

## **Reports and testimony of systematic pushbacks in Evros**



"...I showed the residence permit and other documents that I had with me, but each time I talked the policemen would slap me, while they took away the documents I showed to them, just like the documents of other people, which I never saw what they were about. They led us to a police station and they were violent to us each time we talked. They let us be without water and food till the evening; then they covered our heads and led us to the river, where they placed us on a boat and sent us to Turkey..."

"...They grabbed all our belongings and threw them away; there were about 30 more people. Whoever objected, they would hit him. All four times they were men in black uniforms and had their faces covered and spoke in Greek. They took us in a small van to a police station, which was close to a village and there was a small house nearby. Before dawn, they took us back to the borders. They took us on boats to a small island in the river, whoever objected to that and raised his head they would hit his head hard. They abandoned us all on that small island, they said to us that we were in Turkey and they left. It was very dangerous and cold. We used wooden sticks to try and find spots where water was shallower for fear of drowning so that we could reach Turkey safely."

The reports and complaints about illegal refugee pushbacks in Evros are steady and tend to occur at a growing rate. People in need of international protection, asylum-seekers and even refugees granted asylum, after they cross the borders of Evros river, are arrested on Greek land, detained and led to the borders escorted by the police, where they are returned to Turkey.

The Greek Council for Refugees, within the framework of the legal and social support it offers to its beneficiaries, considers its primary goal to record problems and secure respect of human rights, and even more so, the rights of those people that have received, sought or wish to seek international protection in our country. The submitted complaints and reports are, unfortunately, recurrent and accurate. They are a well-established practice on the part of the authorities, while managing third-country nationals populations that pursue irregular entry to the country. In fact, the techniques and conditions under which these reports take place stress even further, the arbitrary practice that is contrary to the national and international law. However, the most worrying fact of all is that, recently, these incidents appear to have grown exponentially and unacceptable practices of state authorities in Evros are systematic by now.

Large families, pregnant women, victims of torture, but even minors, too, are some of the victims of pushbacks, who talk of some pushback operation in Evros through their personal stories and their tragic memories. The common element of their testimony includes arbitrary arrests in detention centers under deplorable conditions, violence, and their subsequent transport to the river bank, crammed into small vans, wherefrom they cross the river on overcrowded boats to the other side, risking their lives one more time, in violation of fundamental human rights.

The reported practices show similar trends. There are cases in which third country nationals are driven away following their crossing of the borders –a situation experienced by a large number of our beneficiaries, either in detention centers, refugee camps, or by those who come in our premises. Apart from the issues these cases of unsuccessful attempts to enter the country raise, the cases outlined below indicate a specific “pattern”:

The third country nationals that enter the country irregularly, who sometimes even have legal residence documents, report that, when arrested, they are transferred in vans, which usually look like police vehicles, to detention centers. They describe to us places which are guarded by armed men and women, and shut with iron doors. As soon as they are arrested, all of their personal belongings (mobile phones, money, identity cards, legal residence documents) are removed and never returned to them. The men that arrest, guard and oversee the expulsion process from Greece to Turkey sometimes wear Greek police uniforms, other times they wear camouflage that resembles military uniforms and on some other occasions they are dressed in black clothes, and at times cover their faces. People stay in these sites for a few hours or, less often, a few days, in the evening they board vans and are driven to Evros, where other armed men await, put them on boats and lead them to Turkey. During this process, all of our beneficiaries report violence while arrested, transported to the borders and eventually returned to Turkey.

In addition, our beneficiaries talk about detention centers, where they are crammed next to each other under very poor sanitary conditions; this applies both to single men and to families with underage children and babies. They are left without food and without water (usually). Overall, these centers do not comply with the obligation to respect human dignity. These incidents have happened, according to the reports, to people that have entered the country and have been returned to Turkey without being documented, without being officially arrested and allowed to seek international protection. In addition, these incidents have happened to people that have already applied for asylum in Greece or have been granted international protection in another European country. Furthermore, for some time we kept receiving reports about pushbacks of people who were detained to be returned to their country or going through the asylum procedure: they were transferred from the pre-departure center, where they were detained, they were given a release notice, which was subsequently taken away from them, and they were led to the borders and returned to Turkey.

More specifically:

1) Mr Z.H.S, a Pakistani national, who is in Greece with his family, his wife G.N.S and their six children (5 adults and 1 underage), and have applied for international protection, sent us a letter in English, reporting the following:

"After 48 hours of hunger, thirst and fatigue, we arrived at the Didimoticho train station. I knew that we had crossed the borders illegally and that it is a crime, but I also believed that there would be a punishment for that crime...We slept at the station and were woken up by three men with torches; my wife got scared and said that they are thieves, but then they left...one hour later the train arrived...we were about to get on, when all of a sudden, five men appeared, the three of them came to us, whereas the other two stood before the train. One of them, I presume the leader, asked us in English who we were, what we want in Greece and who told us to come here; I explained to him our situation and that we would like to seek asylum and he told me that he keeps hearing these dramas every day. I said to him "You are good people, help me and my family" and he replied "Who told you we are good people?". My elder son begged them to let us go, but he told my son to stop talking. One of those that stood by the train came to my daughter who had a pet duckling and took it away, asking "Is this yours?", I replied that it was, and then he left smiling and saying "You are lucky"; we rejoiced, but 15 minutes later, a van came and we were taken away...They took us to a police station and they asked us to take off our shoes and laces, then they searched us (fortunately, women were searched by female police officers). A police officer held the pet duckling once more and he started laughing, and a laughing female police officer suggested that he takes a picture and uploads it on Facebook, but he gave it back to my daughter. Then, they threw us in a cell with 30-40 more people. The room was very dirty and we couldn't breathe. There was a toilet which hadn't been cleaned for months; in adjacent rooms we could hear the voices of other detainees (men, women, children and babies crying) who probably experienced the same situation. We waited for many hours, they didn't provide us with food or water, we begged them, my children were crying, the police officers said "I don't have food, stop talking"; then I said to an officer that I have got some food in my bag and they let me out to get it...Then a female officer brought two liters of water for all detainees and told us to drink from the dirty sink, if we want more. We kept asking "What are you going to do with us?" and other officers told us to keep quiet, some others told us that they would take us to camps in Greece and not to

worry. Around 10 o' clock at night, from what I estimate, they ordered us to get out of the cell and get in a van, my son tried to resist and they hit him with a club. Ten minutes later, the van took off...we kept asking what they were going to do with us and they replied that they would take us to Turkey. Half an hour later, the van stopped and an armed man in black opened the door and, in a whispery and angry voice, told us to get out of the van. As my daughter was getting out, an officer pushed her to the ground forcefully, I protested and said "What are you doing?" and then he hit me, too, with his fist and his gun to my face, then they started forcing everybody out, my wife fell down and injured her thump, whereas her shoulder was displaced, and they hit my son, too... Amidst this mess, where they would hit us all and shout in English "Never come back to this country", my daughter's pet duckling got killed, they took it away from her and stepped on it, while a "brave" officer hit my daughter in the face...they asked us not to talk and be quiet or else they would hit us, we were all injured, 2-3 minutes later they got us up from the ground, kicking us, and made us walk for a little while to the river. Then they were violent again, they dragged my daughters by their hair onto the boat, one after the other, while I shouted "Please, don't hit my daughters" who were in tears the whole time. There were many more people there going through this bad procedure".

2) Mr M.A.A., a Syrian national, an asylum seeker and torture victim, beneficiary of our office in Thessaloniki, reported to us:

"On 3 July, 2017 I got on a public bus in Thessaloniki heading to Didimoticho to work in a repair shop following a friend's contact and an agreement with the employer. Around 6 o' clock in the morning, the bus reached the Didimoticho bus station and I went to the canteen, which was the agreed meeting point with the employer. Some minutes later, two big men appeared, dressed in plain clothes and speaking Greek, asked me for my legal documents. I showed them all the documents I had with me (full registration card, official memo, mental health certification from Médecins Sans Frontières (MSF) Organization). Despite all that, they asked me to follow them; I tried to explain to them that I am an asylum seeker and I have all the legitimate documents so that they could explain to me what was wrong, but they hit me and then they drove me out of the bus station, where they forced me to board a light blue van. The two aforementioned men took my mobile phone, my money and all the documents I had at my disposal. About 20 minutes later, the van stopped and they took me out at a local police station; then they led me to a small cell, while one the officers there debased me and swore at me. An hour later, the two men reappeared, got hold of me, led me out of the cell and got me in the blue van again. This

time, the trip was longer, lasted for about three hours and we stopped twice. The first time, five more Syrians boarded the van (some of whom had travel documents from Germany at their disposal). The second time, six people came on board, Pakistani and Afghan nationals. The Syrians said that they were being "escorted" by men in black uniforms and balaclava, who forced the Syrians to board the vehicle. We all got out of the van at a detention center, where there were men, some wearing police uniforms and some wearing military ones, who took away our belts, shoes and laces and then led us to a cell. As soon as it was dark, around 9 o'clock in the evening, a police officer came and ordered us to leave the cell; they gave us back our belts and shoes, and then they led us out of the building. There was a parked military truck, three police officers and six men in military camouflage. There were 40 people in total (Syrian, Pakistani and Afghan nationals, women with underage children included) and ordered us all to board the truck. As I approached the truck, I asked a soldier where they are taking us and he slapped my face and told me "Get in!" We all boarded the truck and, after some time, the truck stopped and we got out in a place, where there were ten men waiting in black uniforms and with covered faces; some of the vehicles stationed there, were Chevrolets. Later on, an inflatable raft arrived, by which all forty people were transferred to the opposite side, on three runs. About an hour later, we were spotted by Turkish soldiers. Three days later, I tried to enter Greece, but I was seen by some police officers, who hit me and sent me back, although I told them that I was an asylum seeker. Two days later, I reentered the country and I was not arrested; I reached Alexandroupolis and then I took the bus to Thessaloniki".

3) Mr A.A, a Syrian national, beneficiary of subsidiary protection in Germany, beneficiary of GCR's legal unit, travelled legally to Greece to welcome his wife, who arrived with their children at the country, in order to apply for her transfer to Germany under Dublin Regulation III. On 22 August, 2017 he boarded the public bus to Alexandroupolis. According to him:

"En route we were stopped by a police car; some officers got in and asked me and three more Syrian nationals, whom I did not know, to get off the bus. I only speak a little German, not English or Greek, and I tried to explain to the officers that I have been granted asylum and residence permit in Germany; I showed them the residence permit and other documents that I had, but each time I spoke the officers would slap me, and they took away the papers I showed to them, just like they did with the papers of the other people, which I didn't know what they were. They left us without food or water until the evening; then they covered our heads and

led us to the river, where they placed us in a boat and sent us to Turkey. Then, I tried to enter the country 9-10 times, but I didn't succeed because each time I was arrested and sent back".

4) Mrs Y.I, an Algerian national, was eight months pregnant when the reported incident took place: she says that on August 30, 2017 she was arrested in Alexandroupolis and returned to Turkey the next day, alongside other people of Syrian nationality, by boat, in the Evros area. Mrs Y.I crossed the borders once more and returned to Greece on September 4, 2017. Subsequently, she was arrested and escorted to the Filakio reception and identification center in Evros where she was detained. She was freed 12 days later, following the intervention of our legal unit and she was transferred to the Refugee Accommodation Center in Lagkadikia in Thessaloniki. Due to her arrests, she was unable to attend a scheduled interview on September 1, regarding her application for international protection. The report was submitted to the Asylum Service, which made an announcement of criminal offence to the Public Prosecutor's Office in Thrace.

5) The Pakistani nationals S.A, M.K, F.A, Z.K, N.A, W.M, T.A, beneficiaries of our organization, detainees in the Pre-departure Detention Center in Xanthi, who have applied for asylum on second instance, following the rejection of their application for international protection, called us on the phone from Istanbul and reported:

"We were woken up on September 15 in the morning and put in a small van. There were us, and other people, too, people from Afghanistan and Arab countries; we started asking "Where are you taking us?" and were told that everything was going to be fine. Fellow detainees started shouting, because they had heard of such things before, and we had talked to people in Istanbul who told us what was going on. Immediately, they called our lawyers, they called the police who said that they would take us to Iasmos and set us free there. We found out about this later, when we were in Istanbul and talked through Facebook to the boys and our lawyers and we sent pictures. We were taken to a police station where we stayed for two nights, they had taken away our mobile phones and we could reach no-one. As for other people subjected to the same thing, they were detained for three, even four days, some others for five days, till they sent them back. In the morning, we were forced to wake up and we were put in another van with armed men, but before that, they gave us some papers to sign telling us "free, free", so we signed. The police officers had their faces covered and their clothes were not regular police clothes, which are blue. They finally got us in the van, and took us by the river, they took back the papers they had given us and tore them, and then they put us in a

boat and sent us to Turkey, after waiting for a while and looking at the other side with binoculars.”

6) A.T. a Pakistani national, reported to GCR that he attempted to enter the country ten times, confronted with methods similar to the ones outlined above.

7) Mr B.M., a Syrian national, beneficiary of our office in Thessaloniki, contacted us from Istanbul (where he sent us his pictures from, along with a newspaper of the day when the reported incidents took place), and reported to us that, on January 13, 2018, in Komotini, he was arrested and detained in a police station till the evening. On the same night, according to him, he was led to Evros river, in a van together with about 25 more third country nationals (Iraqi and Syrian), where from he was forced to return to Turkey, although he had an International Protection Applicant Card. About ten days later, he succeeded in reentering the country so that he could be on time for his scheduled trip to Germany two days later. In Germany, he was admitted, in accordance with the Dublin Regulation III, to be reunited with his mother, a final stage cancer patient, and take care of his brother who suffers from Down syndrome.

Third country national detainees in Pre-departure Detention Center in Filakio, reported to us numerous pushbacks incidents to Turkey. We cite the most characteristic:

1) A group of detainees reported to us that, upon entering Greece in Evros, along with Iranian, Iraqi, Afghan, Syrian and Pakistani nationals, including pregnant women and families with their young ones, were informally arrested in the beginning of January and returned to Turkey. In particular, they mention:

“On 3 January the trafficker brought us to Adrianoupolis and then a small van took us and crossed the borders, there were 30-35 of us...a little later, they arrested us all and kept single men and families separate. They transported men to a detention center whereas families were transported elsewhere; they spoke to us in English and asked us to give them whatever we had on us (mobile phone, chargers, identity cards etc). They put them in an envelope and took them away, while they told us they would give them back later in the night, when we would cross the river.

We were in a totally unsuitable space for about 24 hours, we couldn't breathe, and we could not make use of the toilet because it was completely dirty; we experienced an unbelievable mental torture. The police officers had their faces covered to obscure their

identity, they held clubs, and they spoke in loud and threatening voices for most of our stay there.

When it got dark, it was around 6-7 o' clock, there were 80-100 people (in the detention center there were people of other nationalities, too), we boarded a military vehicle where we could hardly breathe; inside the vehicle there were also families brought from another detention center, whereas there were also the families and men that were with us in the van when we entered the country; some of them told us in English that this was the third time that they failed to enter the country and they were being returned to Turkey, while for one of them it was the seventh attempt! Forty minutes later, we got out and we saw the river and two boats with two armed men, who had covered their faces, and started putting 20 people on every boat; they were rude and kept telling us to be quiet; we insisted on having our personal belongings back, since they had told us that we would get them back on our way back to Turkey; to this, they kept replying that we should wait. Personally, I had a cheap mobile phone, but on my phone I had pictures and useful information about my whole life, photos, videos, files, my university degree, my identity card photo, whatever could justify why I left my own country. When we were arrested and brought here for a second time, two of us were beaten and one of us was gun threatened to keep quiet. I came to Greece because my life is at risk; I didn't know that this is what Europe is all about, if we are treated in such a way when we first enter the country, how can we possibly trust them with our safety?"

2) A fellow detainee of those cited above, having fully confirmed their story, described to us the site they were detained until their transfer to the borders:

"I think about the site we were detained and it makes me want to throw up. In here (Pre-departure Detention Center in Filakio) there is no heat or hot water, I haven't washed in a week, another chap has a virus and fever and he was only given a painkiller, pregnant women cannot stand this anymore, babies keep crying all day long, we walk in the water that reaches up to our ankles, but that was real hell. The police officers made fun of us and kept saying "hotel, hotel", the place would stink and we couldn't breathe, on one side there were Afghans, whereas on the other there were Pakistanis, when we were taken there there was no room left and we were squeezed in the middle and because of the mud, we were given a canvas we tore into pieces to lie down on, but there was no room for everyone so we had to lie down in shifts".

3) During our assignment in Evros, another detainee reported to us that he tried to enter Greece three times with his family and seek asylum, but the first two times they were returned to Turkey. More specifically, he cites:

"The people who did this to us were sort of Special Forces, dressed like commandos, and their uniforms had insignia with a wolf, they were armed and violent. The first time they sent us back, before we even got off the boat which brought us, whereas the second time we had walked a short distance".

4) Other detainees reported to us:

"We were transported in the evening, having spent several hours in the prison van, and they got us out, they put us in some boats to go back. They were violent the whole time. The officers that arrested us the first time around, before being delivered to the police officers, were dressed like commandos and had a wolf badge on their arm, whereas the second time we were brought here, we could see their faces."

5) Finally, another detainee testimony cites:

"...They grabbed all our belongings and threw them away; there were about 30 more people. Whoever objected, they would hit him. All four times they were men in black uniforms and had their faces covered and spoke in Greek. They took us in a small van to a police station, which was close to a village and there was a small house nearby. Before dawn, they took us back to the borders. They took us in boats to a small island in the river, whoever objected and raised his head they would hit his head hard. They abandoned us all on that small island, they said to us that we were in Turkey now and they left. It was very dangerous and cold. We used wooden sticks to try and find spots where water was shallow for fear of drowning, so that we could reach Turkey safely."

The Greek Council for Refugees has received complaints of many more detainees, both from the Pre-departure Detention Center in Xanthi and from the one in Paranesti; following our questions regarding the, until then, inexplicable transfer of detainees from a Pre-departure Detention Center to the significantly smaller Border Guard Station in Iasmos, we were told that this was a top order, since the personnel of the above centers did not suffice to process the lifting of detention.

This abovementioned pushback practice, as is showcased by a number of testimonies which are in GCR's disposal, violates basic international obligations of Greece, and more specifically the principle of non-refoulement, the right of access to asylum and constitute inhuman or degrading treatment as well as exposure to threat to life or torture according to Article 3 of the ECHR.

The principle of non-refoulement is laid down in article 33 paragraph 1 of the Geneva Convention and is the cornerstone of refugee protection; it stipulates the protection of refugees and asylum seekers from returning to a country where they will be at risk of prosecution and it also includes all those who do not seek asylum but need to be protected against a potential prosecution or torture, or inhumane or degrading treatment in their country of origin. According to this "No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion".

We stress that, from our standpoint, we are going to continue documenting incidents of pushbacks, intervening and reporting those incidents to competent bodies and monitoring mechanisms, whenever necessary while constantly advocating for the rights of those that are need of international protection and protection under the Rule of Law. The Greek Council for Refugees believes that these reports should be examined thoroughly and verified for accuracy and that all practices which violate national and international law and are not in compliance with the democratic rule of law in Europe should cease in the future.

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