



SHOOTING AT THE NORTH MACEDONIA/GREECE BORDER

On Wednesday 19th April 2023 a 23-year-old woman from Sierra Leone, Fatmata, was [shot and killed by a North Macedonian border police officer](#) at the Greece/North Macedonia border. The event occurred just outside of Gevgilja during a vehicle inspection; Fatmata later died in a nearby hospital from wounds sustained in the shooting. Her husband, Abu Bakar, 24-years-old from Sierra Leone, was present and witnessed the event. Abu Bakar [reports that](#), after being told he would be taken to hospital with Fatmata and as he was trying to document the event, he was put into handcuffs, questioned and held in detention for 36 hours. The police then offered him, and the rest of the transit group, to be taken to the Serbian border and leave the country. Abu Bakar refused, and decided to stay in North Macedonia to seek justice for Fatmata.

The [initial statement](#) from the public prosecutor said that there had been no misconduct by police and the shot was fired in self-defence due to an alleged altercation with a smuggler. According to all witnesses that our operatives on the ground have spoken to, this allegation is not true and in the absence of an investigation it cannot be alleged so. The public prosecutor has since altered their initial position and decided to initiate an investigation into a police officer who is reportedly yet to be questioned, at the time of writing.

Just one day later, on Thursday 20th April 2023, [Frontex launched its joint operation](#) in North Macedonia. Prior to the vote on the Status Agreement between North Macedonia and Frontex, the [Border Violence Monitoring Network \(BVMN\)](#) provided briefings detailing severe concerns over fundamental rights compliance in the country. Through its partner [Mobile Info Team](#) and other anonymous contributors, the BVMN has collected 63 testimonies of illegal pushbacks from North Macedonia since 2019, impacting a total of 830 people.¹ 97% of these include the use of violence against people on the move, and 70% contain accounts of excessive use of force including dog attacks, the use of pepper spray, and the use of batons to beat people. BVMN expressed concern over a delayed Fundamental Rights Impact Assessment (FRIA) that was provided late by the Commission. The FRIA (seen by BVMN) admits the practice of pushbacks but stated that the fundamental rights situation “does not preclude operational activities on account of a risk of serious or persistent violations of fundamental rights or of international protection obligations”. However, BVMN data suggests pushbacks are routine in the country. Access to material reception conditions and asylum procedures is limited, with some being deterred and pushed back and some being encouraged to transit through, as Abu Bakar’s statements evidence. Attempts to ‘guard the border’ are resulting in illegal pushbacks, and other fundamental rights violations.

BVMN calls on MEPs to support the wishes of Abu Bakar and the rest of Fatmata’s family: **for a full, prompt investigation and a fair trial, and acknowledgement that the fundamental rights situation in North Macedonia is not in line with international and Union human rights law.**

¹ See Annex I



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Addressed to:

the Executive Director of the European Border and Coast Guard Agency (Frontex)
the Fundamental Rights Officer of the European Border and Coast Guard Agency

To the attention of the:

Consultative Forum to the European Border and Coast Guard Agency

Second Tree and Border Violence Monitoring Network raise concerns about Frontex operating in areas where fundamental rights are violated systemically and are likely to persist in violation of Article 46 of its Regulation. We bring to the Agency's attention, as well as of its Fundamental Rights Officer and the Consultative Forum expressed wishes by Fatmata's husband, Abu Bakar and the rest of Fatmata's family that an effective, prompt investigation and a fair trial into her death are started without delay. In addition, acknowledging that the fundamental rights situation in North Macedonia is not in line with the European Union law and international human rights standards triggering relevant necessary proceedings such as Article 46 is considered by Frontex. Frontex cannot operate in the absence of fundamental rights safeguards.

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Fatmata's husband, Abu Bakar, 24 years old from Sierra Leone, was present and witnessed her shooting. Abu Bakar [reports that](#), after being told he would be taken to hospital with Fatmata, he was put into handcuffs, questioned and held in detention for 36 hours. The police then encouraged him, and the rest of the transit group, to go to the Serbian border and leave the country. Abu Bakar refused, and decided to stay in North Macedonia to seek justice for Fatmata.

Just one day later, on Thursday 20th April 2023, [Frontex launched its joint operation in North Macedonia](#). Prior to the vote on the Status Agreement between North Macedonia and Frontex, the [Border Violence Monitoring Network \(BVMN\)](#) provided briefings detailing severe concerns over fundamental rights compliance in the country. On June 8th, 2021, [Statewatch and BVMN submitted an expression of concern](#) to Frontex regarding fundamental rights violations occurring at this border location, where reports from people on the move being apprehended by potentially Frontex officers were recorded. On November 25th, 2021, [a delegation of lawyers from Italy](#) were apprehended by a Frontex officer after lawfully crossing the border to Greece and were sent back to North Macedonia in violation of their rights to free movement as EU citizens.

Through Border Violence Monitoring Networks's (BVMN) partner [Mobile Info Team](#) and other anonymous contributors, BVMN has collected 63 testimonies of illegal pushbacks from North



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Macedonia since 2019, impacting a total of 830 people². 97% of these include the use of violence against people on the move, and 70% contain accounts of excessive use of force including dog attacks, the use of pepper spray, and the use of batons to beat people. BVMN expressed concern over a delayed Fundamental Rights Impact Assessment (FRIA) that was provided late by the Commission. The FRIA (seen by BVMN) admits the practice of pushbacks but stated that the fundamental rights situation “does not preclude operational activities on account of a risk of serious or persistent violations of fundamental rights or of international protection obligations”. However, BVMN data suggests pushbacks are routine in the country. Access to material reception conditions and asylum procedures is limited, with some being deterred and pushed back and some being encouraged to transit through, as Abu Bakar’s statements evidence. Attempts to ‘guard the border’ are resulting in illegal pushbacks, and other fundamental rights violations.

In accordance with its Regulation (Article 80, Regulation (EU) 2019/1896) , Frontex shall guarantee the protection of fundamental rights in the operational areas the Agency is active in and operative. Frontex has been present at this border location, on Greek territory, since at least 2021 (the exact date is unknown since the Agency refused to inform the public despite requests from civil society organizations).

The initial statement from the public prosecutor said that there had been no misconduct by police and the shot was fired in self-defense due to an alleged altercation with a smuggler. According to all witnesses that our operatives on the ground have spoken to, this allegation is not true and in the absence of an investigation it cannot be alleged so. After the case received visibility and due to public pressure, the public prosecutor altered their initial position and decided to initiate an investigation into a police officer who is reportedly yet to be questioned, at the time of writing.

In line with Article 114 (4) Regulation (EU) 2019/1896, Second Tree and BVMN request to receive a response to this expression of concern.

Representatives of Second Tree and Border Violence Monitoring Network
12/05/2023

² See Annex 1

Annex I

| North Macedonia to Greece | | | |
|----------------------------------|-------------------------|-------------------------------|-------------------------------|
| Testimony | Date of pushback | Country of origin | Number of POM impacted |
| 1.1 | 27 June 2022 | Morocco, Tunisia | 3 |
| 1.2 | 26 June 2022 | Morocco, Tunisia | 18 |
| 1.3 | 24 April 2022 | Tunisia | 3 |
| 1.4 | 23 April 2022 | Tunisia | 3 |
| 1.5 | 23 April 2022 | Tunisia | 3 |
| 1.6 | 19 April 2022 | Morocco | 9 |
| 1.7 | 25 March 2022 | Afghanistan, Morocco, Tunisia | 3-20 |
| 1.8 | 25 January 2022 | Morocco | 1 |
| 1.9 | 16 December 2021 | Afghanistan, Morocco, unknown | 18 |
| 1.10 | 8 December 2021 | Morocco, Algeria | 2 |
| 1.11 | 7 December 2021 | Libya | 3 |
| 1.12 | 29 November 2021 | Morocco, Tunisia | 2 |
| 1.13 | 28 November 2021 | Afghanistan, Morocco | 10 |
| 1.14 | 15 November 2021 | Morocco | 1 |
| 1.15 | 22 October 2021 | Morocco | 5 |
| 1.16 | 6 August 2021 | Afghanistan | 20 |
| 1.17 | 28 May 2021 | Pakistan, Morocco, Algeria | 6 |
| 1.18 | 18 May 2021 | Pakistan, Morocco | 2 |
| 1.19 | 11 May 2021 | Morocco | 5 |
| 1.20 | 10 May 2021 | Morocco | 5 |
| 1.21 | 8 May 2021 | Morocco | 7 |
| 1.22 | 7 May 2021 | Morocco | 5 |



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|----------------------|------------------|--|-------|
| 1.23 | 4 May 2021 | Morocco | 4 |
| 1.24 | 10 April 2021 | Morocco, Algeria | 4 |
| 1.25 | 12 February 2021 | Morocco, Algeria, Tunisia | 4 |
| 1.26 | 10 February 2021 | Afghanistan, Pakistan, Bangladesh | 12 |
| 1.27 | 15 January 2021 | Tunisia | 6 |
| 1.28 | 11 January 2021 | Afghanistan, Democratic Republic of Congo | 9 |
| 1.29 | 8 December 2020 | Morocco | 5 |
| 1.30 | 24 October 2020 | Afghanistan, Pakistan, Iran, Syria, Morocco, Algeria, Somalia, Libya | 42 |
| 1.31 | 22 October 2020 | Afghanistan, Pakistan, Syria, Morocco, Algeria, Tunisia | 14 |
| 1.32 | 8 September 2020 | Algeria | 4 |
| 1.33 | 4 September 2020 | Morocco | 1 |
| 1.34 | 21 August 2020 | Morocco, Algeria | 4 |
| 1.35 | 20 August 2020 | Morocco, Algeria | 4 |
| 1.36 | 17 August 2020 | Syria, Morocco | 4 |
| 1.37 | 17 August 2020 | Syria, Algeria | 4 |
| 1.38 | 16 August 2020 | Algeria, Tunisia | 6 |
| 1.39 | 14 August 2020 | Afghanistan, Pakistan, Bangladesh, Iran | 40-50 |
| 1.40 | 3 August 2020 | Pakistan, Bangladesh | 16 |
| 1.41 | 25 July 2020 | Afghanistan, Pakistan, Bangladesh | 29 |
| 1.42 | 15 June 2020 | Tunisia | 25 |
| 1.43 | 30 May 2020 | Afghanistan, Pakistan, Syria, India | 16 |
| 1.44 | 6 May 2020 | Algeria | 1 |



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|----------------------|-------------------|---|------------|
| 1.45 | 2 May 2020 | Morocco | 4 |
| 1.46 | 26 April 2020 | Morocco, Algeria | 10 |
| 1.47 | 22 April 2020 | Palestine, Morocco, Egypt | 4 |
| 1.48 | 19 April 2020 | Algeria | 12 |
| 1.49 | 11 April 2020 | Morocco | 9 |
| 1.50 | 3 April 2020 | Iran, Morocco, Algeria | 16 |
| 1.51 | 27 January 2020 | Afghanistan | 50-55 |
| 1.52 | 11 January 2020 | Afghanistan, Pakistan, Palestine, Syria, Morocco, Algeria | 64 |
| 1.53 | 10 January 2020 | Afghanistan, Pakistan, Palestine, Syria, Iraq, Morocco, Algeria | 107 |
| 1.54 | 26 September 2019 | Morocco | 2 |
| 1.55 | 8 September 2019 | Palestine, Morocco, Algeria | 6 |
| 1.56 | 4 August 2019 | Afghanistan, Pakistan, Bangladesh, Algeria | 30+ |
| 1.57 | 22 July 2019 | Tunisia | 1 |
| 1.58 | 13 July 2019 | Syria | 4 |
| 1.59 | 10 July 2019 | Syria, Tunisia, Egypt, Senegal | Approx. 30 |
| 1.60 | 23 February 2019 | Afghanistan, Pakistan, India | 9 |