

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

July 15, 2019

HUMAN
RIGHTS
WATCH

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Mr. Fabrice Leggeri
Executive Director
European Border and Coast Guard Agency
Plac Europejski 6
00-844, Warsaw
Poland

Re: Frontex Operation on Croatia-Bosnia Herzegovina Border

Dear Mr. Leggeri,

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I am writing in relation to a July 9 statement made by Croatian President Gabar-Kitarovic during an interview with Swiss channel SRF, where she admitted knowledge of pushbacks of migrants by Croatian border officials from Croatia to Bosnia Herzegovina and that sometimes force is used. The president's acknowledgement is consistent with findings by Human Rights Watch, UNHCR, and other organizations.

It calls into question the effectiveness of European Border and Coast Guard Agency operations on the Croatia-Bosnia borders, and in particular European Border and Coast Guard Agency's mandate to ensure the protection of human rights through detection activities.

Human Rights Watch in November 2018 documented serious concerns relating to summary returns accompanied by excessive use of force by Croatian border officials during pushbacks of migrants to Bosnia Herzegovina.

In May, we shared our concerns and our December report with your office and requested information about the European Border and Coast Guard Agency operation on the Croatia-Bosnia Herzegovina border, whether any irregularities had been recorded, and whether any investigations of pushbacks had been launched.

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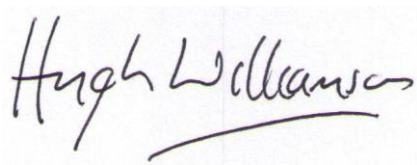
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In your May 27 email response, you confirmed the existence of a European Border and Coast Guard Agency Multipurpose Aerial Surveillance (MAS) system since July 2018 on the Croatia-Bosnia Herzegovina border, and stated that no events that were indicative of human rights violations, including pushback operations, had been detected by European Border and Coast Guard Agency in the area.

Now that the Croatian authorities have confirmed that pushback operations have taken place, we urge you to take appropriate steps to ensure that the European Border and Coast Guard Agency mission on the Croatian-Bosnia Herzegovina border complies with its human rights mandate, including taking steps to ensure that European Border and Coast Guard Agency adequately monitors and documents human rights abuses and unlawful pushbacks. We also call on European Border and Coast Guard Agency and other independent monitors to seek full access to victims of pushbacks and abuses by Croatian border officials, and to facilitate complaint mechanisms for victims and witnesses. If the level of your deployment does not permit such monitoring to take place, we would ask that you refrain from making statements that imply that no abuses are taking place.

Sincerely,

A handwritten signature in black ink that reads "Hugh Williamson". The signature is written in a cursive style with a long horizontal flourish underneath the name.

Hugh Williamson
Director, Europe and Central Asia Division
Human Rights Watch