

The non-disclosed part contains detailed information on the means of communication used by law enforcement officials. The disclosure of this information would put law enforcement officials' work in jeopardy and harm the course of future and ongoing operations aimed at curtailing the activities of organized criminal networks involved in the smuggling and migrants and trafficking in human beings. As the disclosure of such pieces of information would undermine the protection of the public interest as regards public security, it must therefore be refused as laid down in Article 4(1)(a) first indent of Regulation (EC) No 1049/2001.

The non-disclosed parts refer to details of the operational area and cannot be released. As ongoing operations tend to cover similar operational areas as the operations conducted in preceding years, disclosing details of previous operational areas would be tantamount to disclosing the current state of play. This would provide smuggling and other criminal networks with intelligence, enabling them to change their modus operandi, which would ultimately put the life of migrants in danger. Consequently, the course of ongoing and future operations of similar nature would be hampered by depriving the operations of any strategy and element of surprise, ultimately defeating their purpose to counter and prevent cross-border crime and unauthorized border crossings. In this light, the disclosure of documents containing such information would undermine the protection of the public interest as regards public security in the sense of Article 4(1)(a) first indent of Regulation (EC) No 1049/2001.

The non-disclosed parts contain information regarding the technical equipment deployed in the operational area by Frontex and Member States. Disclosing such information would be tantamount to disclosing the exact type and capabilities of the equipment and would enable third parties, e.g. by combining this information with other sources, to draw conclusions regarding usual positions and movement patterns. This would open way for abuse, as numbers and types of equipment used in previous operations are indicative of similar numbers and types for succeeding years. Releasing such information would thus benefit criminal networks, enabling them to change their modus operandi and, consequently, result in hampering the course of ongoing and future operations of a similar nature. This would ultimately obstruct the purpose of such operations: to counter and prevent cross-border crime and unauthorized border crossings. In this light, the disclosure of information regarding the technical equipment deployed would undermine the protection of the public interest as regards public security in the sense of Article 4(1)(a) first indent of Regulation (EC) No 1049/2001.

The non-disclosed parts also contain personal data, and/or characteristic features which could lead to the identification of individuals. The disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with European Union legislation regarding the protection of personal data and therefore has to be precluded pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001.

From: [REDACTED]

Sent: 29 November 2020 10:42

To: [REDACTED]

Cc: [REDACTED]

Subject: 12856/2020: New Spiegel article on German officers on Samos

Dear [REDACTED]

Please find below the responses:

1. Operational situation on 10/8/2020

According to ICC Daily Report (submitted on 12/11/2020) and FOC Report (submitted on 12/8/2020) 1 preventions of departure with 40 migrants in Samos was reported for that day in the Aegean.

The incident took place near Samos, [REDACTED] and it is apparently the incident mentioned in the article.

Description of the incident according to ICC Daily Report / FOC Report:

01 prevention of departure incident occurred [REDACTED] involving 40 migrants (40UNK)

On 10th August [REDACTED] a rubber boat with approximately forty (40UNK) migrants onboard was detected by [REDACTED] of Samos Island inside HTW. The information passed to HCG [REDACTED] which headed to the area. Information passed to [REDACTED] also. [REDACTED] HCG [REDACTED] arrived at the area and took over responsibility of the incident. In the view of HCG CPB the rubber boat altered course on its own initiative/will and headed towards TTW. JRCC Piraeus informed MRCC Ankara. [REDACTED] migrant vessel reported in TTW. Eventually [REDACTED] a TCG boat arrived at the area and took over responsibility of the incident.

No additional information concerning this case was noted [REDACTED]

According to the mission report [REDACTED] of DEU [REDACTED]

[REDACTED] On 10.08.2020 [REDACTED] the DEU CPB reached a rubber boat with about 40 migrants in Greek territorial water after an information of the GRC Navy Observation point. Federal Police informed HCG Samos. HCG with [REDACTED] was arrived the area and took over responsibility

2. In JORA, there is only one incident for that day for Samos, which was registered with number 412049 and is identified as the incident in question and has the following description:

Incident no.412049

Reporting unit: Samos LCC

Incident type: prevention of departure

Detection date: 2020-08-10 [REDACTED]

Interception date: 2020-08-10 [REDACTED]

Migrants prevented from departure: 40

Transport type: inflatable/rubber boat/zodiac boat/dinghy

Place of disembarkation: Turkey

Description:

A rubber boat with approximately 40 migrants onboard was detected by DEU [REDACTED] inside HTW. The information passed to HCG [REDACTED] which headed to the area. Information passed to SAR 513 also. [REDACTED] HCG [REDACTED] arrived at the area and took over responsibility of the incident. In the view of HCG CPB the rubber boat altered course on its own initiative/will and headed towards TTW. JRCC Piraeus informed MRCC Ankara. [REDACTED] migrant vessel reported in TTW. Eventually [REDACTED] a TCG boat arrived at the area and took over responsibility of the incident

Status of the JORA incident: Under Validation

[REDACTED]

3. After searches, it has been found that the [REDACTED]

[REDACTED]

Please find attached:

- FOC Reports (12 August)
- FSO Samos Report (11 August)
- JCB Presentation (12 August)
- Mission Report [REDACTED] of DEU CPB

Best regards.

[REDACTED]