



Submission to EU Commission Feedback Mechanism on Data Protection

February 2022

1. Introduction

Border Violence Monitoring Network (BVMN; <https://www.borderviolence.eu/>) is an independent network of NGOs and collectives based on the so-called Balkan Route, Greece, and Turkey, which monitors Human Rights violations at the borders of the European Union and advocates to end the violence exerted against people-on-the-move (POM)¹. BVMN came into existence in 2016, with the closure of the Balkan Route and the signing of the EU-Turkey Agreement, when several grassroots organizations started reporting on violent pushbacks of POM along the Balkans and Greece and began to document such cases. The Network has developed a common methodology for the recording of testimonials and supporting evidence which, after going through a process of fact-checking, are published on our website (see our [database](#)).

Since 2018, the year of establishment of the EU Data Protection Regulation (EUDPR), BVMN has collected 1,372 pushback testimonies, affecting an estimated 24,401 people (BVMN, 2022). During pushbacks, BVMN has noticed a trend of ongoing and systematic violations of the personal data rights of POM, constituting serious violations of the Fundamental Right to protection of personal data as enshrined in Art. 8 (1) of the Charter of Fundamental Rights of the European Union (CFR) and Article 16 (1) Treaty on the Functioning of the European Union (TFEU), as well as Art. 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

With this submission, BVMN gives feedback to the EU Data Protection Regulation (EUDPR), drawing particular attention to data protection issues that arise during pushbacks. BVMN will particularly focus on the European Border and Coast Guard Agency (Frontex), as well as on the use of drones as an increasingly used tool of data collection in border surveillance at the EU's external borders.

2. Frontex's compliance with the EUDPR

Regarding this submission, BVMN maintains that Frontex violates data protection regulations through its involvement in pushback incidents. As an EU agency established through Council Regulation EC 2007/2004 and regulated through Regulation (EU) 2019/1896, Frontex falls under the scope of Art. 2 (1) of Regulation (EU) 2018/1725 (hereinafter EUDPR), as it qualifies as a Union body as defined in Art. 3 (10) *ibid*.

¹ The term “people on the move”, includes all people who, for various reasons, leave their country of origin and flee from circumstances there. It seeks to broaden the definition of refugees taking into account the dramatic impacts of climate change, economic and social inequality, political authoritarianism, terrorism and organized crime. Furthermore, the term specifically recognizes people in the process of fleeing who are in transit or stranded. Looking specifically at the situation in the Western Balkans, a majority of people having fled their country of origin, seek to continue their journey to seek safety in the European Union.



Regulations for the protection of personal data within the agency's operations are furthermore laid down in Regulation (EU) 2019/1896, Section 2, as well as Frontex' Management Board Decision (MB) No. 58/2015 and No. 56/2021.

According to the EUDPR, the data subject has the right to information on the purpose and legal basis of the data collection concerning them, on the controller, purposes and ways of processing the data, as well as information on access to the data protection officer (Art. 14). In case of data processing, they shall furthermore be informed on their "*right to lodge a complaint with the European Data Protection Supervisor*" (Art. 16 (2) d). Furthermore, the data subject has the right to access their personal data in cases of processing, including information on the process itself and the right to a copy of the data being processed (Art. 17) and holds the right to rectification of the obtained data (Art. 18), as well as to object to the processing of its personal data (Art. 23). All of this information has to be provided in a "*concise, transparent, intelligible and easily accessible form*" (Art. 14 (1)).

a. Visual footage taken during pushback incidents by Frontex officers

Since 2019, 12 respondents to BVMN claimed that Frontex officers, or officers that might be affiliated with Frontex, took visual footage of the transit group or an individual within the group that was apprehended after irregularly entering the territory of a state, which might be constituting a breach of data protection rights as laid down in EUDPR.

For instance, in 2021, a group of 37 POM was intercepted at sea by vessels carrying officers wearing dark uniforms bearing the EU flag when trying to cross from Turkey to Greece by boat. The group was subject to excessive violence and violently forced on a life raft and pushed back to Turkey. "*No fingerprints or individual pictures were taken at any time. The only information collected was one picture of the 37 people.*" (BVMN, 2021d).

In 2020, a group of 9 POM was apprehended by a group of officers after crossing the border from Greece to Albania. The respondent believes 2 of them being Frontex officers as they wore dark blue uniforms and a light blue armband above their uniforms on the upper arm which is usually worn by Frontex officers. Before violently being pushed back to Greece, "*[t]he Frontex officials [...] took pictures of the group's faces. 'They make us photos 'come with us we take pictures, don't worry''*" (BVMN, 2020b).

(Please see all relevant testimonies linked in the annex below)

The above mentioned rights of POM as data subjects, as enshrined in the EUDPR, were violated in the mentioned cases. In all cases their data was recorded without them receiving information neither on the data collected and its processing (Art. 14), nor on their right to access the data (Art. 17) or potential complaints mechanisms (Art. 14; Art. 16 (2) d). Crucially, there is complete disregard for the general prohibition against processing of special categories of data (Art. 10(1)). Importantly, it is highly uncertain whether the exceptions to this prohibition are met. It is not clear for what purpose biometric data is being processed, whether explicit consent has been given by the data subject,



whether processing is carried out in the course of legitimate activities and with appropriate safeguards, or whether data is disclosed to others without the consent of the data subject (Art. 10(2)).

Concerning the lack of information given to the POM in the below listed testimonies, it is important to point to the fact that information should be provided in a "*concise, transparent, intelligible and easily accessible form*" (Art. 14 (1)). As the data subjects in the listed testimonies are POM who do not hold the nationality of an EU MS, it can not be assumed that they speak the same language as the implementing officers of Frontex. Therefore, in order for information to be accessible, it must be given in a language understood by the data subject. Hence, an interpreter must be present in order to ensure the accessibility of the information given. The relevance of the accessibility of information is furthermore emphasised upon by the European Union Agency for Fundamental Rights when recommending the "*[u]se [of] leaflets or posters to be better understood*" when personal data in border controls at external land borders is processed (FRA, 2020). Therefore, the actions described in the listed testimonies constitute a breach of the EUDPR.

In some of the collected testimonies, pictures were taken with officers' phones. It remains unclear whether or not those phones were of private use. If for private use, the collection of personal data bears a real danger of breaching the EUDPR, as tracing the controller, as well as the processing of the collected data (see right to information where personal data are collected from the data subject, Art. 15), as well as their erasure (Art. 19), are difficult to assure. For instance, in 2021, a group of 10 POM were violently pushed back from Bulgaria to Turkey. After apprehending them, "*[t]he [Frontex] officers did not provide the group with any documents or take their fingerprints but took pictures of them with their phones.*" (BVMN, 2021b).

The incidents elaborated upon above shed light on a lack of implementation of EUDPR within Frontex. Even though EUDPR is reflected in relevant regulations and decisions within the agency, the latter are not adhered to during their operations. BVMN argues for the improvement of control and complaint mechanisms in order to strengthen data protection rights of data subjects, in particular when consisting of vulnerable groups, such as POM, within the agency's operations.

Frontex' debriefing officers are often deployed in joint operations. Their responsibility is "*to debrief third country nationals by systematic extraction of information from persons willing to cooperate*" according to the course description on Frontex' website (Frontex, 2022). The purpose of the debriefing interviews is to collect information about migration routes, identifying smuggling routes and rings, and others. This data is processed by Frontex for risk analysis and vulnerability assessments. While the participation in debriefs is voluntary according to the information retrieved from the website, POM report that they are not informed properly about the "voluntary" nature of the debrief. They are often transferred from one office to another, where they are asked questions by foreign officers. Their data is being collected again. They are handed over documentation that they sign.

Given the fact that the debriefing procedure takes place at the same time as the mandatory registration and identification procedure, or, as referred to by Frontex, "screening procedure", POM are not aware that they are not obliged to participate in the following debriefing interviews.



Often, POM are legally or factually detained throughout the registration procedure, therefore their “willingness” to participate in an interview with a law enforcement officer does not appear to be a matter of choice:

“Afterwards [the registration and fingerprinting procedure], he was taken to another office where a French-speaking officer asked for his personal data once again. [...] The officer stated that he was French and from Nice, a coastal city in the south-east of France. He had a remote translator available who spoke Arabic, the Syrian dialect. The respondent mentioned that he spoke English and that a translator is not necessary but the officer insisted. At the end of the interrogation, he was asked to sign a document but no copy of it was given to the respondent.” (BVMN, 2020b).

POM are not informed where their data is collected and the manner to access it. They are unaware that they can request the erasure of their data from Frontex. They are not informed that they can file a complaint to the Frontex Data Protection Supervisor in case their data is misused. The debrief reports contain detailed information such as the full name, date and place of birth, nationality, family composition, personal story of the POM and migration route travelled. The conditions for consent as legislated in Art. 7 EUDPR are not met and often POM’s consent is vitiated.

b. Violation of the protection of personal data of migrants through wrongful and systematic confiscation of personal phones

Additionally, BVMN has recorded numerous pushback incidents on the so-called Balkan route, Greece and Turkey, affecting hundreds of people, in which officers who the respondents either identified as Frontex officers or suspected to be Frontex officers stole POM’s personal belongings, including their mobile phones (see [database](#)).

For instance, in 2021 a group of seven POM was apprehended, beaten and verbally harassed during a pushback from Bulgaria to Turkey by a group of four officers, one of them identified as a Frontex official through the worn “black uniform with a Bulgarian flag on his chest along with a blue armband uniform” and recognized as Frontex uniform: “The respondent was searched and stripped of all possessions – including his phone and cash. When reportedly imploring one of the officers to return his papers, the officer responded by asking the respondent in Bulgarian to “kiss his shoes....” and kicked him in the stomach” (BVMN, 2021f).

In the year 2020, a respondent and 54 other people experienced a pushback from Greece to Turkey on September 26. During the pushback “[t]he seven men [officers] took the bags, phones and wallets from the group”. The men referred to as “officers” partly spoke English among themselves. “When asked for more details regarding the uniform, the respondent explained it was bright blue and had “police” written on it (in English). When asked if it carried any flags, the respondent said yes, the flag of the European Union. When shown a picture of the light blue Frontex armbands, the respondent immediately said ‘yes, this blue band with the EU flag’”. The account indicates Frontex’ involvement in the illegal theft of phones in this case as well. (BVMN, 2020d).

In 2019, a respondent travelling in a group of 6 claimed in his pushback testimony that “officers [which] were wearing Frontex uniforms” searched him in a brutal way and stole his personal



belongings: *“Nothing, they left me with nothing. They took even the cigarettes, phone, money, clothes, food. Everything. Even the card that I have to get free food from a charity in Greece. They take it. They left nothing.”*. This occurred during a pushback from North Macedonia to Greece on September 8, 2019 (BVMN, 2019b).

In a digitalized era mobile phones are one of the most important sources of privacy and personal data, as defined in Art. 3 (1) EUDPR. Their theft is most likely to hazard personal data rights and to constitute a serious violation of the Fundamental Right to protection of personal data (Art. 8 (1) CFR, Art. 16 (1) TFEU, Art. 8 ECHR).

In any such case, the procedural rights and the rights of the POM, the data subjects, as enshrined in Chapter III, Section 1 - 3 EUDPR are violated, as they are not provided with information about the modalities, reasons and extent of data collection (Art. 14, 15), they are not granted access to the collected data (Art. 17) and neither the right to rectification (Art. 18) nor to erasure (Art. 19) are granted.

These confiscations of phones and other personal documents (specifically passports) are not part of any official proceeding and no record of confiscation is taken which constitutes a breach of Art. 31 (1) EUDPR according to which *“[e]ach controller shall maintain a record of processing activities under its responsibility”*, as well as the regulations referring to the security of personal data laid down in Chapter IV Section II EUDPR (Art. 33 ff.).

The responsibility and accountability of Frontex for involvement in pushbacks and its complicity in Fundamental Rights violations has been highly discussed in the last years (see Meijers Committee, 2021; Bellingcat, 2020). In a number of pushback testimonies collected by BVMN, Frontex officials were implicated in the pushback, but BVMN cannot confirm if personal belongings, including phones, were stolen by Frontex officers.

Nevertheless, Frontex may be held responsible for violations of Fundamental Rights, such as the Fundamental Right to protection of personal data (Art. 8 (1) CFR; Art. 16 (1) TFEU; Art. 8 ECHR), which occurred in joint operations with EU MS and were conducted through MS' officials, despite the fact that the violation might not be attributable to the agency directly. This is the case if it *“is indirectly responsible for aiding and assisting in a violation, in knowledge or presumed knowledge of the circumstances”* (Gkliati 2021) which is referred to in Art. 14 Draft articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA) as an *“obligation requiring [...] to prevent a given event”*. The *“failure to effectively utilise its [Frontex'] monitoring obligations in light of its positive obligations to prevent a violation”* can constitute such an act of assistance to violation of right. Therefore, if Frontex is aware of violations of Fundamental Rights in joint operations but *“willfully ignored it”* indirect responsibility may arise by *“failing to exercise its positive obligations to prevent it”* (Gkliati 2021). This entails the responsibility of Frontex to ensure that Fundamental Rights are not breached in its joint operations and the scope of the EUDPR must be applicable to all actors involved in such. Therefore, even if Frontex officials are not actively involved in the action of stealing phones in every case, they might be held responsible for it.

For instance, on July 27, 2021 two POM were apprehended and had their personal belongings, including phones, stolen by officers identified as Bulgarian border police. Later during the pushback,



more officials joined, including one person “wearing a black uniform with a ‘blue band on his arm and police written on his chest’, which resembles the uniform of Frontex officers. This officer spoke in English, and said to the officer that had caught the two men ‘thank you’”. The respondent subsequently identified the Frontex uniform through images (BVMN, 2021c). This incident is exemplary for a certain level of shared or superordinate authority of command of alleged Frontex officials and entailing responsibility, without active participation in phone confiscation.

While the involvement of Frontex in theft of personal belongings and phones clearly connects this issue to the aim of this submission and the insufficient implementation of the EUDPR in Frontex’ (joint) operations, analyzing the issue of wrongful phone confiscation in pushback incidents outside of Frontex-related pushbacks illustrates its systematic character. In 63.3% of all testimonies collected by BVMN, theft of personal belongings through MS’ officials is part of the violence used (BVMN, 2022). Although our database does not have a further breakdown to show the percentage of cases where phones are stolen along with personal belongings, it is assumed that the number is high.

This analysis aligns with reports of Amnesty International (Amnesty International, 2022: 5), and can be refound in cases recently submitted to the European Court of Human Rights (ECtHR). In December 2021, the ECtHR communicated two cases supported by Legal Center Lesvos (LCL) (H.T. and Others v Greece (app. no. 4177/21); S.A.A. and Others v Greece (app. no. 22146/21): “Those onboard [...] were taken to two large coastguard boats, where armed crews of between 10 and 15 men, most wearing balaclavas, searched them and confiscated belongings including phones, passports and money” (McKernan, 2021).

Considering the presented evidence on theft of personal belongings and phones, one must conclude that the confiscation of mobile phones of POM by Frontex and MS’ officials involved in pushbacks constitutes a serious data protection hazard and amounts to a systematic practice. BVMN is concerned that these practices are used as a discriminatory and unlawful tool of migration management, and that the data protection of vulnerable groups such as POM, is not safeguarded. When barrier-free access to information and the recording of processing and storage activities by the data controller are denied, the safety of personal data is at serious risk.

3. Drones as a tool to collect data and their use by Frontex

The increased use of drones in border surveillance at the EU’s borders risks Human Rights and data protection rights violations and contributes to the normalization of the increasing violation of the right to privacy (Chelioudakis, 2020; Kaamil, & Tondo, 2021; Statewatch, 2021). Drones have become the favored technology in surveilling state borders within the EU and at EU’s external borders (Loukinas, 2017), being deployed in border areas where reports of pushbacks have been documented (Kaamil, & Tondo, 2021).

a. Data collection by drones and its interlinkage with illegal pushbacks

Since 2018, BVMN has recorded 25 testimonies where drones were used during a pushback, affecting an estimated 719 people. For example, in 2021, a respondent informed BVMN of their pushback from Hungary, who recalled “seeing a drone flying over” before being intercepted by Hungarian police and



then being pushed back (BVMN, 2021e). In 2020, a respondent informed BVMN that while being pushed back from Greece to Turkey “one of the ‘commando’ men launched a camera drone that he used to observe activity on the Turkish side of the Evros river. Meanwhile, some of the other officers and commandos got one rubber dinghy ready” (BVMN, 2020c). In 2019, a respondent informed BVMN of a surveillance drone which had targeted them in Croatia before being ambushed by a police unit who then pushed the group back (BVMN, 2019a). These are just a few examples of incidents when drones have been used during pushbacks, posing risks to data protection rights violations. (Please see all relevant testimonies linked in the annex below).

b. Involvement of EU bodies in data collection by drones in border surveillance

In the surveillance of the EU external borders, several actors are involved. Next to national governments increasingly implementing drones in their national border security programs, Frontex increasingly focuses their border surveillance strategy on deploying drones (Burt et al., 2020; see also Kaamil & Tondo, 2021). An increasing amount of tests, as well as calls for tenders draw a picture on the future border surveillance strategy of the agency (Burt et al., 2020; see also Akkerman, 2020 and Monroy, 2021). In addition, Frontex already cooperates with multiple actors by processing and exchanging data conducted by drones (Burt et al., 2020). This is for example the case with data collected by drones in the Mediterranean processed to the so-called Libyan Coast Guards (Kaamil, & Tondo, 2021), or when data collected by private contractors is transferred to and then processed by Frontex (Burt et al., 2020; see also Akkerman, 2020; Monroy, 2021; Monroy, 2020).

c. General issues of data collection by drones in border surveillance

Drones deployed at borders for surveillance purposes create huge amounts of data, while their nature of moving location imposes challenges to track them, as well as their silent operation making it difficult for people to be aware of being surveilled which raises ethical concerns such as civil liberty, privacy and data protection issues (Finn & Wright, 2012). BVMN is concerned about the lack of transparency on the use of data collected by drones deployed during border surveillance.

The processing of data conducted by drones that are used in this nature in border surveillance can be seen as a breach of Art. 4 (1) a. EUDPR, as it is not processed in a “transparent manner in relation to the data subject”. As to be seen in the testimonies mentioning drones, as elaborated upon above, there is a correlation of the collection of data by drones in border surveillance and people being apprehended and later on pushed back. The remoteness of pushback areas, as well as drones’ silent, unnoticeable operations makes it impossible for people in the area to be aware of the data collection of data taking place or to be informed them about the processing of this data, as well as the further rights they hold as data subjects (EUDPR, Chapter III). For example, particular attention needs to be paid to the fact whom the data subject is; this is the case where data is collected in relation to children - Article 8 (1) EUDPR makes clear that “(w)here the child is below the age of 13 years, such processing shall be lawful only if and to the extent that consent is given or authorized by the holder of parental responsibility over the child”.



In sum, the nature of pushbacks is such that they are carried out in an expeditious manner, leaving no room for the data rights of the subject to be protected. To be sure, the usual procedural guarantees which attach to the data rights of the subject, specifically those which relate to ensuring transparent information, communication and modalities for the exercise of those rights, are not present.

BVMN is therefore concerned about personal data collected in the border areas through the use of drones, as it is practically impossible to secure the data rights of the subject given that the operation of drones, at least from the perspective of the data subject, is shrouded in secrecy.

d. Fundamental Rights breaches as a result of Frontex processing of data collected by drones

In addition, the data collected and shared through the use of drones deployed in European border surveillance might often result in the facilitation of pushbacks. In this regard, while the data collected and shared may not always be essential to pushbacks, they often make a significant contribution towards the commission of the internationally wrongful act of a state (ARSIWA Commentaries, Comment 5 to Art. 16). Considering the material elements of aid or assistance captured by Article 16 ARSIWA, a state clearly has a facilitative role through the exchange of information but their involvement is not so remote or too direct to amount to co-perpetration.

Additionally, the collection and sharing of data is a positive act, one which results from a decision on the part of the state to cooperate with third states, such as Libya, to curtail the Fundamental Rights of those on the move. It is clear that without the exchange of data, the location, interception and pullback of migrant boats in distress would not be possible. Arguably, it is a virtual certainty that data collected by drones and disseminated to a third country, in the instance of Libya, will be used to intercept and pull back refugees to Libya where they face breaches of their Fundamental Rights (Moynihan, 2018). When the data collected by drones is used to conduct pushbacks and thus to violate EU law and international Human Rights law, in particular the prohibitions of non-refoulement, it poses grave ethical issues. Such issues arise not only for the MS responsible for the violation of Fundamental Rights, but also potentially to the EU itself, e.g. by its agency Frontex, when collecting, processing and transferring the data necessary to locate POM that are later on being pushed back, in particular when this data is provided to authorities which are known for their involvement in illegal pushbacks.

Additionally, operations of drones under the direction or control of a MS itself might also fall under international responsibility. The latter arises where a person or group of persons is instructed to monitor a boat in distress and omit data collected to be used in carrying out search and rescue operations (ARSIWA, Art. 8). This is of particular relevance, considering Frontex have contracts for the supply and operation of border surveillance drones with private companies, which are to be deployed for maritime surveillance, including collection and sharing of data with Frontex, as well as the MS in question (Akkerman, 2020).

For instance, Frontex provides drone data of people in distress in the Mediterranean Sea to the so-called Libyan Coast Guard, and withholds information for commercial ships or NGO-led search and rescue missions. This cooperation facilitates the return of migrants to Libya and violates the prohibition of refoulement (Kaamil, & Tondo, 2021). Even when data collected by EU agencies is



shared with all relevant actors that might facilitate a search-and-rescue operation, a lack of presence of EU actors at the Mediterranean Sea leads to an increasing risk of pullbacks to Libya by the so-called Libyan Coast Guard (Council of Europe, 2021). The sharing of data by Frontex with the so-called Libyan Coast Guard is, in essence, essential to boats in distress being located and subsequently pulled back to Libya where POM face serious Human Rights violations (Euromed Right, 2021; see also Privacy International, 2021), and has consistently been documented as being unsafe for POM (Alarm Phone et al., 2020; Burt et al., 2020). Such a cooperative act amounts to aiding and assisting another state in the commission of an internationally wrongful act.

In the context of Fundamental Rights breaches connected to data collection by Frontex it is also important to mention the Eurosur platform, as this is the platform through which the agency manages its border surveillance efforts. Here, data is exchanged which is collected by the MS, as well as different EU agencies, like European Maritime Safety Agency (EMSA), among others collected by drones (Burt et al., 2020; European Commission, 2022). The European Commission confirmed that between 2017 and 20 November 2019 Eurosur provided information on migrants in distress at the Mediterranean Sea to Libyan authorities in 42 cases (Borrell, 2020). This is problematic as it results mostly, as described above, in pullbacks to Libya by the so-called Libyan Coast Guard.

In addition, Frontex processed data they collected in their Multipurpose Aerial Surveillance Western Balkan mission of people on the move to Croatian authorities entailing responsive measures by them (Frontex, 2019). BVMN is particularly concerned about the processing of this data as Croatian authorities are repeatedly reported to conduct Fundamental Rights' breaches towards apprehended people on the move as well as illegal pushbacks (BVMN, 2021a; BVMN, 2020a; DRC, 2021). Therefore, the processing as well as the transfer of personal data of POM by EU bodies, such as Frontex might result in pushbacks and hence severe Fundamental Rights breaches.

Even though Art. 10 (2) b EUDPR allows the processing of personal data only when safeguards for Fundamental Rights of the data subject are provided, the examples of illegal pushbacks conducted after data being collected by drones, which is then processed by EU bodies such as Frontex, clearly points to a lack of protection of the latter. Data collected in border surveillance and must not be processed in order to breach Fundamental Rights. This might be due to the fact that Art 10 EUDPR only applies to special categories of personal data. Therefore the scope has to be widened, upon which Fundamental Rights are safeguarded when personal data is processed and must therefore apply to all kinds of personal data.

In the case of drones being deployed in border surveillance, it might be argued that the data collected is processed "*relating to criminal convictions and offences*" (EUDPR, Art. 11), as drones are partly used in order to detect irregular border crossings and cross-border crime (Burt et al., 2020). However, this also comes with the obligation to implement "*appropriate safeguards for the rights and freedoms of data subjects*" (EUDPR, Art. 11). This aligns with Art. 1 (2)a. Directive (EU) 2016/680, according to which all MS are obliged to protect Fundamental Rights and the right to protection of personal data in police and criminal justice authorities' operations when collecting personal data. Hence, also when processed for criminal purpose safeguard mechanisms have to be in place and as to be seen by the testimonies BVMN collected on the correlation of data collection by drones and Fundamental Rights violations (enforcement of illegal pushback).



Therefore, EU legislation must guarantee the protection of Fundamental Rights, when processing personal data collected by drones. Implemented safeguard mechanisms for personal data should guarantee their protection at all times, in particular in the field of border surveillance (Sarrión, 2018) and for vulnerable groups, such as POM. This also means the improvement of existing safeguard mechanisms, as well as their accessibility, for example to strengthen the mandate of the European Data Protection Supervisor (EUDPR, Art. 52).

BVMN recommends that the EU explicitly legislates through amendments to the EUDPR that data processed by EU bodies must be used in adherence with the EU Charter of Fundamental Rights and that it cannot be used to conduct Fundamental Rights violations, such as the facilitation of pushbacks (Sarrión, 2018; Hayes, Jones, & Toepfer, 2014). Furthermore, EU bodies must set in place all guarantees that when providing MS with processed data that eventually facilitate Fundamental Rights breaches, such as pushbacks, in particular when evidence of former incidents of such kind is known, they would simultaneously notify national preventive mechanisms or national Human Rights institutions.

e. Need to assure data protection and Fundamental Rights when data processed by Frontex is provided by private contractors

Multiple actors, including those falling under the scope of the definition of an EU body (EUDPR Art. 3 (10)) and those that do not, are involved in the collection, processing and transferring of data collected by drones in border surveillance. Hence, when considering data protection by EU bodies, not only they have to be considered but also external agencies and companies, which are collecting personal data that is later on processed to EU bodies. This is due to the fact that the collection of data for purposes of border surveillance of Frontex, in particular for their platform Eurosur, is not conducted by the agencies themselves, but by private contractors (Burt et al., 2020; see also Akkerman, 2020; Monroy, 2021; Monroy, 2020). The outsourcing of military and security service provision, including border surveillance and migration control to non-state actors, entails challenges to ensure Fundamental Rights and data protection (Burt, & Frew, 2020). Therefore, there is a need for a clear regulatory framework at national as well as a regional level to ensure the protection of personal data (Saner, 2015).

BVMN therefore sees the need for the implementation of safeguard mechanisms which ensure respect of Fundamental Rights in the use of drones, particularly when deployed for border surveillance purposes, applicable not only to EU bodies but also private companies. On an European level, this means the implementation of clear regulations, guaranteeing data protection not only by EU bodies but also when data is collected for EU bodies by private contractors, actors and companies on a national level. EUDPR must lay legal grounds in order to assure that EU bodies are only allowed to work with data processed to them which was collected under data protection regulations consistent with its own standards. This includes the setting of clear responsibilities among external contractors for data protection.

f. Right to access to data by data subjects



BVMN argues that it is highly relevant that access to personal data, collected in areas of border surveillance and processed by EU bodies, is granted to data subjects, in particular POM. In order to hold the perpetrators of Fundamental Rights violations, i.e. illegal pushbacks, to account, EU legislation must allow victims access to data created by drones documenting those Fundamental Rights violations. This aligns with Art. 14 Directive (EU) 2016/680, according to which subjects of data collection by police and criminal justice authorities' operations are granted the right of access to the collected data. This must include individuals being subject to border surveillance, in particular those who experience illegal pushbacks. Thus, access mechanisms must be established. Making this data available for court cases is of high relevance both for applicants who are subject to Fundamental Rights breaches, as well as for public interest.

Considering the above-mentioned issues and violations of the Fundamental Right to protection of personal data arising in the context of pushbacks and border surveillance through drones, and based on diverse evidence of such, BVMN is concerned about the insufficient implementation of the EU Data Protection Regulation and encourages the European Commission to consider the mentioned issues in its assessment of the EUDPR.

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For further questions or more information please reach out to legal@borderviolence.eu.

Bibliography

All online sources were accessed latest on February 8, 2022.

Akkerman, M. (2020, October 30). *Frontex awards €50 million in border surveillance drone contracts to Airbus, IAI and Elbit*. Stop Wapenhandel.

<https://stopwapenhandel.org/frontex-awards-e50-million-in-border-surveillance-drone-contracts-to-airbus-iai-and-elbit/>

Alarm Phone, Borderline Europe, Mediterranea – Saving Humans, & Sea-Watch. (2020). *Remote control: the EU-Libya collaboration in mass interceptions of migrants in the Central Mediterranean*.

https://eu-libya.info/img/RemoteControl_Report_0620.pdf

Amnesty International. (2022). *Greece: Submission to the UN Committee against Torture, 73rd session, 19 April – 13 May 2022, List of Issues prior to Reporting*.

<https://www.amnesty.org/en/documents/eur25/5178/2022/en/>



Bellingcat. (2020). *Frontex at Fault: European Border Force Complicit in 'Illegal' Pushbacks*. <https://www.bellingcat.com/news/2020/10/23/frontex-at-fault-european-border-force-complicit-in-illegal-pushbacks/>

Borrell (2020, January 8). *Parliamentary questions* (Question reference: E-002654/2019). European Parliament. https://www.europarl.europa.eu/doceo/document/E-9-2019-002654-ASW_EN.html

Burt, P., & Frew, J. (2020). *Crossing a Line. The use of Drones to Control Borders*. Drone Wars. <https://dronewars.net/wp-content/uploads/2020/12/DW-Crossing-a-Line-WEB.pdf>

BVMN. (2019a, October 15). “[We] understood that we are alive but don't understand anything [else]”. <https://www.borderviolence.eu/violence-reports/october-15-2019-0000-north-west-karlovac-croatia/>

BVMN. (2019b, September 8). “Nothing, they left me with nothing”. <https://www.borderviolence.eu/violence-reports/september-8-2019-0000-10km-into-north-macedonia-n-interior-north-of-gevgelija/>

BVMN. (2020a). *Torture, and cruel, inhuman, or degrading treatment of refugees and migrants in Croatia in 2019*. <https://www.borderviolence.eu/wp-content/uploads/CORRECTEDTortureReport.pdf>

BVMN. (2020b, May 30). “Next time if you run we can shoot on you, if we said 'stop', you stop”. <https://www.borderviolence.eu/violence-reports/may-30-2020-1500-on-the-way-to-the-village-of-trestenik/>

BVMN. (2020c, August 27). “If we had known, we would not have come to thessaloniki. But I thought we have papers, we have UNHCR documents, nothing will happen to us!”. <https://www.borderviolence.eu/violence-reports/august-27-2020-0900-thessaloniki-greece/>

BVMN. (2020d, September 26). “Yes, this blue band with the EU flag”. <https://www.borderviolence.eu/violence-reports/september-26-2020-2300-near-orestiada/>

BVMN. (2021a). *Annual Torture Report 2020*. <https://www.borderviolence.eu/wp-content/uploads/Annual-Torture-Report-2020-BVMN.pdf>

BVMN. (2021b, July 18). “He touched my body and took off my head scarf and he kept kicking me and scream at me and rip my dress and keep searching and touching my body in front of my kid”. <https://www.borderviolence.eu/violence-reports/july-18-2021-0000-vaysal/>

BVMN. (2021c, July 27). “They beat us with and kick us on the face while we try to hide our faces”. <https://www.borderviolence.eu/violence-reports/july-27-2021-2300-elhovo-hamzabeyli/>

BVMN. (2021d, August 24). “The officers would beat them even more and tell them to stop screaming”. <https://www.borderviolence.eu/violence-reports/august-24-2021-0530-in-the-aegean-sea-3-kilometres-from-samos-island/>



- BVMN. (2021e, August 30). “« *We were 50, it was not possible to sit or breathe* »”.
<https://www.borderviolence.eu/violence-reports/august-30-2021-0800-near-road-55-hungary/>
- BVMN. (2021f, September 19). “*I will kill you if you [come] back to Bulgaria again*”.
<https://www.borderviolence.eu/violence-reports/september-19-2021-1230-matochina-hatipkoy/>
- BVMN. (2022). *Statistics about reports*. <https://www.borderviolence.eu/statistics/>
- Chelioudakis, E. (2020, June 29). *Greece: Technology-led policing awakens*. about:intel.
<https://aboutintel.eu/greece-policing-border-surveillance/>
- Council of Europe. (2021). *A distress call for human rights: The widening gap in migrant protection in the Mediterranean*.
<https://rm.coe.int/a-distress-call-for-human-rights-the-widening-gap-in-migrant-protectio/1680a1abcd>
- Danish Refugee Council (DRC). (2021). *The Danish Refugee Council’s Submission to the Special Rapporteur’s Report on Pushback Practices and Their Impact on the Human Rights of Migrants*.
<https://ohchr.org/Documents/Issues/Migration/pushback/DRCSubmission-final.pdf>
- Der Spiegel, Lighthouse Reports, Bellingcat, ARD, TV Asahi. (2021). *EU Border Agency Frontex Complicit in Greek Refugee Pushback Campaign*.
<https://www.spiegel.de/international/europe/eu-border-agency-frontex-complicit-in-greek-refugee-pusback-campaign-a-4b6cba29-35a3-4d8c-a49f-a12daad450d7>
- Euromed Rights. (2021). *Violence on land, violence at sea: migrants in Libya between the Libyan hammer and the EU’s anvil*.
<https://euromedrights.org/publication/violence-on-land-violence-at-sea-migrants-in-libya-between-the-libyan-hammer-and-the-eus-anvil/>
- European Commission. (2022). *Eurosur*. Migration and Home Affairs, European Commission.
https://ec.europa.eu/home-affairs/policies/schengen-borders-and-visa/border-crossing/eurosur_en
- European Network of National Human Rights Institutions (ENNHRI). (2019). *Migrants’ access to information on their rights: Recommendations to bridge theory and practice*.
https://ennhri.org/wp-content/uploads/2019/10/ennhri_report_migrants_rights.pdf
- European Union Agency for Fundamental Rights (FRA). (2020). *Border controls and fundamental rights at external land borders*.
https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-guidance-border-controls-and-fundamental-rights_en.pdf
- Finn, R., & Wright, D. (2012). Unmanned aircraft systems: Surveillance, ethics and privacy in civil applications. *Computer Law & Security Review*, 28(2), 184-194.
<https://doi.org/10.1016/j.clsr.2012.01.005>
- Frontex. (2019). *Consolidated annual activity report 2018* (Reg. No 5865).
https://frontex.europa.eu/assets/Key_Documents/Annual_report/2018/Annual_Activity_Report_2018.pdf



Frontex. (2022). *Building Capabilities*.

<https://frontex.europa.eu/we-build/building-capabilities/courses/>

Gkliati, M. (2021). *The first steps of Frontex accountability: Implications for its Legal Responsibility for Fundamental Rights Violations*. EU Immigration and Asylum Law and Policy.

<https://eumigrationlawblog.eu/the-first-steps-of-frontex-accountability-implications-for-its-legal-responsibility-for-fundamental-rights-violations/>

Hayes, B., Jones, C., & Toepfer, E. (2014). *Eurodrones Inc*. Statewatch & Transnational Institute (TNI). https://www.tni.org/files/download/011453_tni_eurodrones_inc_br_3e.pdf

Kaamil, A., & Tondo, L. (2021, November 06). *Fortress Europe: the millions spent on military-grade tech to deter refugees*. The Guardian.

<https://www.theguardian.com/global-development/2021/dec/06/fortress-europe-the-millions-spent-on-military-grade-tech-to-deter-refugees>

LIBE Committee on Civil Liberties, Justice and Home Affairs (2021). *Report on the fact-finding investigation on Frontex concerning alleged fundamental rights violations*.

https://www.europarl.europa.eu/cmsdata/238156/14072021%20Final%20Report%20FSWG_en.pdf

Loukinas, P. (2017). Surveillance and Drones at Greek Borderzones. Challenging Human Rights and Democracy. *Surveillance & Society* 15(3/4), 439-446.

<https://ojs.library.queensu.ca/index.php/surveillance-and-society/article/view/6613/6427>.

McKernan, B. (2021). Greece accused of ‘shocking’ illegal pushback against refugees at sea. *The Guardian*.

<https://www.theguardian.com/world/2021/apr/26/greece-accused-of-shocking-pushback-against-refugees-at-sea>

Meijers Committee. (2021). *Frontex and pushbacks: obligations and accountability (CM2105)*.

<https://euruleoflaw.eu/cm2105-frontex-and-pushbacks/>

Monroy, M. (2021, May 03). *First test in Malta: Frontex drones approaching*. Matthias Monroy: Security Architectures and Police Collaboration in the EU.

<https://digit.site36.net/2021/05/03/first-test-in-malta-frontex-drones-approaching/>

Monroy, M. (2020). *Analysis. Drones for Frontex: unmanned migration control at Europe’s borders*.

Statewatch. <https://www.statewatch.org/media/documents/analyses/no-354-frontex-drones.pdf>

Moynihan, H. (2018) *Aiding and Assisting: The Mental Element Under Article 16 of the International Law Commission’s Articles on State Responsibility*. <https://doi.org/10.1017/S0020589317000598>

Privacy International. (2021, July 26). *Space: The Final Frontier of Europe’s Migrant Surveillance*.

<https://privacyinternational.org/news-analysis/4601/space-final-frontier-europes-migrant-surveillance>



Saner, R. (2015). Private Military and Security Companies: Industry-Led Self-Regulatory Initiatives versus State-Led Containment Strategies. *The Centre on Conflict, Development and Peacebuilding. CCDP Working Paper 11*, 1-28.

https://www.academia.edu/23179022/Private_Military_and_Security_Companies_Industry_Led_Self_Regulatory_Initiatives_versus_State_Led_Containment_Strategies

Sarrión, J. (2018). *Actual Challenges for Fundamental Rights Protection in the Use of Drone Technology*. <https://dx.doi.org/10.2139/ssrn.3239562>

Statewatch. (2021, December 13). *EU: Draft border proposals: "drones and motion sensors, as well as mobile units to prevent unauthorised border crossings"*.

<https://www.statewatch.org/news/2021/december/eu-draft-border-proposals-drones-and-motion-sensors-as-well-as-mobile-units-to-prevent-unauthorised-border-crossings/>

Bibliography of Legal Sources

All online sources were accessed latest on February 8, 2022.

European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), as amended by Protocols Nos. 11 and 14. (1950, November 4).

Charter of Fundamental Rights of the European Union (CFR). (2012, October 26). *OJ C 326*. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012P%2FTXT>

Consolidated version Treaty on the Functioning of the European Union (TFEU). (2012, October 26). *OJ C 326*. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>

Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. (2004). *OJ L 349*.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32004R2007>

Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA. (2016). *OJ L 119*.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32016L0680>

Frontex' Management Board Decision (MB Decision) No. 56/2021. (2021, October 15). Reg. No 10633.

https://frontex.europa.eu/assets/Key_Documents/MB_Decision/2021/MB_Decision_56_2021_on_DP_O_implementing_rules.pdf



Frontex' Management Board Decision (MB Decision) No. 58/2015. (2015, December 18). Reg. No. 20906.

https://frontex.europa.eu/assets/Key_Documents/MB_Decision/2015/MB_Decision_58_2015_on_adopting_implementing_measures_for_processing_personal_data_collected_during_joint_operations_pi lot_projects_and_rapid_interventions.pdf

ECtHR. (2021, December 20). *H.T. and Others v Greece*. App. no. 4177/21. (2021, December 20)

<https://hudoc.echr.coe.int/eng#%7B%22appno%22:%5B%224177/21%22%5D,%22itemid%22:%5B%22001-214578%22%5D%7D>

ECtHR. *S.A.A. and Others v Greece*. Aapp. no. 22146/21. (2021, December 20)

<https://hudoc.echr.coe.int/eng/#%7B%22fulltext%22:%5B%2222146%22%5D,%22documentcollectionid%22:%5B%22GRANDCHAMBER%22,%22CHAMBER%22,%22COMMUNICATEDCASES%22%5D,%22itemid%22:%5B%22001-214581%22%5D%7D>

ICJ. *Bosnia Genocide Case* (Bosnia and Herzegovina v Serbia and Montenegro) Judgment, I.C.J. Reports 2007, 91.

International Law Commission. (2001). *Draft Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA)*.

Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC. The EU Data Protection Regulation (EUDPR). (2021, November 21). *OJ L 295*.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1725>

Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624. (2019, November 13). *OJ L 295*.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R1896>

Annex

All online sources were accessed latest on February 8, 2022.

List of testimonies including potential data protection issues by Frontex officers or officers that are suspected to be employed for Frontex



BVMN. (2021). *“You are Muslim and we are Christian why come to us go to a Muslim country”*.
<https://www.borderviolence.eu/violence-reports/september-3-2021-1100-dilofos-3-4km-from-yenikadin/>

BVMN. (2021). *“« We were 50, it was not possible to sit or breathe »”*.
<https://www.borderviolence.eu/violence-reports/august-30-2021-0800-near-road-55-hungary/>

BVMN. (2021). *“The officers would beat them even more and tell them to stop screaming ”*.
<https://www.borderviolence.eu/violence-reports/august-24-2021-0530-in-the-aegean-sea-3-kilometres-from-samos-island/>

BVMN. (2021). *“I talked to the translator and cried, meanwhile the officers didn't stop kicking me”*.
<https://www.borderviolence.eu/violence-reports/august-10-2021-1100-malko-tarnowo-to-sukrupasa/>

BVMN. (2021). *“He touched my body and took off my head scarf and he kept kicking me and scream at me and rip my dress and keep searching and touching my body in front of my kid”*.
<https://www.borderviolence.eu/violence-reports/july-18-2021-0000-vaysal/>

BVMN. (2021). *“They were wearing only shorts and some of them were unconscious and there were traces of beatings on their body”*.
<https://www.borderviolence.eu/violence-reports/june-25-2021-1100-lavara-alibey/>

BVMN. (2021). *“They left the two women in pyjamas and beat them with a tree branch”*.
<https://www.borderviolence.eu/violence-reports/may-17-2021-0000-dilofos-kapikule/>

BVMN. (2021). *“Fourteen male officers, including alleged Frontex officers, with 4 dogs and brass knuckles, beat and stripped a group of 12 men and 2 women”*.
<https://www.borderviolence.eu/violence-reports/may-7-2021-0000-malko-tarnovo-to-sukrupasa/>

BVMN. (2020). *“Next time if you run we can shoot on you, if we said 'stop', you stop”*.
<https://www.borderviolence.eu/violence-reports/may-30-2020-1500-on-the-way-to-the-village-of-trestenik/>

BVMN. (2020). *“second pushback by frontex in 48 hours”*.
<https://www.borderviolence.eu/violence-reports/may-31-2020-0600-vicinity-of-trestenik-gr-al-border/>

BVMN. (2019). *“They were standing around the pool and laughing at us and taking pictures”*.
<https://www.borderviolence.eu/violence-reports/september-6-2019-2000-near-rozске-border-crossing-hungary/>

Extraction of additional testimony (not public so far):

2021, June 12: The respondent was victim of a chain pushback from Albania to Turkey.

The respondent states that he was apprehended by an Albanian officer. He then told them to follow him and they walked towards other officers. There were two foreign officers, identified as Frontex. After being asked by the respondent, one of the Frontex officers identified himself as Slovakian and



the other one as Polish. The respondent remembers that the Albanian officers called one of the Frontex officers “Pablo” and addressed him in English.

The respondent interacted with the foreign officers and spoke English with them while waiting for the operation to conclude. He states they talked about football and Slovakian players. The officers were wearing black t-shirts with ‘Police’ written on them. The Albanian officer was in civilian clothing, wearing a blue t-shirt. Asked if he recognized the Frontex armband, the respondent said that none of the officers he encountered wore the armband or other Frontex insignia. The respondent stated that the Frontex officer took photos of him with his phone.

[...]

The respondent states that in the camp he was fingerprinted and identified. His details were requested such as his name, nationality, father’s and mother’s name, level of education. He adds that he has specifically asked for asylum and that asylum was denied. The officer registering him answered to his request for asylum saying that: “No, it’s hard. They [the authorities] won’t give you asylum. Very hard. Because of Corona”.

Afterwards, he was taken to another office where a French-speaking officer asked for his personal data once again. He states that he conversed with the officer, who was dressed in civilian clothing, white t-shirt, black shoes, and grey trousers. The officer stated that he was French and from Nice, a coastal city in the south-east of France. He had a remote translator available who spoke Arabic, the Syrian dialect. The respondent mentioned that he spoke English and that a translator is not necessary but the officer insisted. At the end of the interrogation, he was asked to sign a document but no copy of it was given to the respondent.

List of testimonies involving drones

Our expertise on the topic comes from testimonies we collected, where people report about drones being used in pushbacks. Below are 25 BVMN testimonies that reference drones used during pushbacks:

BVMN. (2021). *“This is Germany”*.

<https://www.borderviolence.eu/violence-reports/december-4-2021-0100-near-motorway-e71-croatia/>

BVMN. (2021). *“I knew he would catch me...”*.

<https://www.borderviolence.eu/violence-reports/october-6-2021-0900-mandra-greece-to-alibey-turkey/>

BVMN. (2021). *“One of my friends fell down, the police started beating him very hard with batons while he was on the ground yelling that they were going to release the dogs on him. I went back and took my friend under my arm and we ran away together, he was bleeding and so was I in my hands”*.

<https://www.borderviolence.eu/violence-reports/september-4-2021-0600-gornja-mocila-rakovica-croatia/>



BVMN. (2021). “« We were 50, it was not possible to sit or breathe »”.

<https://www.borderviolence.eu/violence-reports/august-30-2021-0800-near-road-55-hungary/>.

BVMN. (2021). “I ran away very fast so they beat me very little, but a friend of mine was beaten very hard, even in the face and on the head”.

<https://www.borderviolence.eu/violence-reports/august-27-2021-0000-novo-selo-korenicko-croatia/>.

BVMN. (2021). “The 6 year old told the police his mom lives in Germany and he wanted to go there and they just laughed”.

<https://www.borderviolence.eu/violence-reports/july-10-2021-0200-rozke-horgos-border-crossing/>.

BVMN. (2021). “When they came the whole group was asleep. They kicked everyone, not just me”.

<https://www.borderviolence.eu/violence-reports/june-14-2021-1300-horgos-border-crossing/>.

BVMN. (2021). “Go back to your country”.

<https://www.borderviolence.eu/violence-reports/april-18-2021-1430-rozke-horgos-border-crossing/>.

BVMN. (2021). “Don't come again to Romania, if you come back we will beat you more and more”.

<https://www.borderviolence.eu/violence-reports/april-8-2021-2200-near-moravita-romania/>.

BVMN. (2021). “One small boy, he was very scared.” 30 people removed from Croatia to Bosnia.

<https://www.borderviolence.eu/violence-reports/march-9-2021-0000-road-e71-in-croatia/>.

BVMN. (2021). “But the thing the most I hated [was that] they [Romanian officers] kept guns like we did bad things, like [we were] terrorists”.

<https://www.borderviolence.eu/violence-reports/march-4-2021-0008-near-comlosu-mare-romania/>.

BVMN. (2021). “They had to wait there for several hours and they were not allowed to fall asleep”.

<https://www.borderviolence.eu/violence-reports/february-27-2021-0005-near-kelebija-serbia/>.

BVMN. (2020). “If we had known, we would not have come to thessaloniki. But I thought we have papers, we have UNHCR documents, nothing will happen to us!”.

<https://www.borderviolence.eu/violence-reports/august-27-2020-0900-thessaloniki-greece/>.

BVMN. (2020). “Sent back wounded from Hungary”.

<https://www.borderviolence.eu/violence-reports/july-23-2020-1800-subotica/>.

BVMN. (2020). “They took our jackets so it would hurt more”.

<https://www.borderviolence.eu/violence-reports/march-25-2020-1200-near-beba-veche-romania/>.

BVMN. (2019). “[We] understood that we are alive but don't understand anything [else]”.

<https://www.borderviolence.eu/violence-reports/october-15-2019-0000-north-west-karlovac-croatia/>.

BVMN. (2019). “We are not terrorists, we are only looking for a good life to take care of our families”.

<https://www.borderviolence.eu/violence-reports/october-15-2019-0000-buhaca-croatia/>.



BVMN. (2019). *“They close the door after each one”*.

<https://www.borderviolence.eu/violence-reports/august-21-2019-0000-rijeka-croatia/>.

BVMN. (2019). *“I told them: “stop! You’re hurting me. I cannot breathe.””*.

<https://www.borderviolence.eu/violence-reports/august-5-2019-1500-near-sturlic-bih/>.

BVMN. (2019). *“One of the police officers was facetimeing a woman and smiling”*.

<https://www.borderviolence.eu/violence-reports/july-25-2019-2000-between-dvor-hr-and-stabandza-bih/>.

BVMN. (2019). *“It was a lot of fight, black stick, electronic stick, everybody sticks”*.

<https://www.borderviolence.eu/violence-reports/april-22-2019-0800-2-3-hours-from-rastovica-rest-station-a3-croatia/>.

BVMN. (2019). *“Driver very big problem”*.

<https://www.borderviolence.eu/violence-reports/april-4-2019-0400-odmoriste-spacva-gas-station-highway-e70-croatia/>.

BVMN. (2019). *“There, they spotted some officers along the road and heard the sound of drones”*.

<https://www.borderviolence.eu/violence-reports/march-30-2019-0000-near-donji-vaganac-croatia/>.

BVMN. (2019). *“At this moment we were far away from the first city and you know, without phone means without map!”*.

<https://www.borderviolence.eu/violence-reports/march-8-2019-0900-near-komesarac-croatia/>.

BVMN. (2018). *“He hit him so strong, that he fell on the ground”*.

<https://www.borderviolence.eu/violence-reports/september-29-2018-0100-croatia-forest-close-to-ogulin/>.