

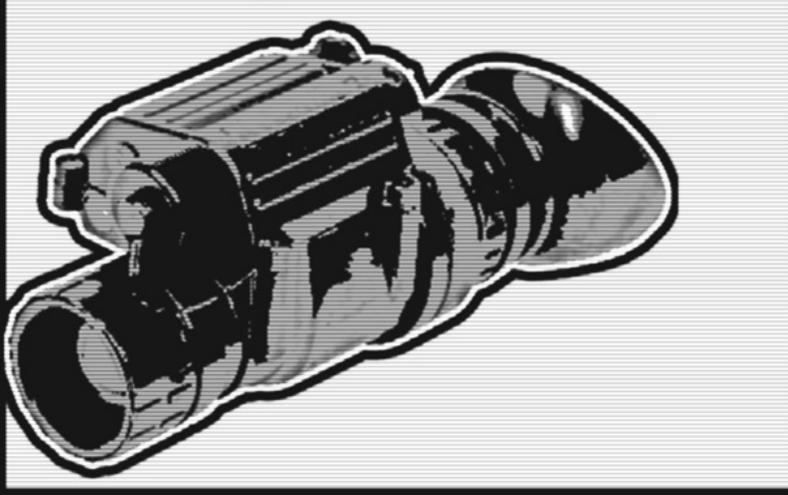


Border Violence Monitoring Network

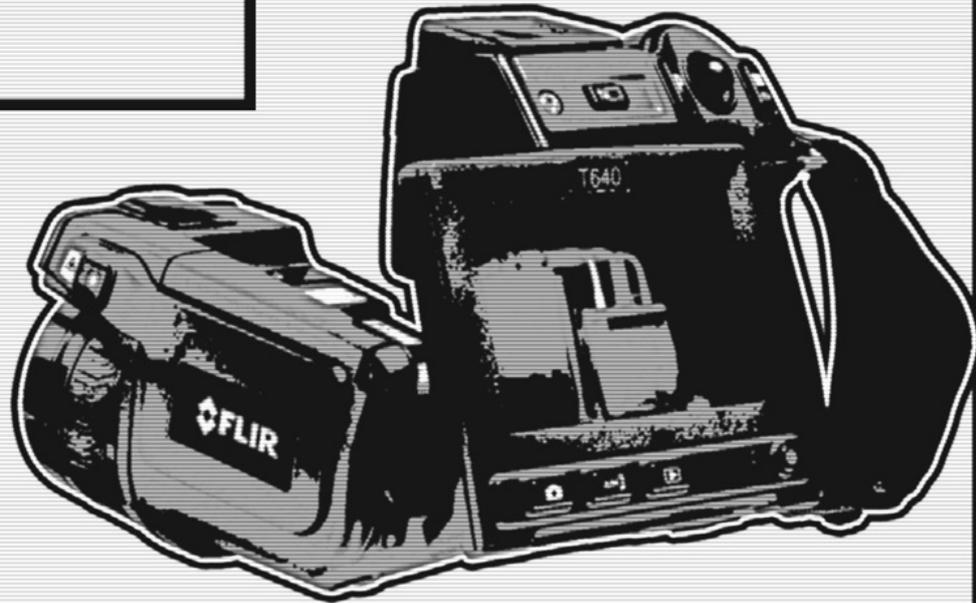
ILLEGAL PUSH-BACKS AND BORDER VIOLENCE REPORTS



Night vision devices



Thermal cameras



DECEMBER 2021
BALKAN REGION

Binoculars

EXECUTIVE SUMMARY

In December the Border Violence Monitoring Network (BVMN) shared 30 testimonies of pushbacks impacting 280 people-on-the-move across the Balkans. This report brings together first-hand testimony from a range of countries in the region to look at the way European Union states and other actors are affecting systemic violence towards people crossing borders.

Three trends emerging from testimonies collected in the last month covered in this report include changes in physical violence perpetrated by Croatian authorities during pushbacks, as well as potential increases in pushbacks from Bulgaria to Turkey. In the case of Croatian pushbacks, this change is notable, given recent court decisions and publications clearly proving that the Croatian police are engaged in violent pushbacks. Regarding pushbacks from both Hungary and Bulgaria, recent testimonies offer potential insight into shifting routes—as well as the systematic nature of pushbacks occurring.

In updates on conditions along the Balkan Route(s), this report touches on the recent death of a 10-year-old Kurdish girl in the Draganja river between Croatia and Slovenia, as well as the subsequent pushback of her family. Regarding recent developments in Croatia, the report delves into the recent release of a report by CPT on various forms of severe ill-treatment experienced by people on the move at the hands of Croatian police officers, such as being forced to march barefoot through the forest to the border or being thrown into the Korana River which marks the border between Croatia and BiH. The recent criminalization of a BVMN member organization Are You Syrious volunteer is also explored, highlighting the legal absurdities of the court decision.

Several recent developments from the Greek mainland and Islands are also covered, including reports from the new closed camp on Samos. Further sections cover the Pope's recent visit to Lesbos and the multiple shipwrecks in the Aegean over the last month. The final sections cover recent developments in Trieste, Italy, with regards to mounting repression and the death of a person on the move in detention, as well as an overview of recent changes in legislation, and voices of solidarity on the ground on the Polish-Belarusian border.

**BVMN is a network of watchdog organisations active in Greece and the Western Balkans including No Name Kitchen, Rigardu, AreYouSyrious, MobileInfoTeam, Josoor, InfoKolpa, Centre for Peace Studies, Mare Liberum, Collective Aid, and Fresh Response.*



**Border Violence
Monitoring Network**

JANUARY

R E P O R T

2 0 2 2

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GENERAL

REPORTING NETWORK

BVMN is a collaborative project between multiple grassroots organisations and NGOs working along the Western Balkan Route and Greece, documenting violations at borders directed towards people-on-the-move. The members have a common website database, used as a platform to collate testimonies of illegal pushbacks which are gathered through interviews.

TERMINOLOGY

The term *pushback* is a key component of the situation that unfolded along the EU borders (Hungary and Croatia) with Serbia in 2016, after the closure of the Balkan route. Push-back describes the informal expulsion (without due process) of an individual or group to another country. This lies in contrast to the term “deportation”, which is conducted in a legal framework. Push-backs have become an important, if unofficial, part of the migration regime of EU countries and elsewhere.

METHODOLOGY

The methodological process for these interviews leverages the close social contact that we have as independent volunteers with refugees and migrants to monitor push-backs at multiple borders. When individuals return with significant injuries or stories of abuse, one of our violence reporting volunteers will sit down with them to collect their testimony. Although the testimony collection itself is typically with a group no larger than five persons, the pushback groups which they represent can be as large as 50 persons. We have a standardised framework for our interview structure which blends the collection of hard data (dates, geo-locations, officer descriptions, photos of injuries/medical reports, etc.) with open narratives of the abuse.

ABBREVIATIONS

BiH - BosniaandHerzegovina
HR - Croatia
SRB - Serbia
SLO - Slovenia
ROM - Romania
HUN - Hungary
ALB - Albania
BGR - Bulgaria
MNK - NorthMacedonia
GRK - Greece
TUR - Turkey
EU - European Union

TRENDS IN BORDER VIOLENCE

CROATIAN POLICE SHIFT TACTICS

In the last few months, publications by human rights monitoring bodies and media investigations, as well as watershed court decisions have shone light on the Croatian Police's engagement in violent pushbacks. While the fact of the Croatian Police's involvement in pushbacks has been documented by BVMN and other actors for years, and pushbacks have by no means not stopped as a result of these developments, they still stand as important steps forward in advocating for an end to violence exerted at borders against people on the move.

On a very concrete level, it also appears as though—at least for now—recent attention on pushbacks perpetrated by Croatian police may have led to a subtle shift in their *modus operandi*. People on the move and volunteers in Velika Kladusa and Bihac in the last month reported that the police had become more careful with regards to physical violence exerted during pushbacks. One respondent who experienced a chain pushback from Slovenia via Croatia to Bosnia mentioned that when the police beat the transit group, they avoided to hit them on the visible parts of their bodies or to leave visible marks on their skin.

“Not on the face, they kick him and lift him up and throw him back down, also kicked in his private area. [...] They beat them so cleverly, there was no wound, no injury; they just hurt them so much. Beat them on the chest, the belly, the private area; it will not show, the wound or injury, but the man will have so much pain, inside.” (more here)

Another respondent who was pushed back in the same border area offered a similar analysis:

“They do not beat with the stick anymore, cause, when I beat you with a stick, you can see it, it does do this (point to the bruises on the teenagers' legs), they are now beating with the foot, with the hands that you can't see this (pointing to the same bruise) [...] with the foot, every policemen have the big one shoes” (more here)

Several respondents also mentioned police removing patches with police insignia on their uniforms while carrying out pushbacks (5.3). Overall, while the violence has not ceased, it at least appears as though perpetrators have taken note of recent attention, and may be attempting to cover their tracks.

PUSHBACKS FROM BULGARIA TO TURKEY

In the last months, BVMN has received an increasing number of reports from people-on-the-move, who were pushed back from south-eastern Bulgaria to Turkey. In December, BVMN recorded seven such testimonies. The people-on-the-move were mainly Syrian nationals but included Moroccans, Iraqis, and Afghans as well. The groups were pushed back in small groups of under 40 and in most cases under 15 people.

There are several commonalities across the testimonies collected. Respondents recalled police dogs attacking members of the transit group in two instances (8.4, 8.6). Sexual harassment of women in the transit group by male officers was reported 5 times (8.1, 8.2, 8.3, 8.6, 8.7).

In almost all testimonies, the respondents described being put in the back of border patrol vehicles (see image below) and transported to the border region, often in cramped and unsafe conditions. In addition, some degree of physical violence and forced undressing along with the theft of personal belongings was reported in all cases. Requests for asylum were systematically ignored or denied, and respondents described verbal abuse on the part of Bulgarian authorities.



Image description: Bulgarian border patrol vehicles. Source: [SofiaGlobe](#)

Six testimonies described the location of pushbacks as being some sort of “door” in the fence (8.2, 8.3, 8.4, 8.5, 8.6, 8.7). This description matches the image below of small gates in the border fence (see image below). The locations of the border gates differ across the testimonies. This could either mean that there are multiple such gates in the fence or that respondents were not able to identify precisely where they were pushed back. However, consistent reports of similar gates at different spots along the border suggest that there are several such gates.



Image description: gates in border fence. Source: [orient news](#)

In terms of the authorities perpetrating the pushbacks and violence against people-on-the-move, all testimonies identify Bulgarian border guards, noting, in particular, the deep green color of their uniforms. Two testimonies also report that military personnel in camouflage uniforms were present or involved in the pushbacks (8.1, 8.3) .

UPDATE ON THE SITUATION

SLOVENIA

10 YEAR OLD KURDISH GIRL DROWNS IN DRAGONJA RIVER

On the 12th of December, the , police station in Koper, Slovenia was informed that there is a group of people trying to cross Dragonja river that separates Slovenia and Croatia. When police arrived, they found a woman in the middle of a freezing river holding onto a tree. Three minors were already on the Slovenian side. Another child was missing, a deaf 10 year old girl, swept away by the current. Her body was found a few days later. The survivors were pushed back to Croatia and taken to a hospital 60 km away despite the fact that there was a Slovenian hospital only 15 km away.

The police claimed that the mother never reached Slovenian soil, though this claim was disputed since the firefighters and rescue teams claimed that the entire family reached Slovenia. This was the second death in less than a month in Dragonja river, after a 31 year old person from Bangladesh perished from hypothermia.

The tragic event sparked a very polarized debate in Slovenia, where senior state officials went so far as to blame the mother of “irresponsibility” since Slovenia has “legal border crossings and if people walked through them, there would certainly be no tragedies”.

CROATIA

CPT REPORT

After the startling investigations published in [October](#) and the final verdict in the case of Madina was finally reached in November, Croatian migration politics were confronted by yet another publication this month. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, (CPT) finally published its [report](#) about a visit of their forensic team in the border areas between Croatia and Bosnia in the summer of 2020. The Croatian authorities had managed to successfully block the publication of the report for over a year. On December 3rd, the Council of Europe made the report public.

This, and other statements follow a familiar pattern of victim blaming where state authorities divert blame to the victims. Most allegations on the illegal nature of pushbacks are diverted with vague statements that these people came here illegally anyway with a tacit implication that the state can act illegally to counter illegality.

The fact is that the mother went into a freezing river in the cold of late autumn as it is impossible to expect Slovenian authorities would allow them to apply for asylum at the border station. They went into the river as it was a fact that they would be returned to Bosnia, if they were apprehended by Slovenian or Croatian authorities.

The family went into the river because a freezing river offers a better chance for safety than Slovenian or Croatian authorities. The tragic death was not an accident but a direct result of EU border policy.

From 2018 to November 2021, Slovenia conducted almost 30,000 returns of irregular migrants to Croatia through the extradition procedure where they were chain pushed back, and mostly returned to Bosnia and Herzegovina. Slovenia carries out so-called chain returns, so that when a person in Slovenia applies for international protection, this is often ignored, the police do not write it down and treats the person as if he or she does not have the right to reside in Slovenia, to have crossed the border illegally and to have been returned to Croatia under an extradition agreement.

The CPT report is based on testimonies by people-on-the-move who relate that they were subjected to various forms of severe ill-treatment by Croatian police officers, such as being forced to march barefoot through the forest to the border, or being thrown into the Korana River which marks the border between Croatia and Bosnia and Herzegovina. Other testimonies state that they were forced back into BiH dressed only in their underwear and in some cases even naked. Some interviewees also described that after they were placed face down on the ground, Croatian police officers discharged their weapons into the ground in close proximity to them.

Although the delegation's findings are certainly not news to the human rights community, and one might even criticize the report for being too flimsy in many sections, its significance nevertheless needs to be pointed out. The report includes a chapter that clearly acknowledges that push-backs are happening at Croatia's borders. The observers also found that Croatian border police do not permit access to international protection to potential asylum seekers, and that the fingerprints of apprehended people-on-the-move are not entered into the EURODAC-database. In addition, the report also highlights that the Croatian authorities refused to cooperate with the delegation during their visit to Croatia.

CROATIAN VOLUNTEER CONVICTED FOR PREVENTING PUSHBACK

After the Croatian state was heavily incriminated for its pushback practices through the ruling of the European Court for Human Rights (ECHR) in the case of little Madina, the [Lighthouse Reports investigations](#), and the long-awaited publication of the CPT report, [a volunteer of BVMN member organization Are You Syrious \(AYS\) became a victim of state revenge.](#)

After keeping the case stagnant for three years, the High Misdemeanor Court in Zagreb found AYS volunteer Dragan Umičević guilty for facilitating the "illegal border crossing" of the family of little Madina, a six-year-old girl who died during illegal expulsion from Croatia in 2017. There are many legal absurdities in the verdict against AYS volunteer, from the fact that the court admits that the family was already in Croatia when they asked AYS for help in seeking asylum, to the fact that Umičević never had direct contact with little Madina's family, which was also proven in court.

It is, however, of interest that the verdict was handed down less than a month after Croatia was found guilty by the European Court for Human Rights for the death of little Madina and torture of her family. The verdict of the ECHR clearly says that the Croatian investigation into the death of little Madina was ineffective, that Croatia grossly violated her right to life, tortured her family members, and prosecuted and intimidated activists and lawyers, all in order to prevent the case from reaching the ECHR.

The unjust ruling against Dragan Umičević is another sign showing that the Croatian judiciary is currently serving as an extended arm of the government, trying to intimidate and silence those who speak about the crime committed against the six-year-old girl and her family. AYS and their lawyers are currently working on the next legal steps to prove Dragan's innocence.

GREECE

ONGOING DETENTION ON SAMOS

As mentioned in the November BVMN report, the Ministry of Migration and Asylum ordered camp management on Samos [on the 16th of November](#) to restrict exit from the camp of people that don't have a valid asylum applicant card. These restrictions continue to affect people who have received rejections to their asylum claims as well as those who newly arrived and haven't received their asylum applicant card yet.

After 12 organizations signed a [letter](#) addressed to the competent authorities, a [follow-up letter](#) signed by 16 civil society groups was sent once more to representatives of the European Commission and the Ministry of Migration and Asylum. Both letters clearly ask for an immediate lift of the restrictions on entry and exit for people without a valid asylum applicant card in the absence of a public decision from the Ministry.

While the Ministry hasn't answered to either of the letters, Minister Mitarachis showcased in his New Years speech “the completion of the first closed controlled structures of the national host system, the drastic reduction of the effects of the migration crisis” as ideal results of an applied “recovery policy control” that the Mitsotakis’ government is applying. Yet, people without a valid asylum applicant card are still imprisoned inside the C.C.A.C. in Samos.

Once again, the Minister was obscuring reality and portrayed 2021 as a “milestone year for Immigration”.

THE POPE VISITS LESVOS

After having first visited Lesvos in 2016, the Pope returned at the beginning of December to the island. Before his arrival, he already set the tone of his visit by stating that “*[t]oday our sea, the Mediterranean is a great cemetery.*” The day before his visit to Mavrouni Camp, he slammed the European Union in Athens voicing concern that it is “*torn by nationalist egoism, rather than being an engine of solidarity*”. Arriving on the 5th December, he condemned the situation on the island as the “shipwreck of civilization” in a powerful speech urging competent authorities to fight root causes of migration, rather than making a political agenda out of people on the move.

While his message was most certainly addressed to Greece and European politics in general, Minister Mitarachis didn't seem to perceive it as such. In his following statement, he used once more the stage to highlight that the Pope's visit this time was under different circumstances than the visit in 2016.

TESTIMONIES FROM SAMOS

After the transfer of asylum seekers to the new Closed Controlled Access Centre (C.C.A.C.) in September, Minister Mitarachis stated that the newly built structure “will give back the lost dignity to people seeking international protection, but also the necessary conditions of safeguarding and restraint for illegal migrants who are to be controlled”. While the safety aspect is central and omnipresent in European and Greek discussions about these newly built and EU-funded camps, there are obvious doubts concerning these promises.

He emphasized that “all residents live in huts, the flood protection works have been completed, there is a sense of security among the residents.” In his statement, he even stressed that Greece expressed “the European principles of humanity and solidarity as well as the values of our Christian faith” towards people on the move arriving on the country's shores.

Besides the obvious charades by the competent authorities around the Pope's visit to Lesvos, 36 organizations requested a meeting ahead of his arrival to inform him about the general living conditions of asylum seekers in Greece.

Since October 2021, the Samos Advocacy Collective and Europe Must Act, therefore, have started to conduct semi-structured interviews with camp residents of the C.C.A.C. in Samos. After gathering the voices of residents willing to talk about their situation, the first joint report was published on the 18th December; International Migrants Day. In an effort to counter the aforementioned political narrative around the new migration policies, the organizations focused their first release on the camp residents' feelings of safety as well as their perception of the politically praised improvement of living conditions.



SHIPWRECKS IN THE AEGEAN

In December, three shipwrecks were recorded in the Aegean with dozens confirmed dead. More than 30 dead bodies have been found and more people went missing. The shipwrecks came as smugglers increasingly favor a perilous route from Turkey to Italy, which avoids Greece's heavily patrolled eastern Aegean islands that for years were at the most common destinations for boats arriving. Such tragedies are the direct result of the violent pushback regime put into practice by the Greek government and supported by the European Union—forcing people to take more and more dangerous routes. Due to the danger of pushbacks, coast guard officials are perceived as a danger rather than potential rescuers. In each case, Alarmphone along with other actors was involved in contacting relevant authorities, to ensure timely rescue operations and support survivors. Repeatedly, the authorities were slow to respond and failed to provide clear information as to what happened to survivors, and to the bodies of those who lost their lives.

Shipwreck 1: 11 people were confirmed dead after a sailboat on Thursday struck a rocky islet some 235km (145 miles) south of Athens, near the island of Antikythera. The coast guard said Friday that 52 men, 11 women and 27 children were rescued after spending hours on the islet.

Shipwreck 2: 62 people were rescued after a sailboat capsized late Friday 8km (5 miles) off the island of Paros in the central Aegean. Survivors told the coast guard that about 80 people had been on the vessel.

Shipwreck 3: Thirteen people-on-the-move were rescued, and the survivors reported that at least 17 people were missing in a shipwreck off of Folegandros.

In a separate incident, a boat with 92 people ran aground in the Peloponnese region. 3 people were arrested on smuggling charges.

The survivors from the first two shipwrecks were transferred to Amygdaleza, a migration detention center near Athens. Detained in Amygdaleza, the survivors have extremely limited access to doctors and psychologists. They have not had the possibility to take a shower or to have other basic needs met. It is unclear if the survivors of the shipwreck near Folegandros have been transferred from Santorini to a facility on the mainland yet. Most of the survivors do not seem to have access to their phones and thus, there is very limited possibility to be in touch with their families and friends.

ITALY

UPDATES FROM TRIESTE

During the month of December, solidarians in Trieste encountered few new arrivals in Piazza Libertà, Trieste. This decrease in new arrivals is probably due the winter conditions, however but small groups continue to arrive almost every day.

Starting on the 6th of December, the government began enforcing regulation against COVID-19, forcing all the travellers to show the digital green pass (vaccination, recovery, 48h swabs) to take any bus or train. This has presented yet another obstacle for people on the move, who in many cases do not have access to such documentation or medical care.

Between the 5th and 6th of December, a man died in the CPR (Centro di Permanenza e Rimpatrio - Detention and Deportation Center) of Gradisca d'Isonzo. This is the third death since the reopening of that jail, two years ago after Vakhtang Enukindze and Orgest Turia. For several days it has been impossible to know the name of this last victim, and what happened to him. On the 20th of December, the victim's name was released: Anani Ezzedine, 44 years old from Tunisia. While the authorities have ruled his death a suicide, Ezzedine's death it can be argued stands as the most recent casualty of the detention and deportation system.

POLAND

UPDATES FROM THE POLISH-BELARUSIAN BORDER

More than 11,000 migrants have entered Germany in 2021 using irregular means from Belarus, traveling through Poland. The number of arrivals reached a peak of almost 5,300 people in October, decreasing slightly due to a range of factors. Human rights groups have spoken out against the violence and systemic human rights violations perpetrated by state actors against people-on-the-move in this border region since August. The actions of the Belarusian state have been described as a form of hybrid warfare, using people-on-the-move as "desperate pawns in a disgusting political struggle". On the Polish side, human rights violations, such as collective expulsions and the detention of people-on-the-move, continue, as well as ongoing pressure against solidarians and journalists.

In early December, a new law came into effect limiting the access of aid charities and journalists to the border region with Belarus, while hundreds of people on the move still remain trapped in the forests along the border. Under the new rules, journalists and NGOs may enter at the discretion of local Border Guard heads, accompanied by border guards. The interior minister can limit access to the border zone after consulting with the head of the Border Guard. Poland's Human Rights Ombudsman has criticised this new law, saying it gives the interior minister the right to limit freedom of movement and to limit access to information about what is happening at the border indefinitely.

From the 29th of November to the 3rd of December, a UN rights office team traveled to Poland, but was "not granted access to the restricted border area." The delegation's request to visit Belarus was also denied. UN Spokesperson Liz Throssell stated on the matter: "We urge the authorities of both countries to allow access to the border areas ... and to stop practices that put refugees and other migrants at risk." Regarding conditions on the Polish side of the border, in particular, she adamantly suggested that Poland should review existing laws, and "instead conduct meaningful individual assessments to determine individual protection needs, consistent with the prohibitions in international law of refoulement and of collective expulsions" (more here).

GLOSSARY OF REPORTS, NOVEMBER 2021

In November, BVMN shared 30 testimonies of pushbacks impacting 280 people-on-the-move across the Balkans. Those affected by these incidents included men, women, children with guardians, and unaccompanied children. They also represent a wide demographic, including people from Afghanistan, Iran, Syria, Sudan, Morocco, Iraq, Algeria, Pakistan, and Turkey.

- 8 Pushbacks to Serbia (2 from Romania, 1 from Slovenia, and 5 from Hungary)
- 8 Pushbacks to Bosnia-Herzegovina (1 from Slovenia, and 7 from Croatia)
- 7 Pushbacks to Turkey (1 from Greece and 6 from Bulgaria)
- 5 Pushbacks to Greece (5 from North Macedonia)

Hungary to Serbia				
1.1	2 November	5 December	Syria	1
1.2	2 December	5 December	Morocco	1
1.3	4 December	5 December	Syria	4
1.4	1 December	16 December	Afghanistan	20
1.5	18 December	20 December	Morocco	2
Romania to Serbia				
2.1	26 November	22 December	Syrian	4
2.2	2 December	5 December	Syria	1
Slovenia to Serbia				
3.1	27 October	26 November	Iran	3
Slovenia to Bosnia-Herzegovina				
4.1	17 November	21 November	Afghanistan, Morocco	4
Croatia to Bosnia-Herzegovina				
5.1	10 November	8 December	Iran	4
5.2	21 November	23 November	Afghanistan	6
5.3	28 November	8 December	Iraq	6
5.4	1 December	1 December	Pakistan	7
5.5	9 December	16 December	Afghanistan, Pakistan	18
5.6	12 December	14 December	Afghanistan	7
5.7	27 December	27 December	Afghanistan, Turkey	9
North Macedonia to Greece				
6.1	28 November	1 December	Afghanistan, Morocco	10
6.2	29 November	30 November	Morocco, Tunisia	8
6.3	7 December	10 December	Libya	3
6.4	08/12/2022	10 December	Morocco, Tunisia	2
6.5			Afghanistan, Morocco,	
6.5	17 December	16 December	unknown	18

Greece to Turkey				
7.1	15 December	16 December	Afghanistan, Pakistan, Syria, Somalia, South Sudan, Morocco, Algeria	70
Bulgaria to Turkey				
8.1	10 December	12 December	Syria, Afghanistan	13
8.2	11 December	12 December	Syria	13
8.3	14 December	16 December	Syria, Iraq	34
8.4	19 December	19 December	Syria	10
8.5	19 December	20 December	Morocco	1
8.6	21 December	27 December	Syria	5
8.7	25 December	26 December	Syria	9



NETWORK STRUCTURE AND CONTACT

B O R D E R V I O L E N C E M O N I T O R I N G N E T W O R K

BVMN is a volunteer led endeavor, acting as an alliance of organisations in the Western Balkans and Greece. BVMN is based on the efforts of participant organizations working in the field of documentation, media, advocacy and litigation. We finance the work through charitable grants and foundations, and are not in receipt of funds from any political organisation. The expenditures cover transport subsidies for volunteers in the field and four paid positions.

To follow more from the Border Violence Monitoring Network, check out our [website](#) for the entire testimony archive, previous monthly reports and regular news pieces. To follow us on social media, find us on Twitter handle [@Border Violence](#) and on [Facebook](#). For further information regarding this report or more on how to become involved please email us at mail@borderviolence.eu. For press and media requests please contact: press@borderviolence.eu



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