Border Violence Monitoring Network

Submission to the Special Rapporteur on contemporary forms of racism, xenophobia and related intolerance for the report on Race, Borders, and Digital Technologies:

The role of technology in illegal push-backs from Croatia to Bosnia-Herzegovina and Serbia.

Introduction

The Border Violence Monitoring Network[1] (BVMN) documents testimonies of people affected by illegal push-backs from state territories along the Balkan Route and Greece. In this report, several cases of push-backs from Croatia are highlighted in order to present how authorities use technology within detection and apprehension of transit groups, both at borders and interiors. The reports were taken in 2019 under a standardised interview framework. The procurement of technology for the purpose of monitoring and intervening in irregular transit is also outlined. This includes the funds used to acquire them, model and manufacturer, and the items used within border management (functions, range, deployment).

Contextualizing the role of technology in push-backs

Through our experience documenting hundreds of human rights abuses along the Balkan Route in the last three years, it is our observation that illegal push-backs of irregular migrant groups along the Balkan route carry inherently racist cleavages. BVMN has documented a significant number of overtly racist incidents during pushback operations which underscore this point: spitting at individuals; inhumane conditions; and offensive language/behaviour. One respondent has been quoted saying:

> *"It's indecent, we're human beings too. It's very difficult for us, these policemen are worse than thugs, they're bandits but there's nothing we can do. I always go ahead, you can hit me or do what you want, you can only stop me by shooting. We're not doing*

[1] BVMN is a network of watchdog organisations active in Greece and the Western Balkans including No Name Kitchen, Rigardu, Are You Syrious, Mobile Info Team, Wave Thessaloniki, Infokolpa, Escuela con Alma, Centre for Peace Studies, Mare Liberum, InfoPark, Collective Aid and Fresh Response. This production of this specific report was initiated by representatives from No Name Kitchen, Info Kolpa, and Wave Thessaloniki

anything wrong. They're racists. That's the way it is" *- Incident report from January 28, 2020*

The use of technology in pushback practices has only contributed to ease in which these racist and repressive procedures are carried out against people-on-the-move in the region. Furthermore, devices like drones, thermal imaging cameras, and vehicle scanners have been weaponised against people on the move, making them easier to detect and thus compounding their vulnerability and the dangers they face.

Although we will not delve into this topic in depth here, it is also worth pointing out how the *suppression and destruction* of technology by state forces plays out within these racist procedures. Intercepted migrants are regularly stripped of their belongings by Croatian authorities particularly passports and other forms of ID, cell phones and power banks and are summarily expelled to Bosnia and Herzegovina. Migrants rely on cell phone GPS as a tool to navigate the 10-20 day hike from Bosnia and Herzegovina to the Schengen Border, a distance between 50-150km. Through GPS navigation they look for the most remote and desolate path as a strategy to avoid Croatian authorities. This use of GPS is used to find a path that is "safest" insofar as individuals may avoid contact with authorities, however these paths also increase the likelihood of death and injury in their own ways, such as through mudslides, mines, and river crossings.

A phone and a powerbank is not only a navigation tool. People on the move use it to backup their identification papers and maintain contact with their families. Croatian police confiscating their belongings is stripping migrants of basic means of human existence and they are in effect grounded and some resort to crime as a telephone and a powerbank is the prerequisite to reach the Schengen area and to apply for asylum. Many migrants live in makeshift camps and have to resort to crime in order to get the means to sustain themsel. In this send, the suppression and destruction of technology by Croatian authorities plays an important and complex dynamic in the oppression of people-on-the-move in the Western Balkans.

The *suppression and technology* by Croatian authorities is contrasted with the aggressive deployments of technology by these same officials in order to increase the effectiveness of their illegal push-back apparatus. In this sense Croatian authorities are employing sophisticated methods of technology (which is overwhelmingly financed through EU mechanisms) as a means to pursue, apprehend, and illegally return people-on-the-move to Bosinia and Serbia.

Croatian Case Studies

The following section will provide an overview of different cases which we have collected over the last two years in which case the use of EU-funded security technology was deployed by Croatian authorities either immediately preceding or during an illegal push-backs. Links to the full incident reports are included for each case study. The case studies are categorized into several different sections: drones, helicopters, scanners for vehicle detection, and thermal/night vision. Each section is complemented by an overview of the technological framework in which this equipment has been acquired and deployed by the Croatian Ministry of the Interior.

Case studies mentioning the deployment of drones

05/08/19 - near Sturlic, BiH

Technology described in the report:

"The respondent stressed his belief that it was important to attempt to cross the border during the first hours of the morning, inferring that police apprehension along the border at night are more violent and back by more surveillance technology:

> Yes, because during night there are drones. You see them, I think there is ten. They see you. You cannot cross the border during [the] night because when the police catches you in the night, they beat you a lot."

Respondent's neck after the above-mentioned incident in which a Croatian officer choked him using his own shirt (Source: BVMN)

15/10/19 - NW Karlovac, Croatia

Technology described in the report:
"Not long after dusk a buzzing sound in the sky caught their ears. Steadily approaching, it turned out to be the whir of a surveillance drone, which had targeted them from afar and hovered over them for a couple of minutes. The group tried to walk away quickly uphill, only to be ambushed by a unit of "commandos" when they reached the top."

04/04/19 - Lipovac, Croatia

Technology described in the report:
"They walked through the forest around 25 km in six hours until they reached the second gas station, Odmorište Spačva, on highway E70 after the city of Lipovac (HRV). There, they saw a x-ray camera and a drone:

> "There was a vrrrr camera. And private police in a black car was watching at us with binocular glasses. It was undercover police. The man had a red color face, very big and only hair on the sides.".

After being detected with the help of the cameras by the undercover officers, six police cars arrived within 10 minutes."

Technological frame for the deployment of drones

There were no purchases of drones from the Schengen Facility instrument documents. Since then, however, the Croatian Ministry of the Interior has operationalized the use of drones for border surveillance and apprehension, as demonstrated clearly by the tablet adaptable drones on display at this press event in June 2019.

While information on the exact models in use currently is sparse, the Croatian Ministry of the Interior has posted several calls for the procurement of border surveillance drones by private firms in the last two years. In April 2018, King ICT delivered unmanned surveillance drones to the Ministry of the Interior for a price of 35,300.29 EUR including VAT. At the end of December 2017, the Ministry of the Interior had also bought an unmanned aerial vehicle from them for 6,346.12 EUR as well as a thermal imaging camera for that unmanned aerial vehicle, worth 11,237.92, EUR.

In 2019, the Croatian Ministry of the Interior announced it would procure additional drones from King ICT and Alfatec Group. Three medium-range aircraft for the Ministry of the Interior were procured from the Croatian company Alfatec Group for about 470,000 EUR including VAT. The

Ministry of the Interior also bought 2 long-range unmanned aerial vehicles from King ICT/ Ericsson Nikola Tesla, for around 2,300,400 EUR including VAT.

The long-range drones procured from King ICT were drones of the domestically produced eRIS-III model. The Croatian Ministry of the Interior is the first institution to which it was sold. These drones can spot people at almost ten kilometers in the daytime and at three kilometers at night. Their maximum flight speed is 130 kilometers per hour, and it can climb to an altitude of 3500 meters. Without landing, it can fly from Vukovar to Dubrovnik in approximately 9.5 hours, with real-time telemetry transmission. They decided on a joint offer of KING ICT and Erickson Nikola Tesla, worth HRK 17.3 million. They will buy two systems with a total of four aircraft (two aircraft per system).

About 80 percent of the aircraft parts were bought generally, but the "brain" of the aircraft was produced specifically by KING ICT (through the Planet IX subsidiary). It is a petrol powered aircraft rather than battery powered. The aircraft can carry a thermal imager with a 73-millimeter lens, a day camera with 30 times optical zoom, a laser altimeter and other equipment. The drone has the ability to send video in real time, and accordingly there is a partner antenna which can connect to it at a distance of 100 kilometers and allow the sending of material. In practice, it is possible, for example, that the aircraft is above Sisak, and the antenna is on a hill in Zagreb, and that they can communicate without any problems.

More recently, in February 2020, the Interior Ministry opened another call for proposals, searching for two sets of short-range drones for day and night surveillance, with the estimated value of that procurement being 31,300 EUR without VAT. According to the technical specifications, the range must be a minimum of three kilometers, and they must be equipped with a minimum of four engines and propellers. The maximum mass of short-range drones must be a maximum of 10 kilograms, while the required carrying capacity is a minimum of five kilograms. The required maximum altitude at which an aircraft can take off in this tender is set at a minimum of 2500 meters above sea level. The maximum speed must be at least 50 kilometers per hour. The drones will have to be equipped with one day and a thermal imaging camera.

Case studies mentioning the deployment of helicopters

21/08/19 - Rijeka, Croatia

Technology described in the report:

"The transit group, including four minors, had been walking in the forest for six days when they were apprehended by Croatian officers while passing by agricultural fields near Rijeka (HR). This initial police contact occurred at 6:00 on 21st August 2019. According to the respondent, the area was watched by drones and helicopters; the officers were hidden in the fields and wearing green uniforms."

Mobile phones broken by the police in the above-mentioned incident, after the transit group's apprehension via helicopter (Source: BVMN)

18/4/19 - Interior of Croatia

Technology described in the report:

The group of five left from Velika Kladuša (BiH) and crossed into Croatia before walking around for three days. On the third day, at around 1:30 am, the group was attempting to sleep in a secluded area in a forest when they were detected by Croatian authorities. A helicopter hovered above them.

Shortly after, a very bright light was pointed at them and a voice on a loudspeaker rang out in English, saying : *"Raise your hands and don't move."* The group-members raised their hands above their heads for about 5 minutes with the helicopter above them until a group of Croatian police cars arrived at their location. There were three police cars, with seven policemen and one dog in total. One of the officers was described as being called "Marco", and appeared to the respondents as being the leader of the operation.

Technological frame for the deployment of helicopters:

Croatia has two AgustaWestland 139 helicopters (AW139) built by Leonardo Finmeccanica[2] (formerly AgustaWestland) (delivered in June and January 2016 respectively). Each purchase

[2]Italian manufacturer headquartered in Rome, now renamed as "Leonardo". Italian government owns 30% stake in the company. The AW139 helicopters active in Croatia are manufactured in Samarate, Italy

was financed for the Croatian Ministry of the Interior by the European Commission via the Schengen Facility instrument, with each helicopter costing 15,699,895.00 euros with VAT. The aircraft were designated for the Air Unit of the Ministry of the Interior's Special Police Command (Specijalna Policija), based in Lucko, in their border control efforts (the package included the licensing of at least six pilots and 13 technicians). They are used heavily along the borders to identify transit groups. In addition, the Croatian Police also operate a pair of Eurocopter EC135 P2s for border enforcement, which were produced in 2008 and acquired from Spain's Guardia Civil in 2013, almost completely unused.

The helicopters are fitted with a Trakkabeam A800 searchlight[3] to port and a FLIR Star Safire 380 HDc EO/IR[4] turret under the nose, used to identify vessels, vehicles, and people. The testimony from the incident on 18/4/19 aligns closely with the capabilities of the Trakkabeam A800 searchlight in use on these aircrafts.

Trakkabeam A800 searchlight outfitted on the AW 139 and EC135 helicopters used by the Croatian Ministry of the Interior in apprehension operations preceding push-backs (Source: Trakka Systems)

[3] "A high-intensity, high-power searchlight designed for airborne platforms, the TrakkaBeam A800 is a "fully automated multi-mission searchlight that includes an *integrated filter wheel*". Trakka is a multinational company with headquarters in Sweden, Italy, Florida, and Dubai

[4] Electro-optical/infra-red which can detect humans between 10 and 20 km away at night time or through fog

Case studies mentioning the deployment scanners for human detection inside vehicles

17/04/19 - Tovarnik, Croatia

Technology described in the report:
On April 16th, he left the abandoned factory in Sid at 9:00 pm and arrived near the border of Croatia at 1:00 am. Together with six other people on the move, he entered a truck which started moving towards Croatia the next morning at 7 am. The authorities detected him on the scanner. They opened the door and took him and the others out of the truck and pushed them into a white van with a windowless backspace."

Technological frame for the deployment of scanners for human detection inside vehicles :

Below is a review of some of the vehicle control equipment that the Croatian Ministry of the Interior procured for border control purposes via the Schengen Facility instrument between 2014 - 2017. The Croatian Ministry of the Interior procured 8 S4H / MDS-II heart rate detectors, at a cost of 194,240 EUR, awarded by the European Commission via the Schengen Facility instrument. These devices can detect movement, breathing and heart rate through the chassis of an empty or loaded vehicle. There was a procurement of 41 Dräger X-am 5600 detectors vapor detectors - at a cost of 44,772 EUR, financed via the Schengen Facility instrument as well. These devices measure explosive, flammable, toxic gases and vapors, as well as oxygen and are used at official border crossing points. The Ministry additionally procured 8 Olympus IPLEX endoscopes at a cost of 58,960 EUR via the Schengen Facility instrument. These are the "snake cameras" that look into the cracks of trucks crossing the border. Not mentioned in any reports but still interesting to note.

Also of note is that in February 2017, 7 locations of Vukovar-Srijem and Split-Dalmatia Department were equipped with stationary systems of technical control , at a cost of EUR 5,885,561.22, via the Schengen Facility instrument. Vukovar-Srijem is the same county as Tovarnik, where the preceding case study took place. These systems which were installed consisted of a video surveillance system with thermal imaging, day and night cameras, and ground-based radars. In coordination with the radar system, the camera can be remotely directed by the operator or an automatic command. The thermal cameras, in good weather conditions, can detect a person at a distance of 16 km and a vehicle at 21 km. Conversely, the day and night cameras can, in good weather conditions, detect people at a distance of 15 kilometers and recognize them at a distance of more than 7 kilometers.

Case studies mentioning the deployment of night/thermal vision

13/03/19 - Vrata, Croatia

Technology described in the report:
"There were four officers with two cars, both white and of the size of a VW Polo, all wearing dark blue uniforms with the emblem of the Croatian flag on the upper arm, one of them had a binocular hanging around his neck. The respondent supposed that they might have been tracked with night vision binoculars as it seemed as if the officers already expected the people on the move stepping out of the forest at exactly this spot."

Injuries sustained to the above-mentioned respondent's back after expulsion by Croatian authorities ***(Source: BVMN)***

01/05/19 - near Gradiska, BiH

Technology described in the report:
"On May 1 around 11:00AM, three police officers wearing dark blue uniforms approached the group members in the forest while they had been lying down to rest. The respondent believed that these officers had been watching them at night with night-vision goggles and that they waited for the individuals to rest before approaching them."

31/05/19 - Poljana, BiH

Technology described in the report:
"Around midnight on May 30, eleven police officers encircled the group. They were wearing night vision goggles, masks, dark blue uniforms and massive boots. They shot in the air and shouted "Stop, Stop!" as they blinded the individuals with flashlights. The officers were shouting

at the group in the Croatian language and told them to hand over their luggage. They also took pictures of them with their smartphones."

Technological frame for the deployment of night/thermal vision

Below is a review of some of the night/thermal vision equipment that the Croatian Ministry of the Interior procured for border control purposes via the Schengen Facility instrument between 2014 - 2017. While there are no "goggles" used by the authorities in the way that military personel mount them on their helmets, several different kinds of binoculars/monoculars are in use which fulfill this role..

The Croatian Ministry of the Interior procured 13 Flir BHM-6XR brand thermal imaging devices - at a cost of 117,338 EUR, awarded by the European Commission via the Schengen Facility instrument. The devices can detect a person at a distance of about two, and a vehicle at a distance of about four kilometers. Additionally, the Croatian Ministry of the Interior procured 22 OIP Sensor Systems: Felis model night vision devices - at a cost of 130,240 EUR, awarded by the European Commission via the Schengen Facility instrument.

In addition to Schengen Facility instrument purchases , we have been able to find sources citing Croatian border authorities as having access to adapted FLIR Ranger HRC-MS infrared cameras (able to detect a man up to 10 km away with the camera) as well as iSS Thermal Cameras, T-iV [5]

Flir BHM-6XR acquired by the Croatian Ministry of the Interior using Schengen Facility funds (Source: FLIR)

[5] *infrared Security Solutions, is a UK-based company specialised in producing uncooled thermal imaging cameras since 2004*

Conclusion

In this report, several cases of illegal push-backs from Croatia have been highlighted which present how Croatian authorities deploy EU-funded technology to streamline their process of illegal push-backs to Bosnia-Herzegovina and Serbia. The detection and apprehension of transit groups, both at borders and interiors, is made easier by the use of this technology.. The reports were taken in 2019 under a standardised interview framework. The chain of procurement of technology for the purpose of monitoring and intervening in irregular transit was also outlined. This includes the funds used to acquire them, model and manufacturer, and the items used within border management (functions, range, deployment).

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