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>>**Breaking**>>

After watching his Friend Drown to Death, Refugee Takes New Frontex Director to Court Over Agency's Operation in Greece

Legal Case Relies on Fresh, Leaked Evidence from the EU Anti-Fraud Agency OLAF

Today, the legal hub *front-LEX* has filed a case against Frontex's new Executive Director Aija Kalnaja at the Court of Justice of the European Union. The legal non-profit argues that the EU Border and Coast Guard agency must terminate or suspend its joint operations with the Hellenic Coast Guard in the Aegean Sea Region due to countless horrific human rights abuses related to these operations.

The case, to be financed by a crowdfunding campaign, was filed on behalf of J.K., a Congolese refugee. He is one of **43,000 children, women and men** who entered Greece to seek asylum but instead were violently abducted, forcibly transferred to 'death rafts', collectively expelled and abandoned in distress at sea. J.K. was a victim of multiple such **attempted murders**, lastly on 14 July 2022. During one of them he had to watch his friend **drown to death**, with European officers watching, laughing, doing nothing to save him, and not even recovering his body.

The case relies *inter alia* on the OLAF report, an investigation into Frontex by the EU's Anti-Fraud Agency that revealed a culture of mismanagement, routine cover-ups of serious incidents, and contempt for those within the agency and the EU Commission concerned by Frontex's involvement in illegal 'pushbacks'. OLAF noted that **"despite ... strong believe that violation of fundamental rights [sic]", Frontex's Senior Official "did not take any follow up actions with a view to the content of the Article 46 of Frontex regulation"**. The EU's own Law Enforcement Agency even accused Frontex's Senior Official of no less than **"a lack of loyalty toward the Union"**.

Despite these serious allegations, which potentially bear criminal implications, both Frontex Director **Aija Kalnaja** and Fundamental Rights Officer **Jonas Grimheden** claim they did not bother to read the OLAF report, and Frontex even refuses to hand over the report to the EU Court of Justice. **The present case finally reveals what they had to hide.**

Based on the OLAF report and numerous other evidentiary sources, *front-LEX* asks the Court to declare that **Kalnaja** failed to trigger Article 46 of the Frontex Regulation for its operation in the Aegean Sea, according to which the Director must **"suspend or terminate any activity** by the Agency... if he or she considers that there are **violations of fundamental rights** or international protection obligations related to the activity concerned that are of a **serious nature or are likely to persist"**.



front-LEX's legal team comments: “The facts are clear: The Frontex-Greece Joint Operations are orchestrating a criminal policy in the Aegean Sea. EU Law is also clear: It commands Frontex to withdraw from Greece. **But like her predecessor Leggeri, Frontex’s Director Kalnaja decided not to comply but to try and rewrite the law. Kalnaja openly stated she wants to ‘reverse Article 46’, in a stark defiance of the Rule of Law and the Treaties.** Every day the EU Court fails to act, countless people are deprived of their basic rights and losing their lives at sea. Every day Mrs. Kalnaja enjoys full impunity, the EU legal order is irreversibly undermined. It is high time the EU Court provide judicial protection to victims of the most horrific acts mankind imagined. It is high time the EU Court reviews policies that the EU’s own law enforcement agency qualified as so unlawful that they reflect a lack of loyalty toward the Union. It is high time the EU Judiciary does its job: to judge.”

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