

Dear President Von der Leyen,
Dear Vice-President Schinas,
Dear Commissioner Johansson,

On Friday the 8th of May, investigative journalists from Bellingcat, Lighthouse Reports, Forensic Architecture, der Spiegel, Pointer and Sky TV published a reconstruction of the shootings at the Greek Turkish border on the 4th of March. This reconstruction shows how during these shootings, seven people got heavily injured. One person did not survive his injuries and died. According to the reconstruction - which took into account the opinions of multiple experts and medical records - the border guards at the Greek side of the Greek-Turkish border were shooting with 5,5 mm sharp bullets. We reiterate that at this point in time, the Greek borders were closed and asylum seekers did not have any access to asylum.

On the 25th of March, 122 members of the European Parliament already sent a letter to the Commission in which they shared their concerns with regards to the serious deterioration of fundamental rights and the rule of law at the Greek-Turkish border. In this letter, Members of Parliament called upon the Commission to urgently investigate, monitor and act on allegations of excessive violence. Unfortunately, we did not receive any answer until this date. A proper response to our questions on human rights violations towards refugees and migrants in Greece has become even more urgent after the release of evidence on shooting incidents at the Greek/Turkish border.

President von der Leyen stated on the 3rd of March that “The situation at our border is not only Greece's issue to manage. It is the responsibility of Europe as a whole. And we will manage it in an orderly way, with unity, solidarity and determination”¹. We agree that the management of the Greek borders is a common responsibility of the EU. Its management has to be guided by EU law, including the Schengen Borders Code, which demands that in the management of their borders Member States act in full compliance with the Charter of Fundamental Rights of the European Union, relevant international law such as the Geneva Convention, obligations related to access to international protection and fundamental rights.

We therefore expect that the European Commission takes its responsibility to undertake a thorough investigation to the findings revealed by the reconstruction, which give rise to grave concerns, and to report its findings to the European Parliament. If both the Greek government and the European Commission remain unresponsive to these allegations, we would witness an impunity which cannot be tolerated in a Union that is based on respect for the rule of law. We therefore urge the Commission to answer the following questions:

- 1) What is the reaction of the Commission to the conclusion deriving from the reconstruction that border guards on the Greek side of the Greek-Turkish border have been shooting at persons with sharp 5,5mm bullets, which led to seven casualties?
- 2) What is the reaction of the Commission to the statement of the Greek government that “Greek forces executed their mission with absolute success and in full accordance with their orders ... fake news keeps spreading, and while they were talking about injuries before now they are talking about one dead. I reiterate once more my previous denial:

¹ https://ec.europa.eu/commission/presscorner/detail/en/statement_20_380

there is no such incident with fire from the Greek authorities” and that “Those who tried to enter Greece illegally did not have an obvious/strong refugee profile”²?

- 3) Did the Commission receive any counter evidence or investigative reports from the Greek government that legitimize this position and the categorization of these allegations as “fake news”?
- 4) Can the Commission inform us whether the 530 border guards deployed by Frontex on the 4th of March were present at or near the border crossing point with Evros, and whether these shootings were noticed by aerial surveillance planes deployed at this time?³
- 5) How will the Commission investigate the findings revealed by the reconstruction and which measures will the Commission take to prevent the use of excessive force against migrants or refugees at the European external borders in the future?

In view of the seriousness of the alleged violations, we expect that the Commission undertakes swift and thorough action in order to answer these questions, and that it informs the European Parliament as soon as possible.

Sincere regards,

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² Letter from the Greek Ministry of Citizen Protection to the Committee of Civil Liberties, Justice and Home Affairs, Athens, 27 April 2020.

³ <https://frontex.europa.eu/media-centre/news-release/frontex-launches-rapid-border-intervention-on-greek-land-border-J7k21h>

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