a missile (shooting). Shooting, accordingly to shooting target shall be ranged in:

Intimidating shooting, when no causation of harm is intended against any target.

Against objects, when causation of harm is intended to objects.

In order to immobilize, when causation of harm to non-vital parts of the body -especially to lower limbs- is intended, and elimination, when causation of harm to a person is intended and his/her death is possible.

(Armed attack shall exist when the person who attacks uses a gun, stipulated in art.1 of Law 2168/1993 against a person or threatens someone by its direct use. As armed attack shall be also defined threat under a convincing imitation of a gun or an inactive gun)

According to the article 3 of the above mentioned law:

(1) Policemen while executing their service shall be allowed to precede their firearm, since there is danger of armed attack against them or a third person.

(2) Policemen shall be allowed to make use of firearms, if is necessary in order to execute their duty, and the following conditions apply:

All lighter than shooting means have been used, unless they are not available or convenient in a particular case. Lighter means shall be defined as advice, suggestions, use of barriers, physical violence, police bar, allowed chemical substances or other means, advance notice for use of firearm and threat under firearm.

They have declared their capacity and have clearly and understandably notice for possible use of firearm, giving enough time of response, unless something like this is futile under these specific circumstances or intensifies danger of death or physical damage.

Use of firearm shall not consist of excessive means in relation to kind of damage and risk of threat.

(3) In the event that the aforementioned conditions apply, lighter use of firearms shall be done, unless such action is futile under such circumstances or intensifies death risk or physical damage. Lighter use of firearm shall be defined as escalation of its use with the least possible and necessary harm, pursuant to subparagraph d of article 1.

(4) Shooting for intimidation purposes or shooting against objects shall be permitted, especially in cases of danger from an animal or advance notice for shooting against person, since all proper measures have been taken, so as

no man shall be hurt by miss or banishment of missile. Shooting against a vehicle, which involves danger of physical damage of persons in it, shall be allowed exclusively under conditions of the following paragraph.

(5) Shooting for immobilization purposes shall be allowed, since it is required:

In order to repel an armed attack, since such attack commenced or is about to commence, and any delay may render defence ineffective.

In order to prevent materialization or continuance of dangerous crime or crime that is committed under the use or threat of physical violence.

In order to arrest a sentenced person or a person under trial or a person under pursuit who shall be detected to commit "flagrante delicto" a felony or a regulatory offence, since such person demonstrated opposition to his/her arrest and there is direct risk to make use of firearm.

In order to prevent illegal entrance in the country or exit from it of persons that shall attempt illegal transfer of people (trafficking in human beings) and objects and shall carry firearms of subparagraph 1, art.1 of Law 2168/1993.

In order to protect public utility facilities or places in which objects that are dangerous for public health or public order or evidence for a crime are kept, since their keeping has been exclusively assigned to policemen and violent access, caution of harm or removal of kept objects is attempted.

In order to prevent an escape or release of a prisoner that is attempted under armed attack.

In order to prevent disarmament of policemen during their service.

(6) Elimination shooting shall be allowed, if required:

In order to repel an attack that involves death risk or heavy physical damage of a person.

In order to rescue hostages who are in risk of death or heavy physical damage.

(7) Shooting for immobilization or elimination shall be prohibited:

If there is serious danger to cause a third person due to miss or banishment of missile.

Against armed crowd, if there is serious danger to cause harm to unarmed people.

Against minors, if it is the only means to prevent a risk of danger.

Against a person who runs away, when he/she is called to go under legal control.

(8) When policemen act as a group, in order to make use of firearms, command by the group head is required, unless policemen are under attack, which involves possibility of heavy physical damage or death.

(9) Unconstitutional or profoundly illegal command by a senior for use of firearm shall not repeal the illegal nature of policemen's action.

(10) Every use of firearms by policemen shall be directly reported in the competent police Authority and Judicial Authority.

Conditions to use police equipment

Following the provisions of the 8517/4/7-μ8' dated 17-02-2004 decision of the Minister of Public Order, as it has been amended with later acts:

(Article 9)

Police constables, sergeants and warrant officers are equipped with police baton, the type of which depends on their task.

The use of the police baton is allowed only after an order of a superior and in the case of self-defence.

The policeman, who has used his baton, on his own initiative, must report the incident to his Service immediately, also reporting in details the reasons that led him to this decision.

(Article 119)

During the arrest of a person the following rules must be followed:

If there is any suspicion that the person might attempt to escape, because of his record or his behaviour during the arrest, he may be handcuffed, to prevent escape.

Immediate measures to be taken following the use of weapon.

In case there is use of firearms by a police officer he has to immediately report this incident to his Police service.

Special rules to dog handlers

Police dog handlers must always keep their police dogs under constant control. This rule applies with special attention close to the borderline area since the Military Authorities consider crossing of the border line by persons, animals, vehicles and objects, from any point other than the officially designated as "Border Incident".

HUNGARY

Description of the tasks and special instructions for the members of the EBG²

ARTICLE 3b (4) OF FRONTEX REGULATION

"Members of the European Border Guard Teams shall, in the performance of their tasks and in the exercise of their powers, fully respect fundamental rights, including access to asylum procedures, and human dignity. Any measures taken in the performance of their tasks and in the exercise of their powers shall be proportionate to the objectives pursued by such measures..."

The national border guard service of host countries and first of all the local staff has the leading role of the implementation this joint operation. The members of EBGs, support the local staff and based on their (different) mandate carry out measures in line and in agreed way with the officers of local staff based on in accordance with the Schengen Border Code.

1. Border surveillance

(a) Surveillance methods (stationary surveillance, patrolling, etc.)

Patrol is a small group of two or more police officers performing duties in its area of responsibility.

The composition, specific mission and patrol area of responsibility is determined by the head of the police service who orders it.

Patrols are divided into foot and vehicle patrols. *(b)*

General tasks of the members of the EBG

In general, the tasks performed by the member of the EBG, as defined in Schengen Handbook are:

- to monitor the terrain they operate in,
- to ensure that there is no risk to public policy and internal security in the patrolling area,
- to check documents of persons being in the area, who are not known to the patrol team,
- to stop all suspected persons who do not have any documents and ask them to explain in detail their reasons for being in that area,
- to stop and bring to the nearest border guard's station persons who crossed or tried to cross the border illegally.

(c) Specific tasks/instructions in relation to each surveillance method

² Pursuant to the provision of Article 3a(d) of the Frontex Regulation

(d) *Definition of restrictions on access to some areas (e.g., military area and who/under-what-conditions is entitled to access)*

(e) *Definition of the possibility/conditions of hot pursuit*

RELEVANT APPLICABLE LAW:

The relevant information will be given by the Local Coordinator at the briefing.

2. Interception/apprehension

Persons who crossed or tried to cross the border illegally shall be brought to the nearest border guards' station according to the Schengen Handbook.

a) *Definition of the actions to be taken towards apprehended persons*

Security body searches, transportation to the nearest BPU/BCP, escort them, etc

Rules for security body searches and evidence collection on the spot

The GO shall follow the instructions of the border guard of the Host member state, in case of any suspicious act (corruption, break of human rights) the Head of Local Coordinator.

Transportation of migrants to the nearest BPU/BCP - security standards; rules and instructions;

The GO shall follow the instructions of the border guard of the Host member state, in case of any suspicious act (corruption, break of human rights) the Head of Local Coordinator.

RELEVANT APPLICABLE LAW:

The relevant information will be given by the Local Coordinator at the briefing.

3. Follow up measures at the BPU/BCP/reception centre

Rules for security body searches and evidence collection in the BPU/BCP/reception centre;

The GO shall follow the instructions of the border guard of the Host member state, in case of any suspicious act (corruption, break of human rights) the Head of Local Coordinator.

(a) *Basic human needs met prior the reception activities;*

Members of the EBGs shall, prior to any other action described below, and when required, support the host MS authority rendering the basic human needs of apprehended persons such as food and medical assistance, etc.

The GO shall follow the instructions of the border guard of the Host member state, in case of any suspicious act (corruption, break of human rights) the Head of Local Coordinator.

(b) *Status assessment and procedure to be followed*

Members of the EBGT shall assess whether a possible removal could lead to a violation of the principle of non refoulement. Members of the EBGTs shall also refer to the authorities of the host MS the cases when a person intercepted/apprehended expresses, in any way, a fear of suffering serious harm if (s)he is returned to his/her country of origin or former habitual residence, or if he/she asks for asylum.

(c) *Special measures applicable to vulnerable persons*

Members of the EBGTs shall support the host MS authorities providing special treatment to vulnerable groups of apprehended persons, i.e.: unaccompanied minors, women victims of trafficking or pregnant, disabled persons and victims of exploitation or trafficking, etc.

RELEVANT APPLICABLE LAW:

The relevant information will be given by the Local Coordinator at the briefing.

4. Use of force/weapons

a) *Define the principles on the use of force*

When using force, members of the EBGTs shall not exceed the minimum degree that is necessary, proportional and reasonable in the circumstances. The force of force or coercive measures is possible for the performance of duty or in legitimate self-defence and in legitimate defence of other persons.

The GO shall follow the instructions of the border guard of the Host member state.

b) *Define the principles on the use of weapons*

The use of firearms, as it may affect the life or health of persons is the last resource of the actions of guest officers. Firearms may only be used in case of legitimate self-defence and in legitimate defence of other persons. If the use of a firearm is inevitable the members of the EBGTs shall ensure that it will be done in such a way that causes the less possible injuries.

c) *Define the type of equipment/weapons permissible*

- service weapon with ammo, handcuffs, police baton (rubber), chemical spray (capsicum)

d) *Define the conditions to use coercive measures/weapons (warnings, targets, etc)*

The relevant information will be given by the Local Coordinator at the briefing.

- e) *Define the immediate measures to be taken following the use of coercive measure/weapons*

The relevant information will be given by the Local Coordinator at the briefing.

- f) *Special rules to dog handlers*

The dogs must be muzzled.

RELEVANT APPLICABLE LAW:

Provisions pertaining to the members of foreign organizations, carrying out border control tasks

**POLICE ACT of the Republic of Hungary
Act XXXIV. of 1994 on the Police**

Article 62/A (1) A member of the agency carrying out border control tasks of a State applying the Regulation (EC) No 863/2007 of the European Parliament and of the Council of 11 July 2007 establishing a mechanism for the creation of Rapid Border Intervention Teams and amending Council Regulation (EC) No 2007/2004 as regards that mechanism and regulating the tasks and powers of guest officers may solely, on the territory of the Republic of Hungary:

- a) use physical coercion, under Article 47., handcuffs, under Article 48. and truncheon, under Article 49.,
b) may keep his/her service firearm on his/her person, but may only use it in case of rightful defence or a case of emergency;

- c) may apprehend the person unlawfully present on the territory of the country but is obliged to hand the apprehended person over to the police without delay.

(2) According to (1) a) and b), a member of the agency carrying out border control tasks may use means of coercion or a firearm as regulated in the country of his/her place of service if the use of such means of coercion or firearm is not prohibited by law on the territory of the Republic of Hungary.

(3) The member of the foreign agency carrying out border control tasks shall be instructed about the conditions pertaining to the taking of measures and use of means of coercion as under (1).

5. Border checks

- a) Rules guaranteeing protection of fundamental rights of any person seeking to cross borders, i.e. prohibition of inhuman and degrading treatments, prohibition of discrimination, protection of human dignity, right to be informed, etc.

Fundamental Rights enshrined in the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union must be guaranteed to any person seeking to cross borders. Border control must notably fully comply with the prohibition of inhuman and degrading treatments and the prohibition of discrimination enshrined, respectively, in Articles 3 and 14 of the European Convention on Human Rights and in Articles 4 and 21 of the Charter of Fundamental Right of the European Union.

All travellers have the right to be informed on the nature of the control and to a professional, friendly and courteous treatment, in accordance with applicable international, EU and national law.

EBGTs shall, in the performance of their duties, fully respect human dignity. Any measures taken in the performance of their duties shall be proportionate to the objectives pursued by such measures. While carrying out border checks, border guards shall not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

b) Examinations of applications for international protection (including asylum)

All applications for international protection (including asylum) lodged at the border must be examined by Member States in order to assess, on the basis of the criteria laid down in Council Directive 2004/83/EC of 29 April 2004, whether the applicant qualifies either for refugee status, in accordance with the Geneva Convention relating to the Status of Refugees of 28 July 1951 as supplemented by the New York Protocol of 31 January 1967, or for subsidiary protection status, as defined in the same Directive.

c) Define the tasks of the member of the EBGT while border checking of third country nationals (first line check, second line check, etc.)

d) Rules for security body searches and evidence collection in the BCP

The GO shall follow the instructions of the border guard of the Host member state, in case of any suspicious act (corruption, break of human rights) the Head of Local Coordinator.

e) Status assessment and procedure to be followed

Members of the EBGT shall assess whether a possible removal could lead to a violation of the principle of non refoulement. Members of the EBGTs shall also refer to the authorities of the host MS the cases when a person intercepted/apprehended expresses, in any way, a fear of suffering serious harm if (s)he is returned to his/her country of origin or former habitual residence, or if he/she asks for asylum.

f) Special measures applicable to vulnerable persons

Members of the EBGTs shall support the host MS authorities providing special treatment to vulnerable groups of apprehended persons, i.e.: unaccompanied minors, women victims of trafficking or pregnant, disabled persons and victims of exploitation or trafficking, etc.

g) Rules regulating consultation of national databases

The relevant information will be given by the Local Coordinator at the briefing. (SIS, VIS)

h) Procedure related to stamping

The relevant information will be given by the Local Coordinator at the briefing.

ANNEX 4 - Operational Area

4.1 South Eastern Land borders

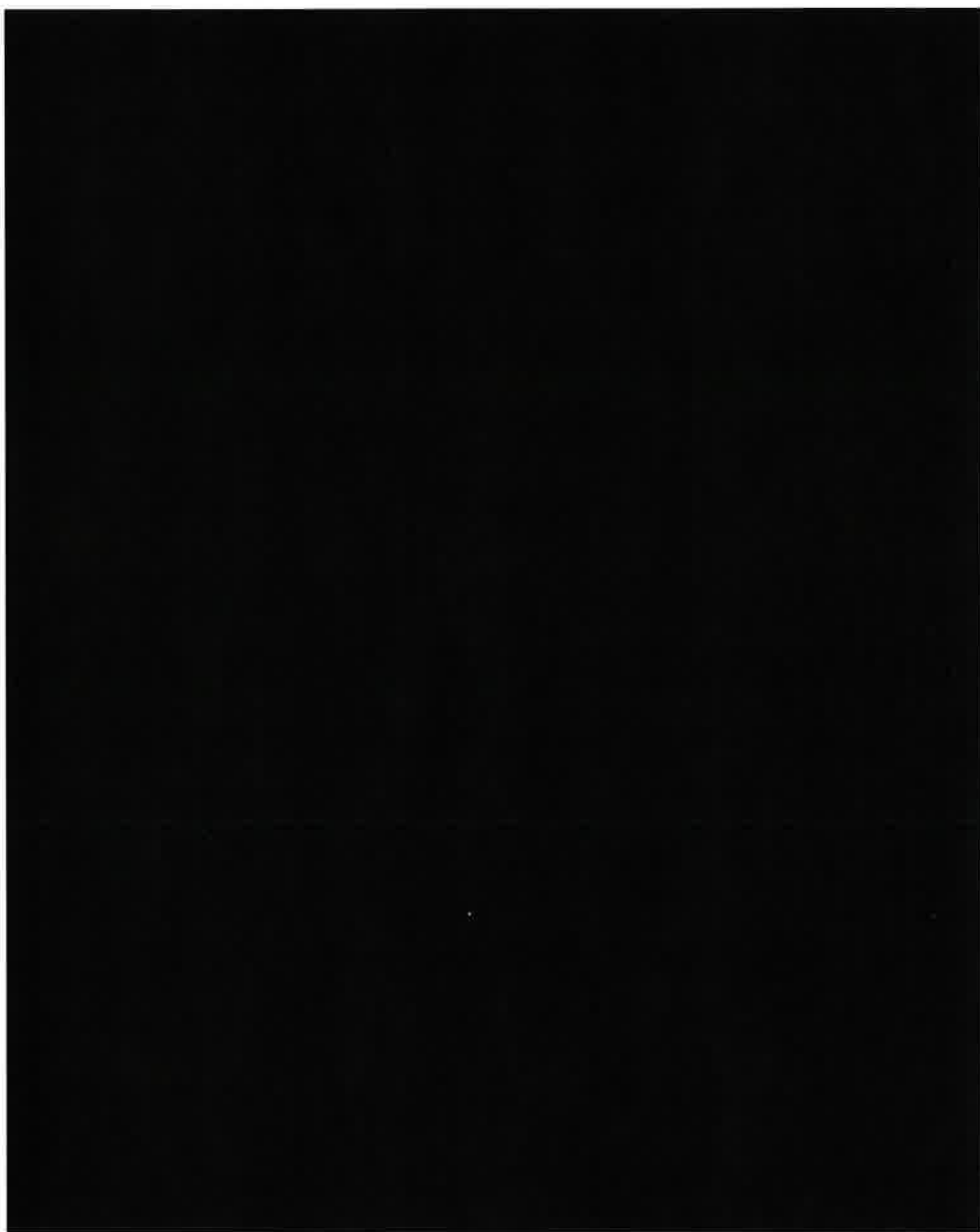
General map



Commented [A18]: The non-disclosed image contains information regarding the operational area. Ongoing operations tend to cover similar operational areas as the operations of preceding years in the same geographical area. In this regard, disclosing the location of the operational areas of previous years, would be tantamount to disclosing the current operational areas.

The result of this will only be to hamper the course of the ongoing operations, by depriving them of any strategy and element of surprise during border surveillance, ultimately obstructing their purpose to counter and prevent cross-border criminality as well as prevent unauthorized border crossings.

In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.



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In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.

Bulgarian-Turkish Land Border



Commented [A20]: The non-disclosed image contains information regarding the operational area. Ongoing operations tend to cover similar operational areas as the operations of preceding years in the same geographical area. In this regard, disclosing the location of the operational areas of previous years, would be tantamount to disclosing the current operational areas.

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4.2 Western Balkan area



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The result of this will only be to hamper the course of the ongoing operations, by depriving them of any strategy and element of surprise during border surveillance, ultimately obstructing their purpose to counter and prevent cross-border criminality as well as prevent unauthorized border crossings.

In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.

ANNEX 5 - Initial plan of deployed resources

FLEXIBLE OPERATIONAL ACTIVITIES AT EXTERNAL LAND BORDERS

Commented [A22]: The non-disclosed text contains detailed information on the participation of national law enforcement officials within the joint operation. Disclosing the recent deployments would expose the detailed composition of national law enforcement assets allocated to the operation, jeopardizing the implementation of ongoing and future operations. Its publicity would expose sensitive operational information such as *modus operandi* and tasks and responsibilities of authorities involved, and thus facilitate irregular migration and other cross-border crime such as facilitation of irregular immigration, trafficking in human beings and terrorism. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security

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[illegible]

Commented [A24]: The non-disclosed text contains detailed information on the participation of national law enforcement officials within the joint operation. Disclosing the recent deployments would expose the detailed composition of national law enforcement assets allocated to the operation, jeopardizing the implementation of ongoing and future operations. Its publicity would expose sensitive operational information such as *modus operandi* and tasks and responsibilities of authorities involved, and thus facilitate irregular migration and other cross-border crime such as facilitation of irregular immigration, trafficking in human beings and terrorism. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security

REMARK:

Any changes related to deployments of the resources in the course of the joint operation do not require the amendment of the Operational Plan. The updated Deployment Overview will be available upon request during implementation phase. The final list of deployed resources will be available in Frontex Evaluation Report (FER).

Legend:

GBS: Green Border Surveillance expert

GBS / TVV: Green Border Surveillance expert deployed with Thermo Vision Van

GBS / DOG: Green Border Surveillance expert with service dog

FSO: Frontex Support Officer

DB: Debriefing Expert

PC: Patrol Car

ANNEX 6 - Operational Briefing and Debriefing

1. Operational briefing

During the first day of deployment all participants taking part in the joint operation will receive the Operational Briefing delivered by Frontex and national authorities of the host MS. Use of Power Point presentation is highly recommendable.

Participants shall wear uniforms (if applicable). Briefing meetings are to be attended at least by:

- The GOs, special advisers, observers and other experts deployed to the operational area,
- Crews of all technical means (deployed by MS or additional by the national Authorities) such as aerial means, patrol cars, mobile surveillance vehicles etc.
- Internally deployed officers (if applicable)
- Relevant staff from the hosting law enforcement authorities involved (esp. Military and Customs)

A field visit for all deployed guest officers shall be organized on the briefing day.

a. General briefing delivered by Frontex

The General briefing is a part of Operational briefing carried out by Frontex and national authorities.

b. National briefing delivered by host MS

The National briefing is a part of Operational briefing carried out by national authorities of host MS based on the deployment overviews provided by Joint Operations Unit (JOU).

The National briefers are responsible for carrying out National briefings, based on the Common Briefing Pack, for all participants deployed within JO. The content and the structure of the Common Briefing Pack are provided by Frontex Training Unit (TRU).

The National briefers nominated by local authorities will deliver the National briefing to the FSO, experts, NOs, interpreters, officers of home MS and observers from Third Countries during the first day of deployment in a centralized way.

The National briefers nominated by local authorities will deliver the National briefing to the crew members in the operational areas during the first day of deployment.

National briefer shall:

- Deliver briefings as requested by the deployment overviews
- Report to the project manager (TRU) any irregularities regarding briefings carried out;
- Support the development process of training courses, tools and materials, including the implementation process of such activities;
- Prepare Report from National Briefer after each activity and submit it to the project manager (TRU);
- Assist in preparing assessments and evaluations of the operational activities.

In case the local authorities have not nominated National briefers in the location where resources will be deployed, LCC Coordinators are responsible for carrying out National briefings, based on the Common Briefing Pack, for all participants deployed within the JO.

2. Operational debriefing

- The Operational debriefing for all participants will be performed by FOC/FCO/Operational Team members or FSO in close cooperation with local authorities in the operational areas during the last days of deployment;
- In case the Operational debriefing cannot be organized for each deployed asset, it can be limited to NO within the ICC;
- The Report from Participants is considered to be as part of Operational debriefing.
- National Briefer shall attend the Operational debriefing.

Standard plan for operational briefing and debriefing is available in General Annex.

ANNEX 7 - Cooperation with Third Countries

Observers from third countries only may advise the guest officers and officers from the border guard services of the host MSs. The main goals of their participation are exchange of experience and obtaining practical experience in implementation of Schengen Border Code. Upon approval by host MSs the observers may:

- Intermediate between the national authorities of the host MS and their national authorities on border related incidents and information sharing;
- Participate in combined patrol duty teams with guest officers and officers from the border guard services of the hosting MSs;
- Assist with special language and/or professional skills;
- Participate in JCB meetings, when appropriate and after consultation with the FOC;
- Participate in debriefing teams assisting the guest officers and officers from the border guard services of the host MSs with special language and/or professional skills
- Facilitate the information exchange between participating MSs and third country in question
- Provide intelligence information to the host MSs and Frontex;
- Exchange intelligence information regarding the modus operandi, routes and criminal networks operating in the area of concern detected during and in the framework of the operation, in accordance with their respective legislation.

Further tasks and duties can be executed according to the national legislation of the host MS.

ANNEX 8 - Cooperation with other Union agencies and bodies or International Organizations

1. Cooperation with Europol

Frontex and Europol cooperate during the JO Flexible Operational Activities through exchange of information and intelligence. In particular, Frontex shall instruct debriefing experts that any personal data gathered during debriefing on facilitators or persons suspected of being involved in the facilitation of irregular immigration, terrorism or other crimes shall be passed to the hosting authorities.

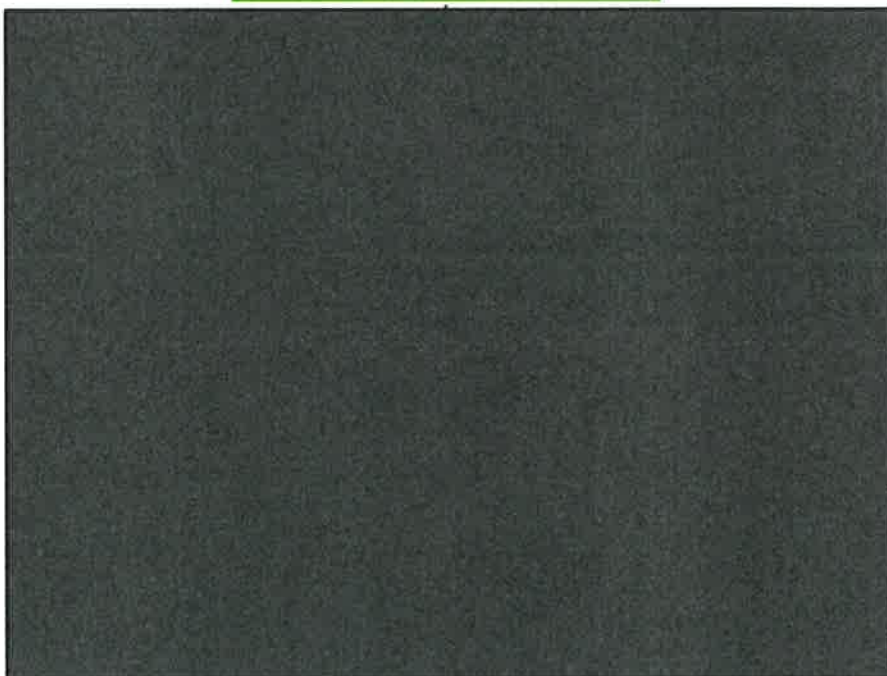
It is recommended that the hosting authorities provide to Europol, via the Europol National Unit of host MS the personal data referred to above.

2. Cooperation with EASO

Frontex and EASO have established their cooperation in the area of asylum and migration management, exchanging information and best practices on the functioning of their experts' database, sharing their respective training activities and their reports. The Agencies plan to strengthen their cooperation in operational areas, including training on nationality establishment and best practices and methods to better identify persons in need of international protection.

ANNEX 9 - Command and control scheme

Frontex Operational Team, FSC, NFPoC



Commented [A25]: The blanked out parts contain detailed information regarding the command & control scheme of law enforcement officials. Its disclosure would expose law enforcement officials engaged in the operation and harm the course of future and ongoing operations, and thus facilitate irregular migration. Therefore, public security will be affected. In light of the above, the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

ANNEX 10 - JORA

1. JORA Actors

Role	Name	FX/MS	Entity	E-mail	Phone
JORA Administrator / Service Management	JORA user support	FX	FSC	[REDACTED]	[REDACTED]
Frontex Access Manager	[REDACTED]	FX	JOJ	[REDACTED]	[REDACTED]
Delegated Frontex Access Manager	[REDACTED]	FX	JOJ	[REDACTED]	[REDACTED]
Template Creator	[REDACTED]	FX	RAU	[REDACTED]	[REDACTED]

Commented [A26]: The non-disclosed text contains personal data, in particular the name of an individual. Its disclosure would affect the privacy and integrity of the individual. Therefore, its disclosure is precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.

The non-disclosed text contains detailed information on the means of communication used by law enforcement officials within the joint operation. Their disclosure could lead to possible abusive usage with a view to jeopardize their work and harm the course of future and ongoing operations and thus facilitating irregular migration and affecting public security. In light of the above, the text is not disclosed pursuant to the exception in the first indent of Article 4(1)(a) of Regulation (EC) No 1049/2001 relating to the protection of the public interest as regards public security.

Bulgaria

Role	Name	FX/MS	Entity	E-mail	Phone
National Access Manager 1	[REDACTED]	BGR	NFPOC	[REDACTED]	[REDACTED]
National Access Manager 2	[REDACTED]	BGR	NFPOC	[REDACTED]	[REDACTED]

Greece

Role	Name	FX/MS	Entity	E-mail	Phone
National Access Manager 1	[REDACTED]	GRC	NFPOC	[REDACTED]	[REDACTED]
National Access Manager 2	[REDACTED]	GRC	NFPOC	[REDACTED]	[REDACTED]
National Access Manager 3	[REDACTED]	GRC	NFPOC	[REDACTED]	[REDACTED]

Hungary

Role	Name	FX/MS	Entity	E-mail	Phone
National Access Manager 1	[REDACTED]	HUN		[REDACTED]	[REDACTED]
National Access Manager 2	[REDACTED]	HUN		[REDACTED]	[REDACTED]

Croatia

Role	Name	FX/MS	Entity	E-mail	Phone
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National Access Manager 1	[REDACTED]	HRV	Border Police Directorate	[REDACTED]	[REDACTED]
National Access Manager 2	[REDACTED]	HRV	Border Police Directorate	[REDACTED]	[REDACTED]
National Access Manager 3	[REDACTED]	HRV	Border Police Directorate	[REDACTED]	[REDACTED]
National Access Manager 4	[REDACTED]	HRV	Border Police Directorate	[REDACTED]	[REDACTED]
National Access Manager 5	[REDACTED]	HRV	Border Police Directorate	[REDACTED]	[REDACTED]
National Access Manager 6	[REDACTED]	HRV	Border Police Directorate	[REDACTED]	[REDACTED]

Commented [A27]: The non-disclosed text contains personal data, in particular the name of an individual. Its disclosure would affect the privacy and integrity of the individual. Therefore, its disclosure is precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.

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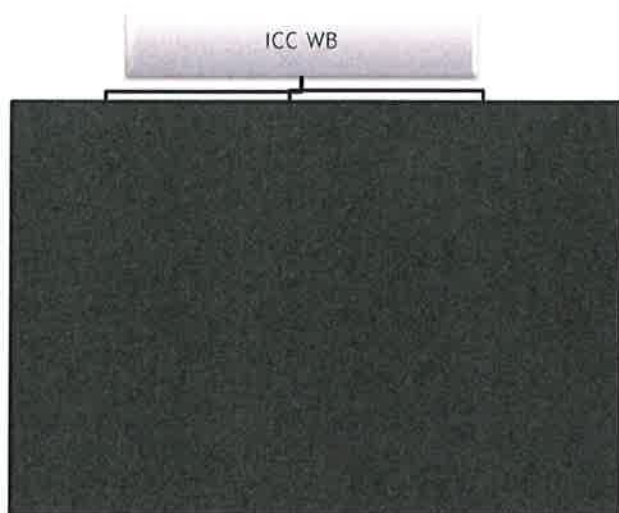
NOTE: Detailed roles and responsibilities of the different actors are described in the JORA Policy and Process business documentation

2. JORA Incidents Reporting Structure

- JO FOA 2015 land / SE



- JO FOA 2015 land / WB



Commented [A28]: The non-disclosed text contain detailed information related to reporting tools and methods used by law enforcement officials. The text contains references to the methods applied by law enforcement officers to perform border control tasks in general and to counter illegal activities in particular. Its publicity would expose the working methods applied during border control activities which would jeopardize the implementation of future and ongoing operations, and thus facilitate irregular migration and other cross-border crime such as facilitation of irregular immigration, trafficking in human beings and terrorism. Therefore, public security will be affected. In light of the above the text is not disclosed pursuant to the exception laid down in the first Indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.



3. JORA Incident Template Attributes' List

General information

No	Name of attribute	Mandatory ³	Remarks
1	Incident type		
2	Incident number		
3	Date of reporting		
4	Detection date		
5	Reporting Unit		
6	Guest officer involved		
7	Indident Type		
8	Comments		

Commented [A29]: The non-disclosed text contains detailed information related to reporting tools and methods used by law enforcement officials used to efficiently perform border control tasks and counter illegal activities. Its disclosure would jeopardize the implementation of ongoing and future operations, and thus facilitate irregular migration, trafficking in human beings and terrorism as the effectiveness of law enforcement measures would be significantly reduced. Therefore, public security would be affected. Consequentially, the text is not disclosed pursuant to the exception laid down in of Article 4(1)(a) first indent of Regulation (EC) No 1049/2001.

Persons Information

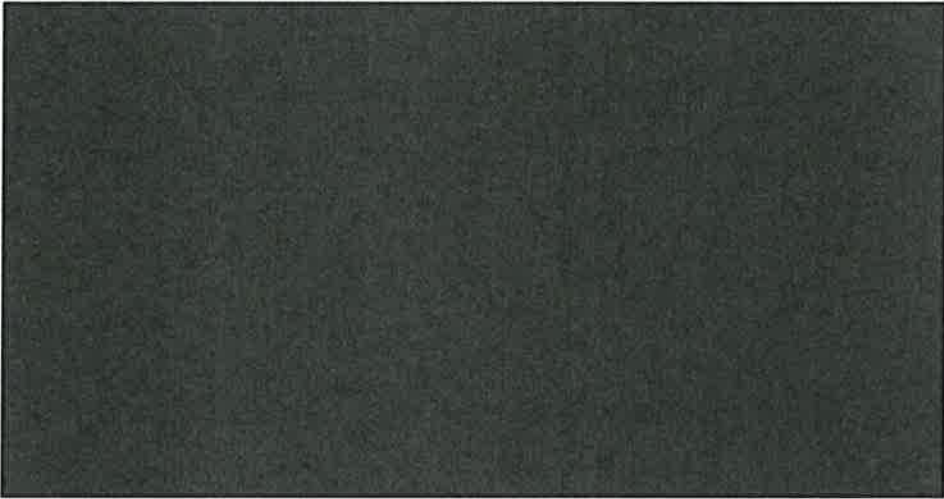
Age		
Nationality		
Gender		
Role of person		
Outcome		
Age		
Nationality		
Gender		
Role of person		
(add attribute, as necessary)		

³ Please mark the respective cells under „Mandatory“ if you deem that the relevant field should be mandatorily filled by the Incident Reporter. By doing so, the Incident Reporter will be compelled to enter the mandatory data to submit the Incident Report to the next validation level.

Additional Information

16	Route information		
17	Documents Alerts information		
18	Attachments		
19	(add attribute, as necessary)		

4. JORA Timeline for reporting



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ANNEX 11 - Contact Details

1. South Eastern land borders

Head of ICC		
ICC Coordinator Bulgaria		
Proxy		
ICC Coordinator Greece		
Frontex Operational Coordinator	Present on rotation base	
Contact person for reporting	BG operator in Operational Centre	
	GR operator in Operational Centre	
Contact point in ICC	Duty officer	
FLO	Name	Contacts
Head of FX LO		

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In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.

Intelligence Component	[REDACTED]	[REDACTED]
Intelligence Component	[REDACTED]	[REDACTED]
Operational Component	[REDACTED]	[REDACTED]
Operational Component	[REDACTED]	[REDACTED]

Commented [A32]: The non-disclosed text contains personal data, in particular the name of an individual. Its disclosure would affect the privacy and integrity of the individual. Therefore, its disclosure is precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.

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NFPOC Greece	Name	Contacts
Head of NFPOC	[REDACTED]	[REDACTED]
NFPOC Staff	[REDACTED]	[REDACTED]
Contact Person for Press Issues	[REDACTED]	[REDACTED]

NFPOC Bulgaria	Name	Contacts
Head of NFPOC	[REDACTED]	[REDACTED]
NFPOC Staff	[REDACTED]	[REDACTED]

Contact Person for Press issues		

	Name	Contacts
Head of LCC		
LCC Coordinator		
LCC Coordinator		
proxy		
Intelligence Officer		
Debriefing Coordinator		

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Screening Coordinator

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Contact person for reporting

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Name

Contacts

Local Coordinator

[REDACTED]

[REDACTED]

Contact person for reporting

[REDACTED]

[REDACTED]

Contact Point

[REDACTED]

[REDACTED]

[REDACTED]

Name

Contacts

Local Coordinator

[REDACTED]

[REDACTED]

Contact person for reporting

[REDACTED]

[REDACTED]

Contact Point

[REDACTED]

[REDACTED]

Commented [A34]: The non-disclosed text contains personal data, in particular the name of an individual. Its disclosure would affect the privacy and integrity of the individual. Therefore, its disclosure is precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.

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In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.

	Name	Contacts
Local Coordinator		
Contact person for reporting		
Contact Point		
	Name	Contacts
Local Coordinator		
Contact person for reporting		
Contact Point		
	Name	Contacts
Local Coordinator		
Contact person for reporting		
Contact Point		
	Name	Contacts
Local Coordinator		
Contact person for reporting		

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	[REDACTED]	[REDACTED]
Contact Point	[REDACTED]	[REDACTED]

	Name	Contacts
Head of LCC	[REDACTED]	
LCC Coordinator	[REDACTED]	[REDACTED]
Debriefing Coordinator	[REDACTED]	
Contact person for reporting	[REDACTED]	[REDACTED]
Contact Point LCC (Svilengrad)	[REDACTED]	[REDACTED]
Contact point for logistics	[REDACTED]	[REDACTED]

Commented [A36]: The non-disclosed text contains personal data, in particular the name of an individual. Its disclosure would affect the privacy and integrity of the individual. Therefore, its disclosure is precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.

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2. Western Balkans

HUNGARY WB ICC	Name	Contacts
Head of ICC	National Coordination Center	[REDACTED]
Contact Person for Press Issues	Press duty officer	[REDACTED]

	Name	Contacts
Head of LCC	[REDACTED]	[REDACTED]

LCC Coordinator proxy		
Intelligence Officer		
Debriefing Coordinator		
Contact person for reporting		

	Name	Contacts
Local Coordinator		
Contact person for reporting		

	Name	Contacts
Local Coordinator		
Contact person for reporting		
Contact Point		

	Name	Contacts
Local Coordinator		
Contact person for reporting		
Contact Point		

	Name	Contacts
Local Coordinator		

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Contact person for reporting [REDACTED]

Contact Point [REDACTED] [REDACTED]

	Name	Contacts
Head of LCC	[REDACTED]	[REDACTED]
Local Coordinator	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
Contact person for reporting	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]

	Name	Contacts
Local Coordinator	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
Contact person for reporting	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]

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	Name	Contacts
Local Coordinator		

CROATIA	Name	Contacts
Head of ICC		
ICC Coordinator		
Contact Person for Press Issues		

	Name	Contacts
Head of LCC		
LCC Coordinator		
Focal Point Coordinator		
Contact person for reporting		

Commented [A39]: The non-disclosed text contains personal data, in particular the name of an individual. Its disclosure would affect the privacy and integrity of the individual. Therefore, its disclosure is precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.

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3. Frontex Operational Team

Operational Team		
Frontex Coordinating Officer		
Frontex Coordinating Officer		
Operational Manager		
Operational Team Member		
Operational Team Member		
Operational Analyst		
Operational Analyst		
Operational Team Member		
Operational Team Member		
Frontex Spokesperson		
Press Officer		

Commented [A40]: The non-disclosed text contains personal data, in particular the name of an individual. Its disclosure would affect the privacy and integrity of the individual. Therefore, its disclosure is precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.

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REMARK:

Any changes related to the contact details of the participants in the course of the joint operation do not require the amendment of the Operational Plan. The updated contact details will be available and shared with the participants during implementation phase on a need basis.

ANNEX 12 - Accommodation

FOA 2015 South East - GREECE and BULGARIA

[illegible]

Commented [A41]: The non-disclosed text contains personal data, in particular the name of an individual. Its disclosure would affect the privacy and integrity of the individual. Therefore, its disclosure is precluded pursuant to the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.

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Name	Recommended hotels	Single room rate	Recommended airport	Transportation (yes or no)
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Rented car/service car is needed.
	[REDACTED]	[REDACTED]	[REDACTED]	Rented car/service car is needed.
	[REDACTED]	[REDACTED]	[REDACTED]	Rented car/service car is needed.
	[REDACTED]	[REDACTED]	[REDACTED]	Rented car/service car is needed.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Rented car/service car is needed.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Rented car/service car is needed.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Rented car/service car is needed.
	[REDACTED]	[REDACTED]	[REDACTED]	Rented car/service car is needed.
	[REDACTED]	[REDACTED]	[REDACTED]	Rented car/service car is needed.
	[REDACTED]	[REDACTED]	[REDACTED]	Rented car/service car is needed.

The non-disclosed text contains information regarding the operational area. Ongoing operations tend to cover similar operational areas as the operations of preceding years in the same geographical area. In this regard, disclosing the location of the operational areas of previous years, would be tantamount to disclosing the current operational areas. The result of this will only be to hamper the course of the ongoing operations, by depriving them of any strategy and element of surprise during border surveillance, ultimately obstructing their purpose to counter and prevent cross-border criminality as well as prevent unauthorized border crossings. In this light, the disclosure of such information would undermine the protection of the public interest as regard to public security in the sense of Article 4(1) of the Regulation 1049/2001.

Croatia

Name	Recommended hotels	Single room rate	Recommended airport	Transportation (yes or no)
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	NO
	[REDACTED]	[REDACTED]	[REDACTED]	NO

Commented [A43]: The blanked-out parts contain detailed operational information regarding the accommodation of law enforcement officials. Their disclosure would pose a risk to the health and safety of officials involved in future and ongoing operations in the same area, thus harming the course of these operations and facilitating irregular migration. In light of the above the text is not disclosed pursuant to the exception laid down in the first indent of Article 4(1)(a) of Regulation No 1049/2001 relating to the protection of the public interest as regards public security.

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ANNEX 13 - Supporting fingerprinting and registration

1. Introduction

In regard to the Commission Staff Working Document on Implementation of the EURODAC Regulation as regards the obligation to take fingerprints, Frontex provides support to Host Member States to the extent agreed in registration and identification processes of irregular migrants. Systematic registration and fingerprinting process in full respect of fundamental rights based on existing EU law and the right to the personal data protection is a key element of full and coherent implementation of the Common European Asylum System.

Taking into consideration abovementioned, the process led by the Host MS should focus in particular on systematic identification, registration and fingerprinting by the following steps:

- ensuring that fingerprints are taken on land, immediately upon apprehension in connection with irregular crossing of the borders, and in full compliance with the EURODAC Regulation;
- If there is no such possibility, due to the technical problems, at least the initial registration should be performed;
-
- taking restrictive measures to prevent absconding in case migrants refuse fingerprinting, ensuring respect of fundamental rights;
- informing migrants in a timely manner of their rights and obligations and consequences of non-compliance with rules on identification.

The important role in the identification process plays the screening activity (which is obligatory) of undocumented migrants as well as for those who claim wrong nationality. Screening interviews establish presumed nationalities of the irregular migrants and facilitate the national registration procedures as well as contribute to return (voluntary and/or forced) activities.

In addition, the examination of travel documents presented by irregular migrants as well as other trip supporting documents, items, belongings, etc., is vital in order to identify migrants who try swapping their nationality, thus also contributing to the identification and registration process.

Thus, Frontex supports the host MSs by deploying experts with the knowledge, experience and expertise in the field of screening, fingerprinting and the documents' forgery in order to enhance the process of identification, fingerprinting and registration of irregular migrants as well as contributing to return activities.

2. Guidelines for the fingerprinting activities

2.1. General information

In accordance to the Eurodac Regulation (EU) No. 603/2013, irregular migrants and persons in need of international protection apprehended in connection with an irregular border crossing - except for children under the age of 14 years - must provide their fingerprints. Host MS have to identify if national law foresees exceptions on this obligation or particular instructions on handling fingerprinting process.

Fingerprints constitute an important element in establishing the exact identity of those arriving at the external borders of the European Union. The European Agenda for Migration, published in May 2015, stresses the importance of fully implementing the rules on systematically taking fingerprints of the irregular migrants at the external borders.

Fingerprinting is part of the first step of identification in any national procedure and must be performed in full respect of the fundamental rights of the migrants and more specifically of the right to data protection.

2.2. Tasks of experts

Fingerprinting and registration activities shall be carried out according to the host Member State's procedures, in close cooperation with the national experts and under the command and control of a Team leader, an officer assigned by the respective law enforcement authority of the host MS.

The tasks can be structured as follows: 1) informing migrants; 2) procedures in case of refusal; 3) lawful use of force; 4) referral and 5) reporting.

Information to migrants

At the start of the fingerprinting process, experts must inform each person on the obligation to give fingerprints, the purpose for collecting the fingerprints and the manner in which fingerprints will be processed, as required by Article 29 of the Eurodac Regulation. Information should be provided orally - in simple terms and taking in consideration the gender, age and cultural considerations - in a language the person understands. The cultural mediators / interpreters can be used in case of the language barriers occur. In order to facilitate information process it is highly recommended that Host MS prepare relevant number of posters in the registration places.

Procedures in case of refusal

When someone refuses to give fingerprints, experts should inquire what the reasons for the refusal are and refer it to the national authorities. In case of refusal, possible counselling with a view to addressing their fears and expectations should be proposed to the national authorities.

Use of force

In case counselling does not succeed, the Host Member State may consider resorting, in full respect of the principle of proportionality and the EU Charter of Fundamental Rights, to use coercive measures as a last resort in order to enable fingerprinting of migrants. Coercive measures against migrants can be used only by the Host MS officers. If the officer of Host Member States decides to do this, the migrant will be informed that coercion may be used in order to take his/her fingerprints. If the migrant still refuses to cooperate, the officer may apply the minimum level of coercion required, while ensuring respect of the dignity and physical integrity of the migrant. The procedure for the use of force should include a clear explanation to the migrant of the steps the officer intends to take in order to compel cooperation. The officer should demonstrate that there was no other practicable alternative measure to using reasonable coercion. A case by-case assessment should always be made of whether there is no such alternative, taking into account the specific circumstances and vulnerabilities of the person concerned. The use of coercion must always be recorded and a record of the procedure be retained for as long as necessary in order to enable the person concerned to legally challenge the actions of the authority.

Referral - Damage of the fingertips

In cases where an applicant has damaged his/her fingertips or otherwise made it impossible to take the fingerprints (such as via the use of glue), and where there is a reasonable prospect that within a short period of time it will be possible to take such fingerprints, experts must refer it to the national authorities so that his/her fingerprints can be taken at a later stage.

Reporting

At the end of the working day the fingerprinting expert have to report to the team leader the results of his activities, number of migrants fingerprinted, refused or not possible. The reporting of fingerprinting and registration activities will be included to the reporting structure of operation in an appropriate level. Any use of force must be reported accordingly.

2.3. Use of cultural mediators / interpreters

The use of cultural mediators /interpreters within the informative sessions regarding the obligations to give fingerprints, the purpose for collecting the fingerprinting and the manner in which fingerprints will be processed is of the outmost importance.

Moreover, possible support of the cultural mediators /interpreters in the counselling of those migrants refusing fingerprinting is recommended. In those cases where the refusals still remains, the cultural mediators/ interpreters may also be involved for the explanation of the procedures for the use of force with a clear explanation to the migrant of the steps the officer intends to take in order to compel cooperation.

2.4. Vulnerable groups

Special consideration should be given to the vulnerable persons. "Vulnerable persons" refers to minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence. If some degree of coercion is used by Host MS experts for vulnerable persons it should be ensured by the Frontex expert that the procedure used is specifically adapted to such persons. It is suggested that the use of coercion should always be recorded and that a record of the procedure be retained for as long as necessary in order to enable the person concerned to legally challenge the actions of the authority.

2.5. Status of Experts

Experts for fingerprinting and registration enjoys Guest Officer Status and therefore, the rights and obligations set forth in the Frontex Regulation, in particular Article 10, 10(a), 10(b) and 10(c), apply to them. All participants in fingerprinting and registration activities conducted within the framework of an operation coordinated by Frontex should act according to the Frontex Code of Conduct.

