

FRONTEX EVALUATION REPORT

JO Poseidon 2018

Operational Response Division

Field Deployment Unit

Approved at Warsaw
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[signed]
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1. Background information

1.1. Brief risk assessment

Owing to its geographical location, Turkey has been one of the most important entry points for migrants, who intend to reach the European Union (EU). In 2018, Turkey was the second¹ most important entry point into the EU for migrants (54 320 migrant reached the EU via Turkey), slightly exceeded by Morocco, from where 55 218 migrants arrived. Thousands of immigrants from Asia, Africa and the Middle East abused Turkey's visa policy and attempted to enter the EU along the Eastern Mediterranean route. Furthermore, Turkey has been hosting over 3.5 million migrants, who had fled their home countries, where constant clashes, fights or terrorist attacks maintain a continuous state of insecurity and instability.

Compared with the year 2017, the number of apprehended migrants who arrived from Turkey in 2018 increased by 25.8%².

The implementation of the EU-Turkey statement from March 2016 onwards, with its stipulation that the Turkish authorities are to effectively patrol their borders and territories both at land and sea, has significantly reduced the number of migrants who managed to leave Turkey illegally.

In 2018, the top nationalities of migrants, who travelled from Turkey by sea significantly changed compared to 2017. The main reason is the application of a regulation by Turkey, which affects Syrian migrants registered in Turkey, and which applies to those Syrian nationals who were caught attempting to illegally exit Turkey.

In 2018, Italy and Greece intercepted 3 250 migrants along the Turkey-Italy corridor (a total of 6 194 in 2017, with a 48% decrease). Meanwhile, there was an increase in the number of migrants who attempted to reach Italy from Greece by crossing the Ionian Sea (944 in 2017, 2 395 in 2018, with a 154% increase).

The procedure for registration and identification of migrants in the hotspots is well established, and nearly all migrants were registered properly in 2018. Greek and Frontex-deployed officers screened 31 827 migrants, of whom 543 were assumed to have falsely claimed their nationality (1.7% of the total). This means that the share of nationality swapping slightly increased in 2018 compared with the period 2015-2017, when it decreased by 9.4% in 2015, 5.1% in 2016 and 1.4% in 2017.

The number of reported casualties remained the same (16 in 2017 and 2018). According to IOM, the number of migrants, who died or went missing in 2018 was 174 (62 in 2017), while in January and February 2019, IOM reported 3 such migrants.

1.2. Operational aim

To provide increased technical and operational assistance to the host Member State³ (MS) by coordinating operational activities at the external sea borders in order to control illegal immigration flows, to tackle cross-border crime and to enhance European cooperation on coast guard functions.

The operational aim has been implemented in full compliance with the relevant EU and international law, guaranteeing the protection of fundamental rights, in particular the access to international protection and the compliance with the principle of non-refoulement and taking into account the recommendations of the Frontex Consultative Forum and the reports and observations of the Fundamental Rights Officer.

1.3. Period of implementation and operational areas

¹ Source: FRAN+JORA data

² Ibid

³ For the purposes of the present document, the term "Member State" includes also the States participating in the relevant development of the Schengen acquis in the meaning of the Treaty on the Functioning of the European Union and its Protocol (No 19) on the Schengen acquis integrated into the framework of the European Union, that is, Norway, Iceland, Liechtenstein, and Switzerland.

1.3.1. Period of implementation

| | | |
|--------------|-----------------|--------------------|
| Commencement | 1 February 2018 | 00:00 (local time) |
| Termination | 30 January 2019 | 11:59 (local time) |

1.3.2. Operational areas

Two operational areas (J and K) were established.

Five Islands, namely Lesvos, Chios, Samos, Kos and Leros were the nominated Hotspots in Greece.

1.4. Participants

The joint operation (JO) was hosted by Greece.

27 Participating MS with 47 different authorities took part in the JO, namely: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Germany, Hungary, Italia, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.

87 assets and 3 902 officers and interpreters were deployed to the operational areas.

In addition, Third Country (TC) Observers from Georgia, Moldova and Ukraine took part in the JO.

1.5. Financial information

The budget for JO Poseidon 2018 was € 43,369,589.

The budget for JO Poseidon 2018 - Readmission Activities was € 2,760,148.

2. Achievement of objectives

- **Enhance border security - Achieved**

Carrying out maritime border surveillance and coastal patrol activities in order to detect, identify and intercept the suspicious objects of interest and persons within the operational area, to prevent unauthorized border crossings, also taking into account that some situations may involve humanitarian emergencies and distress situations at sea; Carrying out border checks of all persons crossing the external maritime borders including means of transport and objects in their possession at Border Crossing Points enabling to intercept persons, refusing entry for third country nationals not fulfilling entry conditions; Preventing and tackling cross-border crime including smuggling of migrants, trafficking in human beings and terrorism and taking measures against persons who have crossed the border illegally as well as reporting other illegal activities detected to the competent authorities; Fostering MS operational structures (NCC/ICC/LCC).

- **Technical and operational assistance in SAR - Achieved**

As a part of the joint maritime operations concept assist the respective authorities of the Member States in conducting search and rescue operations in order to render assistance to persons found in distress at sea, whenever and wherever so required.

- **Support MS in carrying out coast guard functions - Partly achieved**

Establish and enhance cooperation with EFCA and EMSA and with the national authorities carrying out coast guard functions responsible for maritime safety, security, search and rescue, fisheries control,

customs control, general law enforcement and environmental protection, increasing maritime situational awareness and supporting coherent and cost-efficient action; Provide, in cooperation with EFCA and EMSA, services, information, equipment and training; Produce common risk analysis involving EFCA, EMSA and Frontex for emerging risks in the maritime domain.

- **Enhance operational cooperation - Achieved**
High level MS participation in the operational activities; Enhanced cooperation between the national authorities of the hosting MS as well as on an international level; Enhanced cooperation with other EU agencies and bodies or international organisations by implementing a multi-character operational concept; Seeking an active involvement of Third Countries in the operational activities.
- **Support to migration management - Achieved**
Assisting in screening of nationality, documents' checks, fingerprinting and registration of third-country nationals; Supporting administrative tasks related to readmission procedures; Supporting the physical transportation of the migrants to the country of readmission.
- **Enhance collection and exchange of information, including personal data - Partly achieved**
Collection of operational information in a timely manner from all operational actors involved, in particular information on incidents as well as on identification and registration of migrants reported in JORA; Processing at EU level of personal data relating to individuals suspected of involvement in the migrants' smuggling, THB, terrorism or other cross-border crimes; Distribution of operational information to all operational actors through the respective authorized channels; Seeking a 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 - Partly achieved**
Carrying out debriefing activities to obtain operational information and personal data related to perpetrators of cross border crimes through interviewing migrants, to be further processed and analysed; Operational analytical products to be shared with stakeholders to maintain and improve situational awareness and support operational planning and implementation.
- **Establish and exchange the best practices - Partly achieved**
Delivering and supporting workshops, meetings, 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; Building on MS capacity by implementing activities related with administrative solutions, standardization, fleet management and operational technologies as well as technical solutions/best practices linked with EUROSUR and/or EU Coast Guard (CG) Functions; Supporting targeted training activities.

3. Link to other Frontex activities and best practices

- Frontex support to Greece in readmission of migrants to Turkey in the frame of the EU-Turkey Statement was implemented within the JO Poseidon 2018.
- To facilitate organisational arrangements and logistics related to the deployment of resources, the information about the hosting MS and operational areas of the JO was available in the Yellow Pages on FOSS.
- In the frame of the Staff Exchange, two officers from Italy were conducting working visits to the ICC, JRCC and the NCC of Piraeus. Likewise, two officers from Greece (ICC Coordinator and IO) visited the ICC Pratica di Mare and the Italian NCC.

- Supporting implementation of the coast guard functions by applying SOP on cooperation among Frontex and EFCA in the frame of the JO. Five operational briefings were delivered by the EFCA representatives to the NOs in the ICC Piraeus. (See fact sheet 6).
- Multipurpose Aerial Surveillance (MAS) was implemented. 43 flight hours were performed during the period of implementation. Upon request and intelligence provided by the GRC authorities, MAS supported the interception of six tons of hashish and over three million CAPTAGON pills were detected and seized.
- During the REX 2018, 15 members of the rapid reaction pool were deployed in the JO Poseidon. In total, 6 Border Surveillance Officers, 4 Debriefing experts and 5 Screening experts were deployed amounting 375 man-days (25 man-days per officer).

4. Assessment of joint operational activities

During the JO (1 February 2018 - 30 January 2019), in operational areas J and K the Hellenic authorities reported a total of 1 332 incidents as follows:

Detections related to migration:

- 1 096 incidents of illegal border-crossing and people smuggling
- 126 cases of prevention of departure

Cross-border crime:

- 7 incidents of smuggling of goods

Other detections:

- 100 reports of refusal of entry
- 3 cases of environmental pollution.

Of the 1 096 incidents of illegal border crossing, 1 065 incidents were registered in the operational area J and 31 incidents in the operational area K. In total, these incidents involved the apprehension of 34 843 irregular migrants (33 192 irregular migrants in the operational area J and 1 651 irregular migrants apprehended in the operational area K), and the arrest of 170 people smugglers.

52% of the unauthorized border crossings were detected and intercepted at sea without endangering the safety of persons involved. Coastal patrolling focused on detecting and intercepting the rest of the incidents.

Among the incidents on migration, 503 involved SAR operations (492 in Operational area J and 11 in Operational area K), in which 19 031 persons were rescued.

During the JO, 126 of the reported incidents involved the detection of boats in Turkish territorial waters, heading from Turkey towards Greece (preventions of departure), with approximately 5 600 persons on board.

The Greek maritime border was the entry point into the EU for irregular migrants originating mainly from the Middle East, Asia and Africa.

During the JO, 170 people smugglers of different nationalities were arrested.

Several large scale drug smuggling incidents were detected in the operational area K with the support of Frontex deployed assets resulting in the confiscations of more than 11.2 tons of drugs.

91% of the arrived migrants were screened. The identified average rate of nationality swapping was only 1.7% (slight increase compared with 1.4% in previous year).

Moreover, a total of 9 522 documents were examined by the deployed ALDOs and 486 out of them were confiscated for forgery. Main documents checked were birth certificates, passports and ID cards.

In the period from 1 February 2018 to 30 January 2019, a total of 17 fatalities were reported while IOM reported 176 persons who died or went missing in the region.

Readmission Activity

As a result of the Readmission activity 322 persons were readmitted from Greece to Turkey through 46 readmission operations.

Maritime Vigilance Areas and Reporting Points

The figures reported at the Maritime Vigilance Areas (North and South) and Reporting Points are not included in the overall statistics of the JO. During the JO, 7 incidents were reported from the Vigilance Areas, of which 5 related to illegal migration involving the apprehension of 158 irregular migrants, and 2 cases to smuggling of goods whereby 10 smugglers were arrested. In relation to the Reporting Points, 2 547 irregular migrants were detected in 1 436 incidents. Specifically, 14 persons attempted to avoid border checks, 1 034 persons were involved in document fraud, while 1 271 were detected for clandestine entry. Italy readmitted 214 migrants found on ferry boats which departed from the Reporting Points. The Hellenic authorities arrested 228 people smugglers at the Reporting Points.

EU added value of the operation

The added value was the reinforcement of border security (very low ratio of migrants arriving undetected), the enhancement of SAR capacity (92% of all migrants were rescued by Frontex co-financed assets) and the crucial support in the migration management activities (high ratio of screened migrants and low levels of nationality swapping, this year only 1.7% of screened migrants).

Cooperation with the COM, EU Agencies and International Organizations, such as EASO, Europol, FRA, UNHCR and IOM was enhanced and further developed also in the frame of the EURTF in Piraeus and the Hotspots concept.

In addition, by supporting readmission activities, Frontex contributed to the implementation of the EU-Turkey statement and the European Council Conclusions on Migration⁴.

5. Implementation of Regulation (EU) No 656/2014 of the European Parliament and of the Council

5.1. Disembarkation in Third Countries

The assets deployed within the operation were authorized, by Hellenic authorities, to disembark in Greek territory the persons intercepted or rescued in Greek territorial sea as well as in all operational area, even beyond its territorial sea. Although the possibility of disembarkations in a Third Country had been considered, in practice such disembarkations did not take place during the joint operation Poseidon 2018. This was due to the fact that there were no migrants intercepted or rescued by Frontex assets within Turkish waters in the Aegean Sea. In case of Ionian Sea, all rescued migrants were also transferred to the nearest place of safety in Greece.

⁴ Conclusions of the European Council of 17/18 March 2016.

5.2. Assessment of the general situation in Turkey

The assessment of the general situation in Turkey was conducted by the Hellenic authorities and made available to Frontex on 7 December 2017. Based on the general assessment, the host MS, the participating Member States and Frontex agreed that the intercepted or rescued persons could be disembarked in Turkey, conducted to or otherwise handed over to Turkish authorities provided that such decision, taken upon personal assessment, does not constitute an infringement to the fundamental rights of the person nor a breach of the principle of *non-refoulement*.

5.3. Procedures regarding the identification of persons in particular situations

Training in first aid is included in the basic training of the national law enforcement authorities and navies involved in the operation. Some of the participating surface assets, with adequate size and operational capacity (Offshore Patrol Vessels), embarked particularly for this activity special teams comprising medical, first aid and search and rescue experts and boarding teams as well. The Frontex co-financed participating assets were properly equipped for assisting maritime search and rescue missions.

The participating units were instructed to use appropriate means to identify the intercepted or rescued persons, assess their personal circumstances, inform them of their destination in a way that those persons understand, or may reasonably be presumed to understand, and give them an opportunity to express any reasons for believing that disembarkation, forcing to enter, conducting or otherwise handing over to the third country authorities to the proposed place would be in violation of the principle of *non-refoulement*.

Once disembarked, migrants were met ashore at the Greek Sea ports by the Host Member State officers with support of respective international and non-governmental organizations. The responsible officers of the Hellenic Coast Guard or Hellenic Police were ensuring the examination of the status of persons in need of international protection and addressing the special needs of persons in a particularly vulnerable situation.

5.4. Communication and cooperation channels

The International Coordination Centre in Piraeus facilitated the communication flow between different entities. The Hellenic Joint Rescue Coordination Centre and the International Coordination Centre were in permanent contact with each other. In case of search and rescue, the Joint Rescue Coordination Centre took over the coordination and, in case of need, cooperated with Maritime Rescue Coordination Centre in Ankara (Turkey) and Maritime Rescue Coordination Centre in Rome (Italy).