

PUSHED back

systematic human rights violations against refugees
in the aegean sea and at the greek-turkish land border



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1. INTRODUCTION

The present report focuses on the barriers to accessing the territory of the European Union for people seeking international protection, and particularly on the prevailing situation at the EU land and sea borders in Greece. It describes and analyzes the fatal consequences of the closing of the land border in the Evros region, which has led to a shift in flight routes to the Aegean sea route since August 2012. Reports of illegal push-backs of refugees from Syria, Afghanistan, Somalia and Eritrea have increased in the same period, and this pattern is also corroborated by the findings of this study.

In March 2012, the Austrian Interior Minister, Johanna Mikl Leitner, said that the Greek border is open "like a barn door" and the German Interior Minister, Hans-Peter Friedrich, threatened to reintroduce Schengen border controls with Greece, if refugees continued to access European Union territory through the Greek-Turkish border. The pressure exerted by Germany, Austria and other EU member states had an impact in Greece. Shortly after these statements were made, in summer 2012, the Greek government deployed an additional 1,800 police officers to the Evros region. In cooperation with the European border agency, Frontex, the land border was effectively "sealed". New detention centers for refugees and migrants were erected – for the most part financed by the European Union. In December 2012, the construction of a 10,5 kilometres fence was completed. The chief of police of the Greek border town of Orestiada announced on 22 November 2012, that in July 2012 there had been 6,500 arrests of irregular migrants, in August only 1,800, in September 71, in October 26, and in November, none.

The shift of escape routes to the Aegean Sea, in response to the closure of the land border, has led to the deaths of many people. 149 persons, mostly Syrian and Afghan refugees, and among them many children and pregnant women, have lost their lives in this stretch of water.

Since the closure of the Greek-Turkish land border, criticism of the Government in Athens has ceased. Criticism from European States towards Turkey, for not cooperating in migration control was also uttered less frequently. Instead, Bulgaria, which receives a growing number of Syrian refugees, has become the new hot spot for Frontex, the European Asylum Support Office (EASO), and growing funding opportunities in the sector of "border management".

Since October 2012, PRO ASYL's team of researchers and interpreters has conducted several missions, interviewing refugees at different border locations.

The major finding of our investigation is that illegal push-backs from Greek sea and land borders occur systematically. Greece has been accused of such blatant human rights violations before. However, the brutality and the extent of violations found in this report are shocking. Masked Special Forces officers are accused of ill-treating refugees upon apprehension, detaining them arbitrarily without any registration on Greek soil and then deporting them back to Turkey, in breach of international law. In

fact, there are “grey” zones where refugees are detained outside any formal procedure; in practice these refugees don’t exist.

Special units of the Greek coastguard abandon refugees in Turkish territorial waters without consideration for their safety.

Push-backs take place from Greek territorial waters, the Greek islands and from the land border. The majority of the victims are refugees from Syria – men, women, children, babies, and people suffering from severe illness. While the EU publicly repeats its commitment to stand by Syrian refugees, their fundamental human rights are being ignored and violated at the European border.

This report accuses the Greek government, the border police and the coastguard of these practices, and raises the question of wider European complicity. The entire Greek asylum and migration system relies on considerable support and funding from the EU for its operation, and Frontex has been deployed in the country for years, yet the responsible decision makers in Berlin, Vienna and the rest of Europe remain silent on the issue of human rights violations.

On the 1st of January 2014, Greece will assume the EU Presidency. PRO ASYL calls on the Greek authorities to match their justified calls for a greater solidarity from the EU in the reception of refugees, with a commitment to respect refugee and human rights. The illegal practices of pushing-back and mistreating protection seekers must stop immediately. The negative experience of the past years has shown an alarming degree of impunity in Greece, where perpetrators of violence remain unpunished, and victims of state violence remain unprotected. In the light of the severe human rights violations documented by PRO ASYL, we call for the protection of the victims. Only if victims and witnesses are able to make their statements in a safe environment – outside of Greece as well – will a complete clarification of the facts be possible.

The findings of this report furthermore call into question the engagement of the European Union and especially the Frontex Operation “Poseidon Land and Sea”. Aside from a few exceptions, all the push-backs documented in this report have taken place within the operational area of Frontex. PRO ASYL therefore poses the question of Frontex’s involvement in human rights abuses. Given the frequency and severity of human rights violations taking place in Greece, Frontex must terminate its operations in the country. This is foreseen in the 2011 Frontex Regulation. Additionally, all EU financing of refugee deterrence in Greece must be evaluated.

For years PRO ASYL has vocally advocated to change the EU Regulations governing the responsibility for asylum. Refugees do not only need safe, unhindered access to Greek and EU territory, they also need the right to legally travel on to the European states where their families live and where they will have a chance of receiving protection and finding a life with dignity. The present report seeks to contribute to the re-establishment of human rights protection at Europe’s external borders, and to a humane and solidary reception system in the European Union.

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1.1 Scope and Methodology

PRO ASYL conducted research into the alleged use of push-backs from Greece's land and sea borders with Turkey. The aim was to examine whether and to what extent such reported practices are indeed taking place, and to establish who the people affected by them and the main actors enforcing them are, and the means that they employ.

The research team conducted 90 interviews with people who claim to have been pushed back from Greece to Turkey, either from the land or sea borders, or in some cases, both. The interviewees were Syrian (49), Afghan (32), Somali (5) and Eritrean (4) refugees, who claim to be in need of international protection. Among them were 12 women (three of whom are single mothers and three of whom are pregnant), 78 male refugees (one of whom has been diagnosed with metastatic cancer), 12 families, five unaccompanied minors and three elderly people.

Out of the 90 interviewees, a total of 76 reported that they had been pushed back once (16 from the Evros region and 60 in the Aegean sea – 19 of the latter could not specify the island where the push-back took place, yet 21 mentioned Farmakonisi, 14 Lesvos, three Chios and three Samos). The remaining 14 interviewees reported to PRO ASYL, that they had been pushed back more than once, in most cases first from their first entry point at Evros and subsequently from Lesvos.

The interviews were held in Athens, the northern Aegean islands (Greece), Izmir (Turkey) and Frankfurt (Germany). PRO ASYL mainly concentrated on the Aegean area, where an increase in arrivals has been registered since August 2012. Members of the research team visited some of the main entry points where refugees arrive from Turkey (the islands of Lesvos and Samos), and a few other places, where persons who have allegedly been subjected to push-back operations temporarily reside. Interviews were held in Dari, Arabic and English. All interviews were held in-person and, in some cases, sub-sequent telephone interviews were conducted for follow up purposes.

Meetings were also held with different member Organisations of ECRE (European Council on Refugees and Exiles), lawyers and the staff of refugee assisting organisations in Greece, Turkey and Germany, as well as solidarity groups and experts working in the refugee field. The purpose of these was to exchange relevant information, confirm the research findings and evaluate possible changes that might have occurred relevant to the practices followed by Greek authorities, both on its land and sea borders with Turkey.

2. SUMMARY

'Our boat was torn and they had tied it with a rope. (...) They took us to the Greek - Turkish waters and threw us one by one in our boat. One of us fell in the sea and we collected him from the water. They were throwing us as if we were garbage. Then they cut the rope. There was no engine, no fuel on the boat and no paddles'.

Interview with D., a Syrian refugee; 46 men, women, children and babies from Syria were pushed back from the Greek Island of Farmakonisi on August 8, 2013.

This report is based on 90 in person interviews held with people who have tried at least once to cross the southeastern external European borders with Turkey, and have been illegally removed (pushed back). Interviewees came from Syria, Afghanistan, Somalia and Eritrea – prima facie, persons in need of international protection. Among them were many members of vulnerable groups, such as unaccompanied children, sick and elderly persons. The vast majority of those affected are Syrian refugees trying to enter Europe to seek international protection or to reunite with their families who live in Germany, Sweden, the United Kingdom and various other European countries.

Interviews were held in Greece, Germany and Turkey, where refugees have either finally managed to arrive or where they remain in limbo after having been allegedly pushed back by the Greek authorities. In Turkey, they are confronted by an ineffective refugee protection system, subjected to deploring living conditions and exposed to a series of other human rights violations. Furthermore, certain nationalities are exposed to the risk of *refoulement*. Therefore, Turkey cannot be considered a safe country for refugees.

2.1 Key - Findings

The findings of this report are drawn directly from eyewitness testimonies obtained in the context of PRO ASYL's research during the last months. According to them:

- Push-backs, as described in this report, are systematically carried out by the Greek authorities. Refugees are pushed back to Turkey: a) from the Greek territorial waters, b) from the Greek islands, c) from Farmakonisi military island after being detained incommunicado, d) after a distress alert is launched from their boats, or e) in the Evros area at the land border directly after their arrival on Greek territory via the Evros River, either in the forest where they are trying to hide, or while walking in the streets of the first village they reach.
- According to the interviewees' eyewitness accounts, it can be estimated that over 2,000 persons were pushed back, given the make-up of the groups they traveled with¹.
- The vast majority of those affected, according to our research, are Syrian refugees trying to enter Europe to seek international protection and to reunite with their families who live in various European countries.
- In many cases, either on coast guard boats, islands or in informal detention places in Evros, refugees were arbitrarily detained for some hours, without being officially registered, without access to the outside world and without any food or water. In all cases, push-back victims were not officially registered by the competent authorities, nor were they asked for any personal details, apart from their nationality.
- All of the interviewees stressed that they were not heard by the Greek authorities and that they were not afforded an opportunity to request international protection or to challenge their illegal removal.
- In the majority of cases, the pushed back refugees claim to have been left in life-threatening situations upon being pushed back in the Aegean, when left adrift in unseaworthy boats or being thrown into the water of the river Evros.
- In the Aegean, in almost all cases, the officers involved in the push-back operations wore "black uniforms, carried guns and wore full face-covering masks". In other cases, officers were "wearing blue uniforms". In Evros they were described either as wearing blue, military green or dark green uniforms, accompanied by some people in plainclothes, and others wearing full face masks.
- The majority of the interviewees claimed that they had been ill-treated. In the case of those who were pushed back from the island of Farmakonisi, the severity of the reported ill-treatment towards nine male Syrian refugees could amount to torture.
- In three reported push-back incidents from Farmakonisi – an uninhabited island, apart from a military unit – involving dozens of refugees from Syria, interviewees claimed to have been apprehended by Greek coastguards either just off the coast of the island, or after their arrival on the island. The refugees say that they were detained incommunicado and deprived of any rights for periods ranging from 16 hours to three days, before being pushed back and left adrift in Turkish waters.
- The interviewees alleged that their personal belongings (mobile phones, money, etc.) were taken away.
- Many Syrian refugees alleged that their documents were also taken away. Without proper ID cards and passports, it is quite impossible for them to now benefit from potential humanitarian admission programs, or a more generous family re-unification program granted by some European states.
- During push-back operations in the Aegean Sea, some refugees claim to have dialed the emergency number, and sent out distress signals from their boats, only to be pushed back when they were located by the Greek authorities.

1 See: ANNEX, Table 1, page 54

- Refugees reported being forced, and even threatened with guns, to return to Turkish waters.
- Once pushed back to Turkey, refugees reported being arrested and eventually detained by the Turkish authorities. In three cases – two in Evros and one in the Aegean – pushed back Afghan refugees were deported back to their countries of origin (chain refoulement).
- During their stay in Turkey, refugees were confronted with an ineffective refugee protection system, subjected to deplorable living conditions and exposed to a series of other human rights violations².
- Most tried to enter European territory again after having been pushed back, and were therefore exposed to further risks.

2.2 Systematic human rights violations

The Greek land border in the Evros region and sea border in the Aegean Sea are controlled by Frontex and the Greek coastguard and border police. These bodies are bound by law to respect human rights, and the practice of push-backs, as described above, is in breach of national, European and international law.

2.2.1 Violation of the prohibition of collective expulsions

Collective expulsion is any measure compelling aliens, as a group, to leave a country, except where such a measure is taken on the basis of a reasonable and objective examination of the particular case of each individual in the group³; it is clearly prohibited under international law.

The practices of the Greek authorities constitute a violation of Article 19 of the EU Charter of Fundamental Rights⁴, banning collective expulsion.

It should also be noted that all non-nationals enjoy protection from collective expulsion, including those with irregular status. Moreover, the prohibition on collective expulsion applies to the whole territory of the State concerned, including its territorial waters⁵.

2 To learn more about the situation of irregular migrants in Turkey, see: PRO ASYL – Überleben im Transit (March 2012). Available at: http://www.proasyl.de/fileadmin/proasyl/fm_redakteure/Broschueren_pdf/Broschuere_Tuerkei_Maerz_2012WEB.pdf; RI - Refugees International 2013: Under Pressure: Lebanon and Turkey Need More Support to Address Syrian Refugee Crisis. Available at: http://www.refugeesinternational.org/sites/default/files/101713_Under_Pressure_Lebanon_Turkey_Letterhead.pdf; Soykan; Cavidan 2012: The New Draft Law on Foreigners and International Protection in Turkey. In: Oxford Monitor of Forced Migration Volume 2, Number 2, pp. 38-47. <http://oxmofm.com/wp-content/uploads/2012/11/Cavidan-FINAL.pdf>; OHCHR - Report by the Special Rapporteur on the human rights of migrants, François Crépeau, on his mission to Turkey (25–29 June 2012). Available at: <http://reliefweb.int/sites/reliefweb.int/files/resources/Mission%20to%20Turkey.pdf>; IHAD, Human Rights Research Association 2012: Monitoring Report of Turkey on Right to Asylum. Available at: http://www.ihad.org.tr/file/reports/2013/ihad_EN.pdf; Council of Europe Human Rights ECHR judgments against Turkey: Tehrani and Others v. Turkey 2010. Available at: <http://www.refworld.org/docid/4bc5d2f32.html>; Charahili v. Turkey 2010. Available at: <http://www.refworld.org/docid/4bc5cec12.html>; Abdolkhani and Karimnia v. Turkey. Available at: <http://www.unhcr.org/refworld/pdfid/4ab8a1a42.pdf>; ZNS v Turkey. Available at: <http://www.unhcr.org/refworld/pdfid/4b56d5cf2.pdf>; For the situation of Syrian refugees in Turkey see amongst others: Syrian Monitor. Available at: <http://syrianmonitor.blogspot.gr>; Grey, Mark A. 2013: Why Syrians in Turkey are Not “Refugees” and Why it Matters. Available at: <http://smallwarsjournal.com/jrnl/art/why-syrians-in-turkey-are-not-“refugees”-and-why-it-matters>; Human Rights Watch 2013: Iraq/Jordan/Turkey: Syrians Blocked from Fleeing War. Border Closures Leave Thousands Stranded in Dangerous Border Areas. Available at: <http://www.hrw.org/news/2013/07/01/iraqjordan-turkey-syrians-blocked-fleeing-war>; Amnesty International 2012: Turkey: Ensure safety of Syrian refugees and access for national and international monitors. Available at: <http://www.amnesty.org/en/library/asset/EUR44/009/2012/en/64594682-ee8e-4cde-8022-4f0a83842ecf/eur440092012en.html>

3 See also Andric v Sweden. Available at: <http://echr.ketse.com/doc/45917.99-en-19990223/>

4 Charter of Fundamental Rights of the European Union: art 19 - Protection in the event of removal, expulsion or extradition “1. Collective expulsions are prohibited 2. No one may be removed, expelled or extradited to a State where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment”. Available at: http://www.europarl.europa.eu/charter/pdf/text_en.pdf

5 Hirsi et al v Italy, see Submission of the United Nations High Commissioner Intervener Brief filed on behalf of the United Nations High Commissioner for Human Rights (Filed pursuant to leave granted by the Court on 4 May 2011)

2.2.2 Risk of violation of the principle of *non-refoulement*

The right to seek and to enjoy asylum requires that persons seeking international protection have access to a fair and efficient procedure for the examination of their claims.

It is a state's responsibility to identify refugees and give effect to their obligations under the 1951 Geneva Convention, and to ensure that no violation of the principle of non-refoulement takes place⁶.

The principle of non-refoulement is the cornerstone of international refugee protection. It is enshrined in Article 33 of the 1951 Geneva Convention.

The European Court of Human Rights' jurisprudence, meanwhile, recognizes that states are accountable for the effects of any act carried out within their jurisdiction, even if such effects take place outside their territory. It covers states' borders and transit zones⁷, as well as wherever else outside its territory a state party exercises jurisdiction⁸.

The operations undertaken by the Greek authorities constitute a flagrant violation of article 3 of the UN Convention Against Torture (UNCAT), Article 3 of the European Convention on Human Rights (ECHR), of Article 7 of the International Covenant on Civil and Political Rights, and of Articles 18 and 19 paragraph 2 of the Charter of Fundamental Rights.

2.2.3 Putting lives at risk, ill-treatment⁹

The way in which summary expulsions are carried out by the Greek authorities endangers refugees' lives, in violation of Article 2 ECHR.

Furthermore, they constitute, in most cases, ill-treatment in themselves, in violation of article 3 ECHR.

2.2.4 Violation of the prohibition of arbitrary arrest and detention

Deprivation of liberty, as carried out by the Greek authorities, including cases of unregistered and incommunicado detention, and the lack of access to an effective remedy against removal constitute flagrant violations of Article 9 of the Universal Declaration of Human Rights, of article 5 ECHR¹⁰, and of Article 9 of the International Covenant on Civil and Political Rights.

It should also be noted that the practices of the Greek authorities in the Aegean Sea violate a series of guaranties contained in the Law of the Sea¹¹.

6 The right to seek asylum is foreseen in article 18 of the EU Charter of Fundamental Rights. Furthermore, Article 8, among others, of the Recast Directive (2013/32/EU), states, "where there are indications that third- country nationals or stateless persons, held in detention facilities, or present at border crossing points, including transit zones at external borders, may wish to make an application for international protection (...) to facilitate access to the asylum procedure. Everyone has the right to seek and to enjoy in other countries asylum from persecution. Universal Declaration of Human Rights, Article 14 (1)"

7 According to Regulation (EU) 610/2013 Article 3(a), amending Regulation (EU) 562/2006 (Schengen Border Code), "When applying this Regulation, Member States shall act in full compliance with relevant Union law, including the Charter of Fundamental Rights of the European Union ("the Charter of Fundamental Rights"); relevant international law, including the Convention Relating to the Status of Refugees done at Geneva on 28 July 1951 ("the Geneva Convention"); obligations related to access to international protection, in particular the principle of *non-refoulement* and fundamental rights. In accordance with the general principles of Union law, decisions under this Regulation shall be taken on an individual basis".

8 See *Hirsi Jamaa v Italy*. Available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-109231#%22itemid%22:%22001-109231%22>

9 A Thematic Compilation of Executive Committee Conclusions, 6th edition, June 2011. Publisher, UN High Commissioner for Refugees (UNHCR): EXCOM Conclusion No. 14 (1979), para. C. Available at: <http://www.unhcr.org/3d4ab3ff2.html> ; The 2000 Protocol against the Smuggling of Migrants by Land, Sea and Air (art 16, 19). Available at: <http://www.unodc.org/unodc/en/treaties/CTOC/countrylist-migrantsmugglingprotocol.html> (Greece has signed the Protocol in 2000, but has not ratified it yet)

10 The European Convention on Human Rights, available at: http://www.echr.coe.int/Documents/Convention_ENG.pdf

11 The United Nations Convention on the Law of the Sea of 1982, (UNCLOS); The International Convention for the Safety of Life

2.3 Recommendations

To the Greek Government:

- We call on the Greek government to carry out a full and exhaustive investigation into all allegations of push-backs, ill-treatment and torture – with due respect to the victims – and to prosecute anyone involved; this investigation must include the entire chain of command.
- We call on the Greek government to immediately stop all push back operations in the Aegean and at the land border with Turkey.
- We call on the Greek government to ensure that refugees are able to access the territory and are given the chance to seek international protection.

To the Turkish Government:

- The interviewed refugees reported that the Turkish authorities registered and documented their cases of distress at sea and of push-backs. A full disclosure of this information is urgently called for.
- Due to the geographical limitation of the 1951 Refugee Convention, Non-European refugees cannot be granted asylum in Turkey. We call on the Turkish government, to ensure that victims of push-back operations are not detained arbitrarily, and that the violations of the principle of non-refoulement – the chain-deportation of refugees to their countries of origin – are stopped.

To the Turkish and Greek Governments:

- We call on the Greek and the Turkish governments to publish the contents of the bilateral agreements concerning irregular migration and readmission that were signed in March 2013. Official statements only confirm that there is a very close cooperation regarding migration issues on the operational level.

To the EU Commission:

- We call on the European Commission to progress swiftly with the current infringement procedures against Greece, regarding failure to comply with the Asylum Procedures and Returns Directives. Concerning the Reception Directive, we urge them to re-open infringement procedures.
- We also call for a thorough investigation into whether EU funds allocated to Greece have been used to facilitate human rights violations as described in this report. A comprehensive evaluation of the utilization of EU Funds within the field of border controls, returns and asylum in Greece is necessary.

at Sea of 1974, as amended, (SOLAS) the International Convention on Maritime Search and Rescue of 1979, as amended, (SAR); These conventions explicitly contain the obligation to come to the assistance of persons in distress at sea.¹ This obligation is unaffected by the status of the persons in question, their mode of travel, or the numbers involved. The legal framework also foresees different sets of responsibilities that need to be considered both independently and to the degree to which they inter-relate; The 2000 Protocol against the Smuggling of Migrants by Land, Sea and Air: Article 16(1) obliges States to take “all appropriate measures ... to preserve and protect the rights of persons” who have been the object of smuggling, “in particular the right to life and the right not to be subjected to torture or other cruel, inhuman, or degrading treatment, or punishment.” In addition, according to Article 16(3), States should “afford appropriate assistance to migrants whose lives and safety are endangered” by reason of being smuggled. In applying the provisions of Article 16, States are required in its paragraph 4 to take into account the special needs of women and children. Article 19 states that “nothing in this Protocol shall affect the other rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law, and in particular, where applicable, the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and the principle of non-refoulement as contained therein.”

To the United Nations Committee Against Torture (UNCAT), Council of Europe, Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT):

- To investigate and to take steps to address Greece and Turkey's serious transgressions.

To the European Ombudsman:

- We call on the Ombudsman to investigate any direct or indirect involvement of Frontex Poseidon Land and Sea units in the illegal push-back operations.

To the Executive Director of Frontex:

- Frontex must terminate its operations in Greece. The Frontex Regulation clarifies that the Executive Director shall suspend or terminate, in whole or in part, joint operations if he considers that violations of a serious nature have occurred, or are likely to persist. The systematic human rights violations in the Operation area Poseidon Land and Sea fulfill both these criteria.

To the Governments of the EU member States:

- We call on all EU Member States to ease visa requirements, broaden the grounds for family reunification and issue humanitarian visas for refugees – especially for those fleeing Syria – in transit through Turkey. This would create safe and legal access to EU territory.
- Refugees and asylum seekers who are trapped in Greece, need the right to legally travel on to the European states where their families live, and where they will have a chance of receiving protection; we call on all Member States to prolong the suspension of Dublin returns of asylum seekers to Greece.



View to Turkey from Korakas cape - the northeast part of Lesbos island
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3. EUROPE'S PRESSURE ON GREECE

Over the last 14 months, the Greek government has implemented one of its harshest migration policies, both on the mainland, and at its land and sea borders, in response to repeated threats from EU Member States to suspend its membership of the Schengen Area.¹

Greece has been repeatedly criticized by other EU members for its inadequate border control at its Turkish and Western Balkan frontiers.

In the beginning of August 2012 the government initiated the massive police operation 'Xenios Zeus'² in Athens. 80,000 migrants have been taken into custody under this operation to date, and among these, 5,510³ (6.9%) were detained for not possessing a valid residence permit; five new 'pre-removal' centers⁴ have been established, with a total combined capacity of 5,000, and the maximum duration of detention permitted has been prolonged to up to 18 months.⁵ The increased number of people in detention, along with the long detention periods, will most likely render compliance with the numerous recommendations that have been made to Greece for the purpose of improving detention conditions impossible. These conditions have been deemed to constitute degrading treatment, in breach of Article 3 ECHR.⁶ Furthermore, since the beginning of this 'sweep operation' in August 2012, 28,957 persons have been deported ('voluntarily' and forcibly).⁷ These developments, in conjunction with the problems that persist in the Greek asylum determination system⁸, hinder the provision of effective protection towards refugees, while exposing them to human rights violations.

1 Institute of Human Rights and Prevention of Extremism and Xenophobia 2011: Greece may be expelled from Schengen. Available at: http://www.ihrpex.org/en/article/1303/greece_may_be_expelled_from_schengen; EurActive 2012: Facing Schengen Expulsion, Greece locks up Immigrants. Available at: <http://www.euractiv.com/justice/facing-schengen-expulsion-greece-news-511834>; Copé 2013: Réformer Schengen est une priorité absolue. Available at: <http://www.lefigaro.fr/politique/2013/10/05/01002-20131005ARTFIG00359-lampedusa-cope-veut-sanctionner-les-pays-qui-ne-controlent-pas-leurs-frontieres.php?page=&pagination=4>

2 ECRE statement 16.8.2012: "Greece must halt the sweep-operation 'Xenios Zeus' and ensure that the right to asylum is guaranteed for persons seeking international protection". Available at: <http://www.ecre.org/component/content/article/56-ecre-actions/307-round-ups-in-greece.html>

3 Hellenic Police 7.10.2013. Available at: http://www.astynomia.gr/index.php?option=ozo_content&lang=.'&perform=view&id=32799&Itemid=1179&lang=

4 Greek Action Plan on Asylum and Migration Management; Executive Summary; Progress Report, Jan-May 2013. Available at: http://www.europarl.europa.eu/meetdocs/2009_2014/documents/libe/dv/p4_progressreport_/p4_progressreport_en.pdf; Ministry of Public Order and Citizens Protection answer to Parliamentary Question 9.8.13: "Currently there are five pre-removal detention centers: in Amygdaleza (Athens), Parenesti (Drama), Fylakio (Orestiada), Komotini and Xanthi."; see also the response of the competent minister of Shipping and of the Aegean Mr Miltiadis Varvitsiotis. Available at: http://www.hellenicparliament.gr/Koinovoulftikos-Elenchos/Mesa-Koinovoulftikou-Elegxou?pcm_id=b0cecd42-81be-4eeb-a072-ad3812511ff2

5 The new amendment, brought about in the new Presidential Decree 116/2012, published in the Greek Government Gazette on 19 October 2012, established that detention can be further prolonged by up to 12 months, by a Police administrative decision. See: Presidential Decree 116/2012, published in the Greek Government Gazette on 19.10.2012. Available at: <http://www.nomotelia.gr/photos/File/201a-12.pdf>

6 UN General Assembly, Report of the Special Rapporteur on the human rights of migrants, François Crépeau: Addendum – Greece, 18 April 2013, Paragraph 43. Available at: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/23/46/Add.4 and Council of Europe, Report by Nils Muižnieks, Council of Europe Commissioner for Human Rights following his visit to Greece, from 28 January to 1 February 2013, 16 April 2013, Paragraph 145. Available at: <https://wcd.coe.int/ViewDoc.jsp?id=2053611&Site=COE>; Ombudsman findings after a visit in the detention centers: http://content-mcdn.feed.gr/pegasus/Multimedia/pdf/diapist_id28634654.pdf; The Greek Ombudsman's findings concerning the detention conditions and the administrative treatment of detained migrants. Available at: <http://www.synigoros.gr/?i=human-rights.el.maziki-kratisi-allodapon.118221>

7 Published by the Hellenic Police 4.10.2013. Available at: http://www.astynomia.gr/index.php?option=ozo_content&lang=.'&perform=view&id=32725&Itemid=1179&lang=; More statistical data on deportations per nationality as published on the Hellenic Police site. Available at: http://www.astynomia.gr/images/stories//2013/statistics13/stat_allod/apelathentes.JPG

8 Campaign for the Access to Asylum in Greece 2012: Fact Finding Report. Available at: <http://omadadikigorwnenglish.blogspot.gr/2012/07/fact-finding-report-of-campaign-for.html>; According to Eurostat -Asylum applicants and first instance decisions on asylum applications: first Quarter 2013 [footnote: http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-QA-13-009/EN/KS-QA-13-009-EN.PDF page 12] Greece: Total decisions: 2.855, total positive decisions: 70, refugee status: 0, subsidiary protection 0, humanitarian reasons:15, rejections 2.785; Also see: Newsletter, Asylum Office (August-September 2013): (...) From 7.6.13 to 30.9.13 the Asylum Office registered 2.591 asylum claims. Moreover, since 17.6.13 when the first interviews began, more than 1.800 took place. Out of 2.591 persons that have applied for international protection so far, 1,871 were men, 720 were women, while 96 were unaccompanied minors. From 7.6.13-30.9.13 863 first instance decisions have been issued. Fifteen asylum seekers were granted with refugee's status, while 11 obtained subsidiary protection. (...) Furthermore, since 11.7.13 325 appeals have been submitted and 126 decisions on 2nd degree have been so far issued, out of which 125 were rejected and 1 was granted with refugee's status.

In August 2012, 1,800 additional border police officers were deployed to reinforce control of the land border in the Evros⁹. At the same time, the continuation of Frontex operations in the region was confirmed¹¹. Finally, by the end of the year, the fence at the Evros' river was completed.

While the Greek government could demonstrate a sharp drop in the numbers of people caught attempting to cross the land border,¹² a migratory shift had been provoked,¹³ with an increase in the number of people attempting to enter European territory through Greece's sea borders. Despite the number of people attempting to cross the sea borders still being quite low, the ex-Minister for the Aegean, Mr. Mousouroulis' request to obtain further support from Frontex was immediately granted¹⁴ in the framework of 'Joint Operation (JO) Poseidon'.

Despite the crisis in Syria, in 2013 the numbers of new arrivals at the Greek-Turkish borders remain low¹⁵ compared to previous years. Numbers of readmissions¹⁶ based on the relevant protocol with Turkey have also dropped significantly during this time.¹⁷

Meanwhile, high ranking Greek and Turkish governmental officials held numerous meetings¹⁸ throughout the year. In March 2013, 25 bilateral agreements were signed with Turkey.¹⁹ Among them, an agreement, concerning irregular migration and readmission issues. However, its content was never disclosed by any side. The two officials have confirmed in statements on a number of occasions their very close cooperation regarding migration issues at an operational level.

At the same time, the war in Syria escalated. In December 2012, UNHCR²⁰ issued a statement²¹ concerning people fleeing Syria, noting that: 'it is essential that protection provided to those fleeing Syria entail treatment which respects their fundamental humanity and dignity of individuals concerned and guarantees minimum humanitarian standards including: a) access to territory and safety b) protection from refoulement c) access to the necessities of life (...) e) respect for family unity and where needed special protection for children, in particular those who are unaccompanied/separated (...)'

9 Alpha Fm, Minister of Public Order and Citizens Protection, Nikos Dendias announces the deployment of 1.800 additional border police officers in the Evros region. Available at: <http://www.alphafm.gr/archives/49901>

10 Parliamentary Assembly 23.1.2013: The number of police officers present at the Evros border with Turkey, which amounted to a total of some 1 900 persons, was however recently reduced by half, after completion of the border fence and due to the decrease of border crossings. Available at: <http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=19349&lang=en>

11 Frontex Focal Point Operation 2012. Available at: <http://www.frontex.europa.eu/operations/archive-of-operations/YQqn2C>; See also: Migrants At Sea. Available at: <http://migrantsatsea.wordpress.com/tag/frontex-joint-operation-poseidon-sea/>

12 Ekathimerini 30.10.2013, Evros Crossings Down Radically. Available at: http://www.ekathimerini.com/4dcgi/_w_articles_ws1_1_05/09/2012_459907; See also: Official data provided by the Hellenic Police, comparative charted 2011-2012 per month. Available at: http://www.astynomia.gr/images/stories//2012/statistics2012/paranomhmetanasteush/ethsia/2012ethsio_ana_mhna.JPG (September 2012: 216 persons, October 2012: 137, November 2012: 71, December 2012: 82)

13 Frontex, Situational update: Migratory situation at the Greek-Turkish border. Available at: <http://www.frontex.europa.eu/news/situational-update-migratory-situation-at-the-greek-turkish-border-bvud4C>

14 Ibid, more specifically, Frontex provided Greece with four additional aircrafts, four patrol vessels, three surveillance mobile units and eight expertise officers.

15 Official data provided by the Hellenic Police for the first nine months of 2013 indicates that 8,052 arrests were made in the sea borders with Turkey and 1,329 in Evros at the land borders, while for the same period of 2012 there were 764 and 30,143 arrests at the Aegean sea and in Evros region respectively. Available at: http://www.astynomia.gr/images/stories//2013/statistics13/stat_allod/etsynora.JPG; See also comparative charter of the arrests 2012-2013 per month. Available at: http://www.astynomia.gr/images/stories//2013/statistics13/stat_allod/xersaiatourkika.JPG

16 The Readmission Protocol was signed between Greece and Turkey in 2001. During 2012 and 2013 Greek and Turkish politicians and diplomats met repeatedly to negotiate on the Agreement. No details have become public on changes concerning the Agreement.

17 In 2013 until summer, readmission applications by Greek to Turkish authorities, dropped dramatically from 20,464 to 114. In 2012, 113 readmissions were carried out compared to 12 in 2013 until summer. They were all mainly affecting Iraqi and Iranian refugees. Chrissi Wilkens / ORF 11.9.13: Almost no asylum in Greece. Available at: <http://fm4.orf.at/stories/1724601/>

19 To Vima, 'Which are the 25 agreements signed with Turkey in Istanbul', (Common Declaration on the reinforcement of cooperation in the field of illegal migration and readmission). Available at: <http://www.tovima.gr/politics/article/?aid=501499>

20 UNHCR 18.10.13: UNHCR highlights dangers facing Syrians in transit, urges countries to keep borders open. Available at: <http://www.unhcr.org/526114299.html>

21 UNHCR 2012: International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update I. Available at: http://www.unhcr.org/fileadmin/Greece/News/2012/Syria/Syria_emergency/Syria.pdf

On the 9th of April 2013, the Greek government changed its policy of detaining Syrian refugees and issuing them with deportation orders, by a special Circular²² suspending their removal decision for six months (instead of 30 days), issued to all those identified as being Syrian.

Testimonies of people pushed back from Greece to Turkey also began to emerge in the press²³, and were documented by human rights organizations. The UN Special Rapporteur, Mr. François Crépeau, after a fact-finding visit in Greece in April 2013, urged the Greek government and Frontex 'to implement a human rights' based approach to border management with the safety of the migrants being always the first consideration.'²⁴

Likewise, UNHCR Greece issued a statement²⁵ concerning protection considerations for Syrian refugees and allegations of push-backs taking place at Greece's borders. It specifically stated, that 'some testimonies of Syrians received by UNHCR make reference to informal forced returns (push-backs) or attempted informal returns to Turkey'; and recommended that 'Border control measures should be applied in a manner, in which persons fleeing Syria can find access to safety in Greece.'²⁶

In July 2013, Amnesty International (AI) published a report²⁷ about the systematic use of push-back operations in Greece. The EU Commissioner, Cecilia Malmström, in response to a parliamentary question related to the allegations made by Amnesty International, stated that, 'The Commission is aware and very concerned about allegations of push-back operations to Turkey by the Greek authorities. (...) Should serious violations of fundamental rights be proven and persist, the suspension or termination — in part or in whole — of Frontex operations in those areas is a possibility.'²⁸

In answer to a parliamentary question concerning push-backs, the Greek Minister for Citizen Protection and Public Order stated: 'With regards to the issue of interdiction, that the dear colleagues pose with their questions, according to our information, we inform you that no incident of interdiction of a foreigner who tried to illegally cross the Greek-Turkish borders was ever reported either by a Greek police officer or by a Frontex officer.'²⁹ Furthermore, we would like to inform you that the Greek police officers and the staff of the aforementioned Agency that are operating in the region of Evros to interdict the entry of illegal migrants in the Greek territory, they basically use technological equipment that transmit light and sound signals and inform the authorities of the neighboring country about the presence of persons close to the Greek-Turkish border in order to act immediately and arrest them before entering in our country.'³⁰

22 9/4/13 Protocol Number 71778/13/511278 related to the Syrians who are arrested for illegal stay or entry in our country and against who, a deportation/return decision was issued.

23 The Guardian, Syrian refugees 'turned back from Greek border by police. Available at: <http://www.theguardian.com/world/2012/dec/07/syrian-refugees-turned-back-greek>; BBC, Syrians accuse Greece of 'pushing back' migrant boats. Available at: <http://www.bbc.co.uk/news/magazine-22757485>

24 Crépeau, François 18.4.2013: Report of the Special Rapporteur on the human rights of migrants, Paragraph 30. Available at: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.46.Add.4_en.pdf

25 UNHCR 17.4.2012: Syrians in Greece: Protection Considerations and UNHCR Recommendations. Available at: http://www.unhcr.gr/fileadmin/Greece/News/2012/Syria/pc/Greece_Syria_Note_for_Pressconference_English.pdf; See also: UNHCR 2012: International Protection Considerations with regard to people fleeing the Syrian Arab Republic, Update I. Available at: http://www.unhcr.gr/fileadmin/Greece/News/2012/Syria/Syria_emergency/Syria.pdf

26 See also a more recent statement, UNHCR 18.10.13: UNHCR highlights dangers facing Syrians in transit, urges countries to keep borders open. Available at: <http://www.unhcr.org/526114299.html>

27 Amnesty International 2013: Frontier Europe – Human Rights Abuses on Greece's borders with Turkey. Available at: <http://www.amnesty.org/en/library/asset/EUR25/008/2013/en/d93b63ac-6c5d-4d0d-bd9f-ce2774c84ce7/eur250082013en.pdf>

28 Answer to the Parliamentary Question of 11th July 13 by Cecilia Malmström on behalf of the European Commission 3.9.13. Available at: <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2013-008460&language=EN>; See also: Speech held during the Relocation Forum in Brussels on 25.9.13. Available at: <http://www.maltatoday.com.mt/en/newsdetails/news/world/Malmstrom-warns-EU-states-of-illegality-of-migrants-push-backs-20130926>

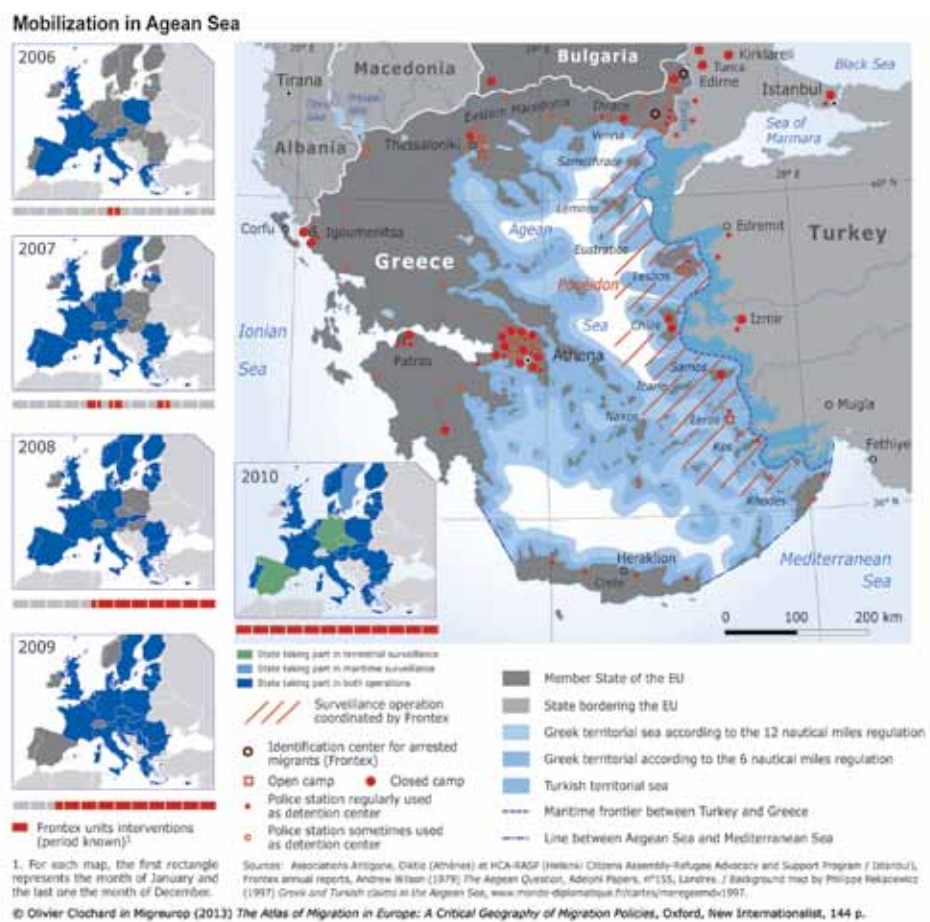
29 In the meantime Frontex has registered through its Serious Incident Reporting (SIR) mechanism since 2012 (and until August 2013) eight cases of alleged push-backs. They informed the Greek authorities about the allegations, explains a journalist in an article for Austrian ORF: 'Frontex wrote three strongly worded letters to the Greek authorities requesting information on these allegations. The response received from the authorities stated that no such practices had taken place.' The Greek police though didn't confirm this information towards the journalist: 'Until today no case of a push-back of a foreigner, who illegally tried to cross the Greek-Turkish border was reported, neither by a Greek officer nor by a Frontex officer.' [translation from German to English by PRO ASYL] Source: Chrissi Wilkens ORF 11.9.13. Available at: <http://fm4.orf.at/stories/1724601/>

30 Answer (9.8.13) to a parliamentary question (18.7.13) given by the competent ministers of Shipping and of the Aegean and Citizens Protection and Public Order: Reported push-backs of illegal migrants and refugees who enter in the country. Accountability, human

The Minister for Shipping and of the Aegean, Mr Varvitsiotis, while on an official visit to Mytilene (Lesvos), refused to answer to the allegations concerning push-backs.³¹ Moreover, on various occasions he has expressed the government's position concerning people arriving by boat, and specifically Syrian refugees: 'Our dogma does not change. That is, dissuading migrants from illegally entering our country. I realize the human dimension of these people, who are uprooted from their countries due to a war or another humanitarian crisis, but Greece cannot become Europe's 'deposit'. Our country is financially exhausted and cannot integrate other migrants in its social network. This is our clear will and based on it, our Coastguard is and will be vigilant for the more efficient guarding of our sea borders.'³²

The Head of the Hellenic Coastguard, Vice Admiral Dimitrios Bantias, stated that 'the Greek coastguard has the right to prohibit the entry of illegal migrants, since they are coming uninvited and without documents, emphasizing that those arriving are not always refugees as is the case now with Syrians.'³³

The results of the aforementioned policies and practices are, in essence, confirmed once again by the Minister for Public Order and Citizens Protection Nikos Dendias: 'The year that has passed, 25,000 illegal migrants were deported from Greece, while 50,000 were interdicted. Imagine what would have happened if we let every year in Greece - like in the previous years - 75,000 more illegals in the Greek society. For how long could we bear it?'³⁴



rights protection, funds for granting international protection. Available at: <http://www.hellenicparliament.gr/UserFiles/67715b2c-ec81-4f0c-ad6a-476a34d732bd/8174770.pdf>

31 The Minister was in Mytilene for three days, to film a TV program but considered it useless publicly answering to issues concerning the current situation in the port of Mytilene'. See: Efimerida ton Syntakton, Show of Minister Varvitsiotis. Available at: <http://www.efsyn.gr/?p=103255> ; The Minister Varvitsiotis, during the TV program "Autopsia" stated among others (1:21:00): "The local communities cooperate with the police and the coastguard, demonstrating a huge humanity which represents us. And they don't represent us reports such as the one of Amnesty International or of some other malicious who are funded, only to report bad incidents. There are bad incidents, we are trying to limit them. Our basic transmission though, it's a transmission of humanity". Available at: <http://www.youtube.com/watch?v=fElr2nmpFuM#t=348>

32 Interview (31st of August 2013) for the Lesbian newspaper 'Empros'. Available at: <http://www.emprosnet.gr/article/49146-o-ypoirgos-naytilias-kai-aigaioy-miltiadis-varvitsiotis-mila-sto-e>

33 Fifth European Coastguard Functions Forum. Available at: <http://www.chiosnews.com/cn1392013902380.asp>

34 Minister Dendias preannounces an increase in the policing measures. Available at: <http://tvxs.gr/news/ellada/ayksisi-tis-asty-nomeysis-proanagglei-o-dendias>

4. PUSH-BACK OPERATIONS FROM EUROPE'S EXTERNAL BORDERS TO TURKEY

The EU's external southeastern frontier between Turkey and Greece is more than 2.200 km long. In 2012, it saw the largest number of irregular entries to the EU out of all the EU's external borders³⁵, while in 2013 numbers of detections dropped significantly.³⁶ According to the Hellenic Police, during the first nine months of 2013, 8.052 persons were arrested for crossing the sea borders and 764 persons for crossing land borders (compared to the same period of 2012: 1,329 in the Aegean Sea and 30,143 in Evros). The protection of the southeastern external borders is entrusted to the Greek authorities and the European Border Management Agency (Frontex).

PRO ASYL interviewed men, women, children and vulnerable groups of people (such as unaccompanied minors, sick and elderly people) from Syria, Afghanistan, Somalia and Eritrea – persons prima facie in need of international protection - who have allegedly been pushed back to Turkey from the Greek/European territory (from the Aegean Sea and the Evros region).

All of the following findings derive directly from eye witness testimonies obtained in the frame of PRO ASYL's research. According to them:

- Push-backs as described indicate a systematic and collective practice carried out by the Greek authorities at an increasing rate.

Refugees are pushed back to Turkey: a) from the Greek territorial waters b) from the Greek islands c) from Farmakonisi military island after being detained incommunicado, d) after a distress alert is launched, e) in Evros area at the land border directly after their arrival on Greek territory via the Evros River, either in the forest where they are trying to hide or while walking in the streets of the first village they reached in the area.

- Many of those affected, are Syrian refugees trying to enter Europe to seek international protection and to reunite with their families that live in various European countries.
- In many cases, either on coast guard boats, provisory on islands or in informal detention places in Evros, refugees were arbitrarily detained for some hours, without being officially registered, without access to the outside world and without any food and water offered.
- In the Aegean, in almost all cases, the officers involved in the push-back operations wore "black uniforms, carried guns and wore full face-covering masks". In other cases, officers were "wearing blue uniforms". In Evros they were described either as wearing blue, military green or dark green uniforms, accompanied by some people in plainclothes, and others wearing full face masks.
- Many of the interviewees claimed that their personal belongings (mobiles, money) were arbitrarily taken away and not given back. Many Syrians alleged that they also have had their documents taken away.
- All of the interviewees stressed to PRO ASYL, that they were not heard by the Greek authorities, that they were not afforded an opportunity to either ask for international protection or to challenge their removal back to Turkey. Even in those cases, where refugees told PRO ASYL that they had explicitly requested international protection and/or not to be removed because they were refugees fleeing war, their pleas were in vain³⁷.
- The majority of the interviewees claimed that they had been ill-treated. In the cases of those who were pushed

35 According to Frontex' migratory routes map, the Eastern Mediterranean Route including Bulgaria, Cyprus and Greece, is by far the most used, accounting for 37,220 irregular entries into the EU in 2012. The Central Mediterranean Route (Italy and Malta) is the next largest with 10,380 detected irregular entries. The Migratory Routes Map. Available at: <http://www.frontex.europa.eu/trends-and-routes/migratory-routes-map>

36 Available at: http://www.astynomia.gr/images/stories//2013/statistics13/stat_allod/etsynora.JPG ; See also Frontex Quarterly Report Q2 (April-June 2013). Available at: <http://frontex.europa.eu/publications/> http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/FRAN_Q2_2013.pdf

37 For example: M., from Afghanistan / pushed back from Samos on 5.7.13; Interviewed in Athens (Greece), August 1, 2013 and A. (16 years old), M. (14 years old) and J. (9 years old), from Syria (three unaccompanied minors with another underage brother) / pushed back from the Aegean in November 2012; Interviewed in Athens (Greece), June 22, 2013

back from the island of Farmakonisi, the severity of the reported ill-treatment towards nine male Syrian refugees could amount to torture.

- Three push-back incidents concerning Farmakonisi (an uninhabited island, except for a military unit) were reported, involving dozens of refugees from Syria, claiming to have been apprehended by Greek coastguards either just off the coast of the island, or after their arrival on the island. The refugees report that they were detained incommunicado and deprived of any rights for periods ranging from 16 hours to three days, before being pushed back and left adrift in Turkish waters.
- Push-back operations (from the sea and land borders) in the way they are carried out as described by refugees, put their lives at risk. People expressed that they were terrified, as they could not protect their lives and dignity, nor did they know what exactly would happen to them.
- Refugees reported being forced and even threatened with guns to return to Turkish waters.
- In the majority of cases, the pushed back refugees claim to have been left in life threatening situations upon being pushed back in the Aegean when left adrift in unseaworthy boats or being thrown in the water of river Evros.
- With regards to the pushback operations from the Aegean Sea, some refugees alleged that even though, they had dialled the emergency number to launch a distress alert, when they were later on located by the Greek authorities, they were pushed back³⁸.
- Once pushed back to Turkey, refugees were allegedly arrested and detained under degrading detention conditions. Some of them faced the risk to be deported to their countries of origin, without being offered the chance to seek international protection (among them Afghans, Iranians and Iraqis who are in risk of chain-refoulement³⁹).
- During their stay in Turkey they faced the lack of an effective refugees' protection system, were subjected to deploring living conditions and were exposed to a series of other human rights violations as Turkey is not considered a safe country for refugees.⁴⁰
- Most of the interviewees, tried to enter into European territory more than once, after having been pushed back and were therefore exposed to further risks. In one case reported to PRO ASYL, an Eritrean refugee who was pushed back from the Evros region and then tried to cross the borders from the sea is missing since the Çanakkale shipwreck (31.7.13)⁴¹

38 Proposal for a Regulation of the European Parliament and of the Council establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union – see Greece's position on article 9 (search and Rescue). Available at: <http://www.ipex.eu/IPEXL-WEB/dossier/document/COM20130197.do>

39 A.K., from Afghanistan was pushed back from Evros in December 2011 after being arrested by the Greek authorities. He was deported back to Afghanistan from Turkey. Thereafter, he managed to escape and enter Greece again. Interviewed in Athens (Greece), December 15, 2012 / M. (16 years old), from Afghanistan was pushed back from Evros in August 2012. His relative who accompanied him was arrested in Turkey and was deported back to Afghanistan. Interviewed in Mytilene (Lesvos island, Greece), December 20, 2012

40 See for example: UN General Assembly, Report of the Special Rapporteur on the human rights of migrants, François Crépeau: Addendum – Turkey, 17 April 2013, Paragraph 48, 53, 60, 65, 69. Available at: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/23/46/Add.2 and Euro-Mediterranean Human Rights Network, An EU-Turkey Readmission Agreement – Undermining the rights of migrants, refugees and asylum seekers?, 20 June 2012, page 10. Available at: <http://www.euromedrights.org/eng/2013/06/20/an-eu-turkey-readmission-agreement-undermining-the-rights-of-migrants-refugees-and-asylum-seekers/>. IRIN News (2012) "Turkey: Syrian refugees choosing to work risk exploitation". Available at: <http://www.irinnews.org/report/97125/turkey-syrian-refugees-choosing-to->; European Commission, Turkey Progress Report 2012, 10 October 2012, page 75. Available at: <https://wcd.coe.int/com.instranet.InstraServlet?Index=no&command=com.instranet.CmdBlob2013/04/12/us-turkey-refugees-idUSBRE930XO20130412Get&InstranetImage=1521616&SecMode=1&DocId=1501516&Usage=2> Helsinki Citizens' Assembly Turkey, Syrian Refugees in Turkey: Briefing Note, 16 November 2012, page 7. Available at: http://www.hyd.org.tr/staticfiles/files/20121116_hca_turkey_briefingnotesyrianrefugees.pdf, and Amnesty International, Stranded: Refugees in Turkey denied protection (Index: EUR 44/001/2009), 22 April 2009. Available at: <http://www.amnesty.org/en/library/info/EUR44/001/2009>.

41 M.A. (24 years old), from Eritrea / pushed back from Evros in May 2013; Interviewed in Athens (Greece), August 19, 2013; "24 illegal migrants die as boat sinks off Çanakkale coast". Available at: <http://www.todayszaman.com/news-322356-24-illegal-migrants-die-as-boat-sinks-off-canakkale-coast.html>

In the following chapters, we will attempt a thorough delineation of the push-back operations, from the Aegean Sea and Evros region.



Lesvos 2013.

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4.1. Push-back operations from the Aegean Sea

In 2013 there was an increase in the number of refugees leaving the west coast of Turkey to cross the Eastern Aegean Sea towards the Greek Islands. In the beginning of the year, this border section ranked second in the EU level in terms of detections,⁴² despite the fact that the number of arrivals remained low compared to previous

⁴² FRAN quarterly January-March 2013, p12. Available at: http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/FRAN_Q1_2013.pdf

years. During the last nine months of the year, 8,052 refugees/migrants⁴³ were arrested for irregularly crossing the sea borders to Greece according to the Greek police.

The Hellenic Coastguard⁴⁴ is the competent authority for the policing of the Aegean Sea, and search and rescue operations within the area are its responsibility⁴⁵. To this end, the Coastguard's elite forces 'Special Mission Units'⁴⁶ are assigned the task of tackling 'illegal migration' and controlling the sea borders, and operate in the Aegean sea, along with the local coastguard authorities. The search and rescue operations⁴⁷ are coordinated by the Joint Rescue Cooperation Center (JRCC), which is based in Piraeus and runs under the command of the Headquarters.

As the former Minister of Shipping and of the Aegean Mr Mousouroulis stated, during a meeting with the Greek Prime Minister, the Hellenic Coastguard is currently implementing one of its biggest operations in the Aegean Sea⁴⁸, with the cooperation of Frontex⁴⁹, within the framework of 'JO Poseidon Sea'. The Ministry of Shipping and of the Aegean developed and implemented a complete strategy⁵⁰ on the enhancement and effective protection of Greece's sea borders. This includes the interception of migration flows utilizing surveillance measures for the early detection and interception of boats carrying refugees. It also entails inter-sector cooperation led by the 'National Coordination Center' in the frame of the Eurosur Surveillance System.

In this framework, meetings are being held between the Head of the Greek Coastguard and his Turkish counterpart, for matters related to illegal migration.⁵¹ Moreover, in an effort to reinforce cooperation between

43 Hellenic Police Statistics on irregular migration 2013. Available at: http://www.astynomia.gr/images/stories/2013/statistics13/stat_allod/etsynora.pdf

44 For more information concerning the Hellenic Coastguard, its mission, structure, units see: L3079/2002 'Code of the Coastguard Staff', L3922/2011 'Establishment of the Headquarters of the Hellenic Coastguard and other provisions', Presidential Decree 67/2011 'Organization of the Services of the Hellenic Coastguard', Presidential Decree 94/2012 'Amendment on Presidential Decree 'Establishment and renaming of Ministries, transfer and abolishment of Services'

45 The Hellenic region of SAR responsibility coincides absolutely with the limits of region of Athens FIR (Flight Information Region), in which except the control of air trafficking, Hellas is responsible to execute air and maritime SAR; The HCG for the implementation of its work and in order to cover its operational needs allocates big number of navigable means. The navigable means that allocate today the HCG are 271, various types and various operational possibilities, as are analytically reported in 'The Competence of Hellas on Search and Rescue Items in the Aegean Area', Korontzis Tryfon. Available at: www.ccsenet.org/res; Review of European Studies Vol. 4, No. 2; June 2012; Ministry of Foreign Affairs, Search and Rescue. Available at: <http://www.mfa.gr/en/issues-of-greek-turkish-relations/relevant-documents/search-and-rescue.html>; According to the SAR Convention, parties are encouraged to enter into SAR agreements with neighboring States. Available at: http://www.imo.org/blast/mainframe.asp?topic_id=765; With regards to Greece's territorial waters see Hellenic National Defense General Staff. Available at: http://www.geetha.mil.gr/index.asp?a_id=2781; Violation of territorial waters. Available at: http://www.geetha.mil.gr/index.asp?a_id=2787

46 Art 136 Law 3079/2002 (Chapter III, Special Mission Units of the Hellenic Coastguard: Establishment, Organization, Staff) The Special Units Directorate consists of the Underwater Unit and the Special Missions Unit. The training, organization, function, means, equipment, as well as operational uniforms, its insignia and the choice of the Special Mission Unit staff are determined by a Regulation after a proposal drafted by the Head of the Hellenic Coastguard which is approved by the Ministry of Shipping and the Aegean excluding its publication to the Government Gazette.

47 Incidents concerning Search and Rescue operations: December 2012: 5 within Greece/ 2 outside Greece. See: [ΕΚΣΕΔ ΔΕΚΕΜ-ΒΡΕΙΟΥ 2012.doc](#). According to the official data in 2012 JRCC dealt with 1,180 incidents, concerning 2,839 persons within the Greek SRR and 250 outside its FIR, in which it was the first center to receive an alert. Out of 1,180 incidents, 45 concerned illegal migrants (3,81%) and 1,028 persons (36,2%). See: www.hcg.gr/node/4229 January 2013: 4 within Greece/ 3 outside Greece. See: <https://www.hcg.gr/sites/default/files/article/attach/0212121.doc>. March 2013: 4 within Greece/ 9 outside Greece. See: <http://www.hcg.gr/node/4581>. April 2013: 5 within Greece/ 11 outside Greece. See: <http://www.hcg.gr/node/4904> / [ΕΚΣΕΔ ΑΠΡΙΛΙΟΥΣ 2013-1.doc](#). June 2013: 9 within Greece/ 16 outside Greece. See: [ΕΚΣΕΔ ΙΟΥΝΙΟΥΣ 2013.doc](#). July 2013: 11 within Greece/ 30 outside. See: <http://www.hcg.gr/node/5617> [ΚΣΕΔ ΙΟΥΛΙΟΥΣ 2013-1.doc](#). August 2013: 13 within Greece/ 26 outside Greece. See: [ΕΚΣΕΔ_ΘΕΡΙΝΗΣ ΠΕΡΙΟΔΟΥΣ 2013-2.doc](#).

48 Minister of Shipping and of the Aegean Miltiadis Varvitsiotis radio interview on 'Athina 9,84': '(...) approximately 2,000 men and 35 vessels are patrolling on a 24hour basis the sea borders which are comprised of 2000km'. Available at: <http://www.hcg.gr/node/5630>

49 Art 20 §3d Presidential Decree 67/2011 'The Sea borders protection Division': '(...) The Operational Cooperation Section is competent (...) to draft proposal and configure positions, the participation of representatives and the cooperation of the activities in their supports in the actions of international organizations and European agencies, such as Frontex'.

50 Minister's answer to the articles concerning the guarding of Greece's southeastern sea borders. Available at: <http://www.hcg.gr/node/3313>. The Ministry of Shipping and of the Aegean met with the Prime Minister (21.2.13) and presented to him the realizations ([+ΑΠΟΛΟΓΙΣΜΟΣ+ΕΡΦΟΥ\[2\].pdf](#)) and the Plans for 2013 [[ΠΡΟΓΡΑΜΜΑΤΙΣΜΟΣ\[1\].pdf](#)]; See also Minister of Shipping and of the Aegean Kostas Mousouroulis speech held during his meeting with the presidency of the European People's Party. Available at: www.hcg.gr/node/4376

51 Mediterranean Coastguards Forum (17-19/9/12) in Marseille: first contacts between the Head of the Hellenic Coastguard with his Turkish counterpart that reconfirmed their intention to continue the good cooperation established by their predecessors; The Minister met with the Turkish Ambassador (27/9/12). They discussed about the crisis in Syria and the pressure it makes and that Turkey

relevant agencies targeting 'illegal migration' by sea, two teams have been created: the 'Superior Joint Commission' under the auspices of the General Staff of National Defence and the 'Informal Cooperation High Level Group' under the auspices of the Maritime Ministry⁵².

- **In the Aegean Sea refugees and migrants from different countries travel on unseaworthy inflatable boats, which – according to the documented cases – carry 20-30 people on average (including families, pregnant women, babies, unaccompanied minors etc⁵³) from Turkey to Greece, across the European Union's southeastern external border.**
- **Refugees were allegedly pushed back to Turkey: a) from the Greek territorial waters b) from the islands c) after a distress alert was launched and d) from Farmakonisi military island after being detained incommunicado**

- **In almost all of the cases, the officers involved in the push-back operations were in "black uniforms, carrying guns and wearing full face masks" while, in other cases were "wearing blue uniforms".**

The Greeks were wearing masks, and we could see only their mouths and their eyes.⁵⁴

'I tried to look at their faces and remember them, but when I lifted my head one of them immediately attacked me with his baton screaming: 'Don't look at me!' They were dressed in black. One of them was shouting: 'Don't look at me!' and making noise with his baton on the floor of the boat.'⁵⁵

- **Almost all interviewees who were pushed back during night mentioned that the coastguard vessel appeared next to them suddenly without them having noticed it beforehand, as it was sailing with its lights off. Some added that the coastguard would also sail with lights off when pushing them back.**

'All of a sudden, a searchlight was turned on us. It was at a distance of approximately 15 meters. We hadn't noticed any lights earlier. We stayed for about five minutes like that and then we raised our hands on our own'⁵⁶.

4.2. Push-backs from Greek territorial waters

- **Most of the interviewees reported that they had been near to the Greek shores upon being detected by the Greek coastguard and before being pushed back.**

'After one hour and half we reached a distance of half a km from the coast of Lesbos. We could see something like a castle. There was a lighthouse, but a small one.'⁵⁷

'We could see the streets, the houses and people walking. When we saw all this, we were really happy. We thought we had reached Europe.'⁵⁸

- **Almost all interviewees who were allegedly subjected to a push-back operation described that when**

must further commit into suppressing the phenomenon in its sea mainly but also land borders. Meeting of the Head of the Coastguard with the General Consular of Turkey Nurdan Altuntas (2.7.13). Available at: <http://www.hcg.gr/node/5245> ; Meeting of the Head of the Hellenic Coastguard Vice Admiral Dimitrios Bantias with attaché of the Turkish Ministry of Defence (2.8.13). Available at: <http://www.hcg.gr/node/5505> ; Visit of the General Consular of Turkey to the Head of the Hellenic Coastguard (5.9.13). Available at: <http://www.hcg.gr/node/5771> - on illegal migration and other issues; Meeting of Varvitsiotis with the Turkish Ambassador Kerim Uras (25.9.13). Available at: <http://www.hcg.gr/node/5900>

52 See footnote 8

53 For example: Y.H. (40 years old), wife N.T. (32 years old), A.H. (m) (15 years old), S.K. (f) (13 years old), S.H. (f) (7 years old), S.H. (f) (9 years old), from Afghanistan/ pushed back from Lesbos on 13.7.2013; Interviewed in Mytilene (Lesvos), July 23, 2013; According to Lieutenant Antonis Sofiadelis (Lesvos) 30-50 persons are usually in the boats they need to rescue, see Star TV reportage on the situation in Lesbos. Available at: <http://www.youtube.com/watch?v=tL6BwjPwP5o>

54 T.A., from Afghanistan (with his pregnant wife and two children) / pushed back from the Aegean on 10.7.13; Interviewed in Athens (Greece), August 1, 2013

55 H.G.R., (with his family) from Afghanistan / pushed back from Samos in July 2013; Interviewed in Mytilene (Lesvos), September 17, 2013

56 K.A., A.A., A.R., A.H., A.S., A.M. and B.F., from Syria / pushed back from the Aegean Sea near Samos on 28.8.13

57 M.S. (lawyer), from Syria / pushed back 8.9.13 from Lesbos; Interviewed in Mytilene (Lesvos), September 17, 2013

58 A.M., from Syria / pushed back from Chios in mid-August 2013; Interviewed in Mytilene (Lesvos), September 17, 2013

this took place at night, the coastguard vessel suddenly appeared next to them without previously noticing it, as it was allegedly sailing very fast towards them and with its lights off.

*'We were 45 minutes to one hour in the sea and we had crossed the Turkish waters, when suddenly we saw a boat on our left hand side. A Greek coast guard vessel had approached us, without us noticing it. It had its lights switched off. All of a sudden, floodlight was blinding our eyes.'*⁵⁹

▪ **Many refugees mentioned that at first one coastguard vessel would approach and immobilize them. Then, a second would come to pull them back to the Turkish waters. Usually there was one bigger steel vessel involved in combination with a zodiac. In most of the cases at least one of the two boats had 2-4 men on board wearing black uniforms and full-face masks.**

*'Around 10 o'clock in the morning we were close to the island. Some meters away from us, was the Greek coastguard and they arrested us. It was a big vessel with a firearm on it of 12.7 mm. There were around 10 police officers on board. Two of them were wearing full-face masks. They told us to stop, to raise our hands up and not to move. They called and a second boat came. It was a smaller one, around 15 meters long. On the second smaller boat all those who were on board had their faces covered with full-face masks'*⁶⁰.

▪ **The interviewees claimed that upon detection the Greek coastguard vessel would allegedly fire some warning shots in the air or sometimes in the sea and/or would encircle their boat (manoeuvres) creating waves or bumping onto the refugees' boat with their vessel. In all of these cases, refugees told PRO ASYL that they were afraid of drowning. In two reported cases during these manoeuvres people allegedly fell in the sea.**⁶¹

*'When they left us in the Turkish waters they made waves again and six of us – all men - fell into the sea. The Greeks saw that, but they didn't help, they just left.'*⁶²

*'Suddenly a boat of the Greek coastguard appeared. They started encircling our dinghy and making waves. Then they rammed our Zodiac on purpose from the left side. Our boat took on a lot of water.'*⁶³

▪ **In many cases the interviewees reported that they lifted the babies and small children in the air in order not to be pushed back and to get helped.**

*'The coastguard vessel came towards us in order to ram our boat. Other people we have talked with in Turkey, told us stories about the coastguard ramming their boats. And the other men who were with us, they told us to lift our children in our hands. So, we took our children and kept them in the air. When they saw the children, they stopped.'*⁶⁴

▪ **In most of the cases, refugees told PRO ASYL, upon apprehension they were ordered to tie their boat to the coastguard vessel. Subsequently, some refugees were informed that they were going to be dragged to the Greek shore, but they were instead pulled back to the Turkish waters. Others were ordered to hand over either the engine of their boat, parts of it and/or the paddles and the fuel tank. In particular, some described to us that coastguards removed a part of their engine with a wooden stick that on its edge had a metal hook.**

*'When they heard the women crying they said: 'Ok, we will put you in our boat.' They told us to give them a big canister with fuel we had on board and after taking that away, they tied our dinghy with a rope on the back of their vessel. (...) They told us they would put all of us in their vessel, but they just pulled us back to the Turkish waters.'*⁶⁵

59 M., from Afghanistan / pushed back from Samos on 5.7.13; Interviewed in Athens (Greece), August 1, 2013

60 A. (35 years old), from Syria / pushed back from Samos on the 22.8.13

61 D. (26 years old); A. (26 years old); F. (26 years old); F. (65 years old) (f); R. (25 years old) (f) with her five months old daughter A. and her husband H. (30 years old); C. (25 years old); H. (27 years old); G. (41 years old); A. (13 years old) (f); S. (43 years old); A. (41 years old); A. (42 years old); R. (30 years old); N.M. – 15 persons from Syria / pushed back from Farmakonisi on 8.8.13; Interviewed in Izmir (Turkey), August 24, 2013 and A. (16 years old), M. (14 years old) and J. (9 years old), from Syria (three unaccompanied minors with another underage brother) / pushed back from the Aegean in November 2012; Interviewed in Athens (Greece), June 22, 2013 and M.S. (lawyer), from Syria / pushed back 8.9.13 from Lesbos; Interviewed in Mytilene (Lesvos), September 17, 2013

62 M.S. (lawyer), from Syria / pushed back 8.9.13 from Lesbos; Interviewed in Mytilene (Lesvos), September 17, 2013

63 M.S. (lawyer), from Syria / pushed back 8.9.13 from Lesbos; Interviewed in Mytilene (Lesvos), September 17, 2013

64 Y.H. (40 years old), wife N.T. (32 years old), A.H. (m) (15 years old), S.K. (f) (13 years old), S.H. (f) (7 years old), S.H. (f) (9 years old), from Afghanistan / pushed back from Lesbos on 13.7.2013; Interviewed in Mytilene (Lesvos), July 23, 2013

65 M.S. (lawyer), from Syria / pushed back 8.9.13 from Lesbos; Interviewed in Mytilene (Lesvos), September 17, 2013

'They had a wooden stick with a small metal hook in one edge. With one movement they disconnected something like a small pipe or a wire from the engine, so it wouldn't work anymore.'⁶⁶

'The Greeks tried to calm every one down: 'Don't be afraid. Now you have arrived. You are safe.' Then they took away our life jackets and threw them in the sea. They took away our engine and the fuel. Then they pushed us back. We stayed three hours on the sea until we could reach the Turkish coast.'⁶⁷

▪ **Some of the interviewees mentioned that they were forced onto a Greek coastguard big metal vessel, where they were ordered and/or threatened with guns to kneel down and keep their hands behind their neck, while some of them alleged ill-treatment. Most of the times, they were allegedly body searched (even women and underage girls) and in some cases, some from their groups were forced to take their clothes off. In almost all of the cases, refugees claimed that the coastguards took their money and their mobiles. Refugees told us that the coastguard used to take away all of the mobiles apart from one in each boat. Syrian refugees almost unanimously alleged that their passports were arbitrarily taken away and not given back.**

'They beat one of us with a wire. He was holding himself on their boat that's why they beat him on his hands and legs. He had a big wound. Most of us were beaten with punches and kicks. There were about 10 police officers on the Greek boat. They were brutal. They had guns and a Taser, but they didn't use the latter, they only threatened us with it. It was very bad. They could have just returned us back. There was no need to treat us this way. (...) One after the other we climbed on their boat [as ordered by the coastguard, ed.]. Each of the men upon entering their boat got beaten once with a stick. Then they ordered us to sit down. Then, each of us had to stand up one after the other, undress and be searched. They told us we should show them our things: money, mobiles etc. They threw our personal belongings in the sea and everything valuable in a plastic bag.'⁶⁸

'They told us to lie on the ground facing down and they stepped on our back. One of the coastguards jumped in our dinghy and searched the women and touched their breasts. They were screaming in a terrifying way and they put their guns on people's faces, even on the face of women and children. We were all very scared. Men, women and children, we all cried a lot.'⁶⁹

'There was a woman with us who was pregnant. They kicked her in the belly and pulled her by the hair. . . We are from the same village. She lost blood that day. They didn't help her at all, even though the woman had grabbed their legs imploring them for help.'⁷⁰

▪ **Most of the refugees alleged that such a push-back operation lasted for approximately more than one hour.**

▪ **Subsequently, refugees were forced back into their boat. In some cases, interviewees alleged to have been thrown from the coastguard vessel as if they were 'garbage'.**

'Our boat was torn and they had tied it with a rope. (...) They took us to the Greek - Turkish waters and threw us one by one in our boat. One of us fell in the sea and we collected him from the water. They were throwing us as if we were garbage. Then they cut the rope. There was no engine, no fuel on the boat and no paddles.'⁷¹

▪ **In one case a refugee was ill-treated when he climbed onto the coastguard vessel desperate to try anything in order not to be pushed back.**

'One of the men in our boat pulled himself on their boat. When he got up on it two officers started beating him. They were kicking him in his face and on his head. He tried to stand up. The Greek boat started to move away from us. 40 metres distance to us it stood for a minute. They came back on 20 metres distance

66 A.M., from Syria / pushed back from Chios in mid-August 2013; Interviewed in Mytilene (Lesvos), September 17, 2013

67 H., from Somalia / pushed back end of May 2013 from Lesvos; Interviewed in Mytilene (Lesvos island, Greece), June 9, 2013

68 G., from Syria / pushed back from the Aegean in May 2013; Interviewed in July 2013 in Frankfurt a.M. airport (Germany)

69 Ar.K.N (metastatic cancer patient), An.K.N, F.K.N (65 years old) / pushed back from Samos in September 19,2013 while having launched a distress alert; Interviewed 20.9.13 via telephone; See also push-back from Farmakonisi 8.8.13 and push-back from Chios island 12.9.13

70 M. (35 years old), from Syria / pushed back four times from the Aegean Sea (Samos, Chios) in the period between mid June 2013 and 18.8.13; Interviewed in Izmir (Turkey), August 24, 2013.

71 D. (26 years old); A. (26 years old); F. (26 years old); F. (65 years old) (f); R. (25 years old) (f) with her five months old daughter A. and her husband H. (30 years old); C. (25 years old); H. (27 years old); G. (41 years old); A. (13 years old) (f); S. (43 years old); A. (41 years old); A. (42 years old); R. (30 years old); N.M. – 15 persons from Syria / pushed back from Farmakonisi on 8.8.13; Interviewed in Izmir (Turkey), August 24, 2013

to us. Then I could see how they had grabbed the man they had beaten by his arms and legs and they threw him in the sea.⁷²

▪ **Some refugees, whether directly pushed back to Turkish waters or after they were transferred onto a coastguard vessel, mentioned that the coastguard pulled their boat up and down before untying it and leaving them in the Turkish waters, where it was untied and left adrift. In some cases this procedure of pulling them back was carried out with the coastguard having turned their lights off. In some occasions, refugees alleged that the Greek coastguard vessel created waves and pushed them back into the Turkish waters.**

*'In one direction of the horizon we saw a lot of thunder and it was raining and in the other side the sea was rough with a lot of waves. Our boat was taking on water. We used our own shoes, to take the water out of the boat. There were a lot of children with us. Even though we kept shouting and screaming for help, they didn't react at all. The Greeks tied our boat to theirs with a rope and started pulling us upwards and downwards and were making very fast circles. We were shouting for help telling them that our boat has a problem. They didn't care. They were doing that for four hours. They then brought us in the middle of the high waves, untied the rope and left us there. (...) We couldn't hear any sound of a boat's engine nor could we see their lights. They were safe in their ship and we were left outside in the rough sea.'*⁷³

*'They tied the boat in the back of their vessel and pulled it. (...) The coastguards turned off the lights of their boat and took us into the Turkish waters.'*⁷⁴

▪ **In the majority of cases the pushed back refugees were allegedly left adrift, until a Turkish coastguard eventually rescued them. In some instances, refugees had to wait for many hours to be rescued. While in cases where they happened to have a mobile, they notified the Turkish emergency number and were rescued soon thereafter. In a few cases, the Greek coastguard allegedly waited in a distance and observed, until the Turkish coastguard rescued them. Interviewees believed that in these cases the Turkish coastguard was notified by the Greek coastguard.**

*'Our boat had neither an engine, nor paddles but they threw us in it. We stayed in the water from 11:45 until 5 o'clock in the morning. The boat was taking on water. The Turkish police found and rescued us.'*⁷⁵

▪ **In a few cases people had to reach the Turkish coast by themselves.**

*'We had to roam with our hands and with one paddle back to the Turkish coast.'*⁷⁶

*'We took the bottles of the water we had with us and we used them as paddles. But whatever we did, we couldn't do anything. Because there were waves and they were taking us elsewhere. (...) We weren't enough to pull the boat, so one by one all men jumped into the water leaving my mother and my sisters in the boat. They were taking the water out of the boat with water bottles and we, the men, were pulling the boat to the shore. I think this lasted for one and a half hour or two hours.'*⁷⁷

▪ **In three cases, where people said that they had tried to puncture their own boat, in order to force the coastguards not to push them back, they said that their dinghy was brought on board and rigged and they were put back into it later.⁷⁸ In one case, interviewees alleged that the fast boat left and fetched another dinghy that wasn't the one with which they had come.⁷⁹ In some cases the refugees were**

72 G.A.N., from Afghanistan / pushed back once from Evros in June 2013 and twice from Lesvos in end July 2013 / beginning of August; Interviewed in Mytilene (Lesvos island, Greece), September 23, 2013

73 A. and Z., from Afghanistan (two women with children) / two pushed back in October 2012 from Lesvos; Interviewed in Athens (Greece), January 1, 2013

74 K.A., A.A., A.R., A.H., A.S., A.M. and B.F., from Syria / pushed back from the Aegean Sea near Didim on 28.8.13; Interviewed in Izmir (Turkey), August 29, 2013

75 O.M., M.M. and D.M., from Syria (Afrin) / pushed back from Leros; Interviewed in Izmir (Turkey), August 29, 2013

76 M. (21 years old), from Afghanistan / pushed-back in January 2013 from Lesvos; Interviewed in Mytilene (Lesvos island, Greece), February 15, 2013. With his elderly mother, who had her fingers amputated due to the journey from Iran to Turkey.

77 Y.H. (40 years old), wife N.T. (32 years old), A.H. (m) (15 years old), S.K. (f) (13 years old), S.H. (f) (7 years old), S.H. (f) (9 years old), from Afghanistan / pushed back from Lesvos on 13.7.2013; Interviewed in Mytilene (Lesvos), July 23, 2013

78 A.B. (27 years old) and M.B. (28 years old) from Syria / pushed back from Chios island on 27.8.13; Interviewed in Izmir (Turkey), August 29, 2013 and I., M. and F., from Somalia (with her 1 year old daughter) / pushed back from Evros 2.5.13 and from Lesvos 8.5.13; Telephone interview, May 26, 2013; Interviewed in Mytilene (Lesvos island, Greece), June 7, 2013; Interviewed in Athens (Greece), June 13, 2013 and R.D., from Syria / pushed back from the Aegean in summer 2013; Interviewed in Frankfurt a.M. airport (Germany), June 20, 2013

79 I. (brother), M. (husband) and F. (wife), from Somalia (with their 1 year old daughter) / pushed back from Evros 2.5.13 and

allegedly left alone in the sea after puncturing their boat, which was then taking on water and slowly breaking.⁸⁰ In yet another case the dinghy sank after puncturing and the Greek coastguard allegedly didn't intervene for rescue despite the fact that they were present with three of their boats.

*'They then took us all on board. (...) The commandos called another vessel. The other boat took our rubber boat to fix it. It was very cold and we stayed all night on the deck of the commando vessel. (...) They brought our boat in the morning. They took us back into the Turkish waters. They threw our boat into the water, but they hadn't fixed it well. They took away the paddles and the engine. They then forced all 45 of us back into our dinghy by aiming their guns at us. We had to return back to the Turkish coast, by using our own hands for paddles. Thank God, we arrived in Turkey.'*⁶¹

*'Suddenly some Afghans cut our boat with a knife. We were 45 persons and we all fell in the sea. The boat started sinking. Even though the coastguards saw the boat sinking and all of us falling into the water, they didn't come to help us. Not one of them helped us. Some of us were almost drowning and three boats of the Greek coastguards were watching. We stayed for one hour in the water: women, men and children. We were holding ourselves from a small part of the rubber boat that had not sunk yet. I was among those who stayed for an hour in the water. After one and half hour, while people were crying 'help, help' and some others were crying, the Turkish coastguards arrived.'*⁶²

▪ **In two other cases, interviewees alleged that they were left close to the Turkish coasts.**

*'They forced us back to the boat. There was no air left in our boat. They put our boat in the sea, where these red things are and took us down. Then they left, leaving us there.'*⁶³

*'They literally left us offshore, in the Turkish side. We jumped offshore and walked (...).'*⁶⁴

▪ **In the vast majority of cases the people were rescued and arrested by the Turkish coastguard after being pushed-back.**

*'About 20 minutes later they [the Turkish coastguard] arrived with their boat and we entered it one after the other. Then we drove for one hour or a bit longer until we reached the Turkish shore. They asked us what had happened. Then they told us they would bring us to a camp [detention center] for a few days until they could be sure about our identities. We stayed in the camp 20 days.'*⁶⁵

4.3. Push-backs from the Islands

▪ **Some refugees claimed that they were pushed back after getting offshore and walking on the Greek islands' streets. They claimed that they knew on which island they were, as they had checked it on their mobile (Google Maps). Allegedly when the Greek authorities sighted them, they were arrested, badly beaten and then forced back onto their dinghies. Afterwards, they were pulled back into the Turkish waters and were left adrift. No official registration of the arrest ever took place⁸⁶. (Syriza a political party, alleged that a similar incident took place in the island of Limnos. See below the complete allegation and the response of the pertinent authority⁸⁷).**

from Lesvos 8.5.13; Telephone interview, May 26, 2013, Interviewed in Mytilene (Lesvos island, Greece), June 7, 2013, Interviewed in Athens (Greece), June 13, 2013

80 G.A.N., from Afghanistan / pushed back once from Evros in June 2013 and twice from Lesvos in end July 2013 / beginning of August; Interviewed in Mytilene (Lesvos island, Greece), September 23, 2013

81 I., M. and F., from Somalia (with her 1 year old daughter) / pushed back from Evros 2.5.13 and from Lesvos 8.5.13; Telephone interview, May 26, 2013; Interviewed in Mytilene (Lesvos island, Greece), June 7, 2013; Interviewed in Athens (Greece), June 13, 2013

82 A., from Eritrea / pushed back twice from Lesvos in 2013; Interviewed in Mytilene (Lesvos island, Greece), June 8, 2013

83 Y.H. (40 years old), wife N.T. (32 years old), A.H. (m) (15 years old), S.K. (f) (13 years old), S.H. (f) (7 years old), S.H. (f) (9 years old), from Afghanistan / pushed back from Lesvos on 13.7.2013; Interviewed in Mytilene (Lesvos), July 23, 2013

84 K.A. (Syria) / pushed back from the strait of Samos on 27.9.13 / Interviewed on October 2, 2013 in Athens

85 R.D., from Syria / pushed back from the Aegean in summer 2013; Interviewed in Frankfurt a.M. airport (Germany), June 20, 2013

86 See 'interviews'; 'Pushed back from the islands'

87 In August local branch of Syriza, main opposition party has claimed that the coastguard on Limnos island pushed back to Turkey Syrian refugees who had disembarked on the northeastern Aegean island.

Syriza Limnos, Announcement: 'Limnos 31.8.13; Allegation: We denounce the unprecedented and unlawful actions of Limnos Port Authorities on August 29, when a group of 29 migrants with no legal documents disembarked with a small boat in Plaka. We also denounce the incredible story 'staged' by the Port Authority (with the tolerance, cooperation and cover up of the police authorities of Limnos) for justifying the illegal and against refugee law and the international obligations of the country, push back of migrants in Turkey. Specifi-

(...) We arrived after 3-4 hours in the sea. I started running away to the mountains. Three 'soldiers' apprehended the three of our group, including my brother. They were dressed in black. (...) I was trying to hide myself in the bushes. They put a gun on my brother's temple. He was shouting that they would kill me. After 30 minutes they found me in the bushes and they took me, with another three persons who were hiding under a tree, back to the beach.⁶⁸

'We were 12 persons on the boat. There were three elderly women, an elderly man with us and my brother, who is seriously sick. He has cancer. We arrived on the island of Chios. We knew it from our mobile we checked it on google map.'⁶⁹

The Case of Farmakonisi⁹⁰

- **In three reported incidents concerning 21 persons interviewed by PRO ASYL, the refugees claimed that they were apprehended by the Greek coastguard either in the sea or after their arrival on the island and were detained incommunicado from 1-3 days, before being pushed back and left adrift.**
- **The refugees were allegedly held in a storehouse, without access to the outside world and without being officially registered, they were only asked their nationalities. The interviewees alleged that they were severely ill-treated by the coastguards (special units of the Hellenic coastguard⁹¹). In one case, a pregnant woman was kicked during the push-back operation. She was brought to a hospital once back in Turkey, due to complications allegedly caused by the ill-treatment she had suffered.⁹²**
- **Some of them were allegedly left under the sun for many hours, with their hands tied behind their backs with plastic handcuffs, and others were beaten with a wooden stick. No food was given to them. Among them, there were women and children. During their detention, they were allegedly visited by a military doctor.**

'Once in Farmakonisi, they made us all lie down facing the floor. (...) This lasted for about two hours. (...) They beat us on the face and in the groin area. They were telling: 'Syria, rubbish people'. Whoever tried to talk, they grabbed him from the neck, trying to choke him. (...) They took also the clothes of the other people off and left them in their underwear. (...) He would beat with kicks and punches. Two of them were beating us, by putting us in between them

cally, on Thursday at dawn, at around 6:00 o'clock in the morning, 15-20 migrants disembark in Plaka, among them women and children. Residents of the village inform the police and the port authority which proceed with their arrest. Instead of following the legal, according to the law, detention procedure, screening and referral to the main city centers, the port authorities, obviously following orders from their superiors, embark the refugees on their small boat and push them back in the Turkish waters and to the Turkish coastguard. In order to justify their unlawful act, they mentioned that the migrants did not disembark on the island, but were sighted around 5 o'clock in the afternoon (11 hours after their disembarkation), at the borderline between Limnos and Imbros Island and before entering into Greek territorial waters. We consider that this is not an accidental incident. It inaugurates a new (at least for Limnos) practice of the Port authorities, of push-back of migrants and refugees with summary and illegal proceedings, while at the same time flagrantly violating human rights, refugee law and international obligations. And all this even if fake stories and scenarios have to be 'staged' by the state authorities that can cover the pushback. We also consider that the immediate investigation of the incident is necessary and those involved in this incident should be held accountable. And we insist: The display of power to desperate people, underage children and babies, to refugees and migrants that abandon their place apparently for their survival, does not constitute a migration policy. Moreover, they do not guarantee in any way, the security of the Greek citizens. In reality, there become dangerous administrative habits, that become generalized and in practice they nullify any sense of security and for the Greek citizen. The temporary secretariat of Syriza Limnos' Available at: <http://syriza-limnou.gr/?p=1475>

The answer of the Hellenic Coastguard: Inaccurate announcement concerning illegal push-back of migrants: 'Following an announcement published in a website denouncing the Hellenic Coastguard about an incident of refoulement of migrants on Thursday 29.8.13 in Limnos, the Headquarters of the Hellenic Coastguard announces the following: On August 29 and at 17:15 the Rescue Center of the Ministry of Shipping and of the Aegean, received a distress alert which derived, subsequent to further investigation from the Turkish waters. At 17:18 the counterpart Rescue Center in Ankara was informed and responded by sending at 19:20 a vessel that collected the people on the boat, within the Turkish waters. It is noted that since August 2012 until today the Hellenic Coastguard has saved and rescued 9.028 persons in the Eastern Aegean. Finally, we would like to underline that announcements with this kind of content, undermine the work of the Hellenic Coastguard, the mission of which is the security of the sea borders of Greece and their protection from any threat always with respect to the international Conventions and human rights.' Available at: <http://www.hcg.gr/node/5752>

88 A.B (27 years old) and M.B (28 years old) from Syria / pushed back after their arrest on Chios island on 27.8.13

89 An.K.N (28 years old), Ar.K.N (metastatic cancer patient) and F.K.N (65 years old) from Syria / pushed back after their arrest on Chios island on 12.9.13

90 Farmakonisi is a small uninhabited island near Leros Island, but it has a military monitoring unit. Farmakonisi has been recorded in the past as a place where apprehended newcomers are detained, but no access to NGOs or even UNHCR has ever been granted.

91 See: Footnote 55.

92 The husband of the pregnant woman on 26th of August 2013 confirmed that his wife was hospitalized in Turkey after the push back operation of 8th of August.

as if we were a football ball. (...) They beat us for two hours in the basketball court. (...) Some of the people from our group remained unconscious for 3-4 hours in the camp.⁹³

- **They were later forcibly taken back onto their dinghies (which were left without an engine, fuel or paddles) and were left adrift. In two of the three incidents reported to PRO ASYL, the refugees involved said that they were left without a mobile phone.**

4.4. Push-backs of Boats in Distress

- **There were cases where refugees told PRO ASYL that when in the Greek territorial waters, their boat was in distress and their lives were in danger. They claimed that a call was made to 112, the emergency number, either by themselves or by others or by both. Allegedly they were sighted by the Greek coastguard and pushed back.**
- **In one case, on August 24, 2013, a boat carrying 14 Syrian refugees – among them a woman and children – was allegedly in distress 2 km from the island of Leros. The refugees claimed that they themselves called 112. The coastguard apprehended them after many hours and transferred them to Farmakonisi Island, where they were detained incommunicado. They were held on the island for 2 ½ days and were allegedly forced back onto their boat, which was left adrift in the sea. During their captivity, their relatives could not communicate with them, considered them missing and asked the assistance of PRO ASYL. PRO ASYL informed Frontex, UNHCR Greece, the JRCC in Pireaus and the Turkish authorities.**

*'Around 8 o'clock in the morning the boat's engine broke. We were in the sea until 19:45. We had four mobiles and four batteries, which were consumed, calling 112 telling them we need to be rescued. Someone answered 112. He told us: 'You are under control, we are searching for your point via satellite. Maximum at 30 minutes we will be at you. Keep your phone open.' The coastguard arrived around 19:45. (...) We spent two nights and one day in Farmakonisi island. Then, around 12:00 in the night the same five men who had brought us to Farmakonisi (...) took us back to the boat. (...) Our boat had neither an engine nor paddles, but they threw us in it. We stayed in the water from 23:45 until 5 o'clock in the morning.'*⁹⁴

- **In another case, a boat was allegedly in distress, near the island of Samos. Among its passengers was a patient with metastatic cancer, elderly people and small children. Relatives of the passengers allegedly communicated with the Rescue Center. Nevertheless the boat was allegedly pushed back and the passengers claimed to have been badly beaten.**

*'We were 150-200 meters from the [Greek] coast. The police had not seen us yet. We couldn't restart the engine, so we turned a mobile on and called SOS. We were so close to Samos we could clearly see the houses and the cars. When the Greek coastguard came, they made manoeuvres. We thought they would come to help us, but they drove directly towards us making waves. They had a big ship and they were passing extremely close by our boat. The women were screaming. We held ourselves with all our strength from the boat. When the coastguards came closer, they covered their faces with black masks. (...) When they arrested us they beat us badly with batons.'*⁹⁵

- **In one of these cases⁹⁶, the Greek authorities claimed that no boat was found.**

93 O.M., M.M. and D.M., from Syria (Afrin) / pushed back from Leros; Interviewed in Izmir (Turkey), August 29, 2013

94 O.M., M.M. and D.M., from Syria (Afrin) / pushed back from Leros; Interviewed in Izmir (Turkey), August 29, 2013

95 H.G.R., (with his family) from Afghanistan / pushed back from Samos in July 2013; Interviewed in Mytilene (Lesvos), September 17, 2013

96 O.M., M.M. and D.M., from Syria (Afrin) / pushed back from Farmakonisi; Interviewed in Izmir (Turkey), August 29, 2013



The landborder between Turkey and Greece runs for the most part along River Evros / Maritsa.

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4.5. Push-backs from Evros Region

The land border between Greece and Turkey runs along the river Evros, except for a section of land, where a fence has been built. In the Evros region the Greek army, the Greek police, the border police and Frontex units operate. The area is also monitored with thermal cameras and other high-tech equipment. A military border zone exists, where access to civilians is forbidden.

▪ **Most interviewees claimed that they were either arrested after their entrance in Greek territory via Evros River and while walking in the streets of the first villages they saw, or in the woods where they got lost or hid themselves. In some occasions, refugees claimed that upon their arrest they were made to believe that they would be taken to a detention center.**

*'We hid for two days in the woods. (...) At six o'clock in the morning four persons came. (...) They had guns and radios. They woke us up with punches and kicks and asked everyone who had a mobile phone, to put it in front of them. They put all the mobiles in a plastic bag. They waved us not to talk.'*⁹⁷

*'They [the officers] told us not to worry, the police would bring us to the camp and there were many other migrants from Afghanistan and from other countries. (...) They put us in the van and locked the door. There was a small hole in the door. (...) We could see trees and bushes. My friend said: 'They are taking us back to the border!' I told him he shouldn't worry because they had told us they would bring us to a camp'*⁹⁸. Shortly after, both Afghans were pushed back to Turkey.

▪ **Most of the refugees reported that upon arrest, they were transferred - in closed type vans with no insignia - to specific places, where they were detained for some hours (or even for more than a day), without being officially registered, nor having access to the asylum procedure or to the outside world and without even being given anything to drink or eat. Refugees' thorough description of the detention places where they were allegedly held (some of them have reproduced a sketch of one of these places), does not match any of the official detention centers.**

*'They brought us to the place with a big tree. It's where they bring everyone they push back to Turkey. It is a place for animals, not for humans. A stable. There is a wooden hut of maybe 12 x 3 meters. It might be used for keeping the police dogs.'*⁹⁹

*'There was an old building, but the door was closed. The door of the stable was open. It was not a proper door but a piece of wood. They had surrounded us in the middle of their cars. The police had parked their cars, on four different sides all around so we wouldn't escape. The officers were standing next to us controlling what we were doing. We had to sit on the ground. There was no fence. There was a big field, a stable and a building. The field was full of animal excrements. There was a big wall and no one would try to escape, as there was a lot of police.'*¹⁰⁰

▪ **Many refugees claim that they were taken back to the woods and held in glades for hours, where**

97 M.M. (24 years old), from Eritrea / pushed back from Evros on 17.6.13; Interviewed in Athens, August 19, 2013

98 G.A.N., from Afghanistan / pushed back once from Evros in June 2013 and twice from Lesvos in end July 2013 / beginning of August; Interviewed in Mytilene (Lesvos island, Greece), September 23, 2013

99 R., from Afghanistan (with his elderly mother) / pushed-back from Evros in September 2012; Interviewed in Athens (Greece), January 6, 2013

100 H., from Afghanistan / pushed back from Evros in October 2012; Interviewed in Athens (Greece), January 4, 2013

people from other groups were also held, before being pushed back. Some refugees reported to PRO ASYL that not only were they transferred to the woods in vans, but they were also held inside the vans for many hours.

*'We waited for 12 hours: four with the van's door closed and eight more with the van's door open, but they didn't let us get off the van. We couldn't see anything. We were in the woods.'*¹⁰¹

▪ **Many interviewees claim that they were searched, and on some occasions even forced to take their clothes off. Some refugees said that they were allegedly beaten if money was found on them. In all of the cases, interviewees claimed that they didn't get back their personal belongings.**

*'They took us with a van to a police station. Then, they body searched us. We even had to take off our clothes. The police took our mobiles, the SIM card, the chargers and the batteries. They ordered us to throw our clothes in the garbage. It was night when it all happened. Then they pushed us back to the Turkish side. (Dressed with our underwear)'*¹⁰²

*'This police knew everything. They even knew about where we are hiding our money sewing them inside our clothes. They took away our bags and threw them in a corner. Then they told us to undress. We were all naked. Then the officers took a knife and tore all of our clothes searching for money. 200, 300, 500 Euro – they took it all. Then they beat us. It was 11-12pm.'*¹⁰³

*'One of us asked them to give us our mobiles back and they beat him very badly. The good mobiles, among them an Apple, they kept them.'*¹⁰⁴

▪ **Many refugees alleged that upon apprehension or detention, they were asked specific questions concerning their nationalities, the number of people that were in their group and the exact place where they had crossed the river.**

*'They didn't keep our personal details, but they were writing down something: three Eritreans, so many Syrians, so many Afghans and so on.'*¹⁰⁵

▪ **On many occasions, they stated that the officers involved in their apprehension, detention or push-back operation, would make phone calls seemingly informing someone about them.**
▪ **Refugees described officers involved in these operations, as ones wearing blue uniforms, military green and dark green uniforms. Allegedly, persons in plainclothes and others wearing full face masks were also involved in some cases. In one instance a person in uniform with the insignia of Germany (German Flag), witnessed the push back of two persons by Greek police in day light.**

*'The police officers were wearing blue uniforms. The ones we see in the streets here in Athens.'*¹⁰⁶

*'There were 5-6 officers when they brought us back to the river. Their uniforms were of green colour (military green). It was obvious they were border police. Two of them had wooden batons in their hands. The officers that had caught us had been dressed in blue uniforms. They looked like the town police.'*¹⁰⁷

*'When we got off the van we saw some people wearing full face masks.'*¹⁰⁸

'The two officers who arrested us (Greek officers in blue uniform, ed.), and another one who was driving the second car brought us to the river. They took us to one officer with a motorbike, dressed in military uniform. He checked me with his eyes from up to down and asked 'Hazara?' I noticed on his uniform the German flag, black red and gold, while he was body searching me. (. . .) The 'German' was standing next to the river. When we arrived next to him, I implored

101 M.M. (24 years old), from Eritrea / pushed back from Evros on 17.6.13; Interviewed in Athens, August 19, 2013

102 I. from Somalia / pushed back on 2.5.13 from Evros; Interviewed on the ship from Lesbos to Athens (Greece), June 10, 2013

103 G.A.N., from Afghanistan / pushed back once from Evros in June 2013 and twice from Lesbos in end July 2013 / beginning of August; Interviewed in Mytilene (Lesvos island, Greece), September 23, 2013

104 A.S. (36 years old) with his wife S.N. (30 years old) and two underage children, from Afghanistan / pushed back from Evros on 12.7.13; Interviewed in Mytilene (Lesvos island, Greece), July 22, 2013

105 M.M. (24 years old), from Eritrea / pushed back from Evros on 17.6.13; Interviewed in Athens (Greece), August 19, 2013

106 N.N. (32 years old), from Eritrea / pushed back from Evros in June 2013; Interviewed in Athens (Greece), August 16, 2013

107 G.H. (with his wife and 4 children 3, 8, 11 and 14 years old) from Afghanistan / pushed back from Evros in July 2013; Interviewed in Mytilene (Lesvos island, Greece), September 17, 2013

108 M.A. (24 years old), from Eritrea / pushed back from Evros in May 2013; Interviewed in Athens (Greece), August 19, 2013

him not to send us back to Turkey, we both fell on our knees. He punched me and my friend once in the face'¹⁰⁹.

▪ **Upon apprehension, detention or push-back, almost all interviewees alleged that they were ill-treated by the officers. They said they had been slapped, beaten with batons, punched and kicked on their body, on their head and on their face. In one case reported to PRO ASYL, a Syrian refugee was allegedly seriously bitten by a police dog upon apprehension, yet he didn't receive medical treatment and was pushed back to Turkey.**¹¹⁰

*'They pushed us towards the boat. Again the 'German' punched me and pushed me in the boat. (...) One of the men in the boat pulled us inside and pushed us on the floor kicking us. My friend like me has worked as a translator for the ISAF Forces in Afghanistan. He was telling them again and again not to deport us. They beat him more. When we arrived on the other side of the river, they beat each of us twice with the wooden stick on our backs and our legs. They said: 'Go! Hide somewhere until night and go!'*¹¹¹

*'The police took off all of our clothes, even my wife's and my child's. My child is 12 years old. A police woman hit my wife in the head. She searched all our belongings and my wife's Quran.'*¹¹² Due to this degrading and inhuman treatment, the couple concerned expressed their strong fear of ever entering Greece again. During the interview they were still suffering and in pain.

▪ **Many interviewees were allegedly intimidated and threatened. Some reported that when detained in a place like a kennel, officers unleashed their dogs towards them and just before seconds they attacked us, they called them back.**¹¹³

*'When they put us in the boat, one of the police officers told us in English that if we come back again to their country, they would send us back again. He took out his gun and pointed it to us. We heard the noise of the gun as he loaded it threatening us that if we would come back they would shoot us. 'We will beat you. We will torture you.'*¹¹⁴

*'The police had big dogs, which they unleashed against us, to scare us and they would then call them back, only seconds before reaching us and biting us. They had fun with us.'*¹¹⁵

▪ **When taken back to the river, refugees told PRO ASYL that they were ordered not to make any noise or move and were allegedly threatened with guns. They were forced to enter their boat with the policemen and were turned back to the Turkish side. In many cases, interviewees reported that while being pushed back, the police had tied their hands behind their backs with plastic handcuffs. Many interviewees claim that they were held for hours and pushed back in groups from different places. In another case, an unaccompanied minor, claims that he was separated from his relative during the push-back operation and he later found out that his relative had been deported back to Afghanistan.**¹¹⁶

*'When they left us on the other side of the river, we had our hands tied with plastic handcuffs. They cut the handcuffs only from one and gave him scissors to cut the handcuffs of the others.'*¹¹⁷

'They aimed their guns at us and ordered us to be silent (...). 'Sssssssh' they said. They were moving us like thieves, silently, hiding us. There was a small

109 G.A.N., from Afghanistan / pushed back once from Evros in June 2013 and twice from Lesbos in end July 2013 / beginning of August; Interviewed in Mytilene (Lesvos island, Greece), September 23, 2013

110 H., from Syria / pushed back from Evros in 2013; Interviewed in Chania (Crete island, Greece), July 2, 2013

111 G.A.N., from Afghanistan / pushed back once from Evros in June 2013 and twice from Lesbos in end July 2013 / beginning of August; Interviewed in Mytilene (Lesvos island, Greece), September 23, 2013

112 K. (with his wife and one child), from Syria / pushed back 7.7.13 from Evros; Telephone interview, July 28, 2013

113 M.S. (mother); M.H.S. (husband); A.R.S. (underage son), from Afghanistan / Pushed back three times / once from Evros in September 2012 and twice from Lesbos island in February 2013 and in April 2013; Interviewed in Athens (Greece), June 14, 2013. They are together with three other minor sons and a 6 months old baby girl with serious health problems.

114 M. (16 years old), from Afghanistan / pushed back from Evros in August 2012; Interviewed in Mytilene (Lesvos island, Greece), December 20, 2012

115 R., from Afghanistan (with his elderly mother) / pushed-back from Evros in September 2012; Interviewed in Athens (Greece), January 6, 2013

116 M. (16 years old), from Afghanistan / pushed back from Evros in August 2012; Interviewed in Mytilene (Lesvos island, Greece), December 20, 2012

117 I., from Somalia / pushed back on 2.5.13 from Evros; Interviewed on the ship from Lesbos to Athens (Greece), June 10, 2013; See also F., M. and I. from Somalia

wooden fisherman's boat. They put us in it - 30 persons - and drove back and forth, always threatening with their guns to keep silent.'¹¹⁸

'The officers waved us not to make any noise. We know from others that they always do like that and that when there are Turks from the other side, they take the people for a ride.'¹¹⁹



Burying the victims of the borders in Lesbos
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118 R., from Afghanistan (with his elderly mother) / pushed-back from Evros in September 2012; Interviewed in Athens (Greece), January 6, 2013

119 N.N. (32 years old), from Eritrea / pushed back from Evros in June 2013; Interviewed in Athens (Greece), August 16, 2013

5. DEATH IN THE AEGEAN SEA

'I knew it was a dangerous trip; I didn't know we would drown!'
M.B. (16), from Afghanistan¹²⁰

Chronology of border deaths in the Aegean Sea since August 2012, as reported in the media

2.9.13 Altinova (Turkey): 8 missing after dinghy detonates¹²¹

31.7.13 Canakalle (Turkey): 24 dead¹²²

26.7.13 Chios island/ Oinousses island (Greece): 1 dead¹²³

25.7.13 Kos island / Bodrum (Turkey): 13 Syrians missing (5 children, 1 pregnant)¹²⁴

21.7.13 Samos island (Greece): A mother and two children from Syria die upon arrival¹²⁵

6.6.13 Chalkis island (Turkey): 1 dead, 5 missing¹²⁶

15.5.13 Leros island (Greece): 1 dead 6-year-old girl¹²⁷

17.3.13 Lesvos island (Greece): 8 dead (2 Minors and 3 children and one pregnant)¹²⁸

13.1.13 Chios island (Greece): 3 dead¹²⁹

14.12.12 Lesvos island (Greece): 21 dead and 6 missing¹³⁰

6.9.12 Izmir (Turkey): 61 dead (31 children)¹³¹

120 Welcome to Lesvos, Interview with the Survivor of the Ship Tragedy in Lesvos. Available at: <http://lesvos.w2eu.net/2012/12/17/interview-with-the-survivor-of-the-ship-tragedy-in-lesvos/#more-55>

On the 14th in the afternoon a 16-year-old unaccompanied minor from Afghanistan was rescued in the sea near Lesvos. He had been on a boat with more than 30 other refugees when the dinghy got in distress. The next day three corpses were found at the village Thermi (15 km north of Mytilene). More corpses were found in the following days at the beaches of Thermi - in total 27 bodies. Some remained missing - among them one elderly man, two women and a child.

121 Source: <http://gundem.milliyet.com.tr/olume-terk-edilen-kacaklari-sahil/gundem/detay/1758397/default.htm>

122 Source: <http://www.cnnturk.com/2013/turkiye/07/31/egede.gocmen.teknesi.batti.18.olu/717773.0/index.html> ; see also: <http://www.sabah.com.tr/Yasam/2013/08/01/umut-yolunda-facia>

123 Source: <http://tvxs.gr/news/ellada/oinoysse-47-metanastes-sti-thalassa---enas-nekros>

124 Source: <http://www.sabah.com.tr/Yasam/2013/07/26/egede-multeci-botu-batti-9-kayip> ; see also: <http://www.amnesty.org/en/for-media/press-releases/two-boat-tragedies-leave-migrants-dead-and-missing-europe-s-shores-2013-07->

125 Source: <http://www.efsyn.gr/?p=106784>

126 Source: <http://www.hurriyetdailynews.com/refugee-boat-sinks-in-aegean-sea-1-dead-5-missing.aspx?pageID=238&nID=48314&NewsCatID=341>

127 Source: <http://www.tovima.gr/society/article/?aid=512660>

128 Source: <http://www.efsyn.gr/?p=32508>

129 Source: http://www.newsit.gr/default.php?pname=Article&art_id=185373&catid=6

130 Source: <http://tvxs.gr/news/ellada/lesbos-oi-anthropines-tragodies-piso-apo-tin-simerini-maziki-tafi>
<http://www.lesvosnews.net/articles/news-categories/astynomiko-reportaz/asyllipti-tragodia-18-ptomata-prosfigon-sti-thermi>

131 Source: <http://www.hurriyetdailynews.com/refugee-boat-sinks-near-izmir-61-dead.aspx?pageID=238&nID=29518&NewsCatID=341>

ANNEX - INTERVIEWS

Due to the large number of interviews conducted by PRO ASYL, only a representative sample is reproduced in this report. The following accounts derive directly from eyewitness testimonies obtained in the context of PRO ASYL's research during the last months.

Pushed back from the Aegean

Push-backs from the Greek Territorial Waters

Y.H. (40 years old), wife N.T. (32 years old), A.H. (m) (15 years old), S.K. (f) (13 years old), S.H. (f) (7 years old), S.H. (f) (9 years old), from Afghanistan¹³² / pushed back from Lesbos on 13.7.2013



Y.H. (husband): 'We were in Ayvalik. (...). We were 15 Afghans. (...) This happened on Saturday 13.7.2013 at 2 o'clock in the night. We were on a rubber boat (...).

N.T. (wife): (...) We were so close to Greece that we could see the cars passing in the hill, going up and down. I could see a person walking. It was at dawn. (...) The coastguard vessel sailed towards our boat. (...) The men in our boat told us to lift our children up in the air. When they saw them, they stopped. (...)

During a fact finding mission in Turkey 23 -26 August 2013, Pro Asyl noticed that there are buoys, similar to those described in this interview near Ayvalik. copyright: Pro Asyl.

The boat was yesterday in the port of Mytilene, tied nearby the tents, on the right side of the port. When we go back there to take the ship to Piraeus, we will show it to you. It had inflatable boat balloons hanging out. They took us up from the front. There was a space they sail the boat. In the back, there was something small. In front there was a taller room. We could not sit. It was edgy in the front. It had a computer and a satellite. It was of light grey color.

There were four officers, three of them wearing full face masks. (...). They didn't talk to us, but they talked on the phone. (...)

They tied our boat with a rope in the back of their vessel and pulled us towards Turkey (...). They talked on their mobiles for 3-4 times. We thought they were talking with the Turkish police, to come and take us. (...) They put us back on our boat, where these red buoys are. (...) We were forced back to the boat. There was no air left in it. They then left, leaving us there.

Y.H. (husband): (...) When they left us in the Turkish waters, we weren't that close. We could see the city lights, but from a certain distance. When we were in Greece, some of the people said that they would jump in the sea and pull the boat offshore. In Greece were that close.

A.H. (son): (...) One by one all men fell in the sea, leaving my mother and my sisters in the boat. They were taking the water out of the boat with the water bottles and we, the men, were pulling the boat to the shore. We remember the lighthouse that there is there. We went there and the Turkish police arrested us. They took us to the police station. (...) They thought that my father was the smuggler and beat him. (...) They kicked and punched him. (...)

¹³² Interviewed in Mytilene (Lesvos island, Greece), July 23, 2013

N.T. (wife): I had in mind to arrive in Europe, so that my kids can go to school and when the boat had taken on water, I said to myself, maybe this few bread we had in Afghanistan, maybe it was better. What have I done? I brought my kids to drown them in Greece. I was in despair’.

A. (35 years old), from Syria¹³³ / pushed back from Samos on the 22.8.13

A: ‘We were 50 persons from Syria and Eritrea. Among us there were four children and seven women. (...) Around 10 o’clock in the morning we were close to the island. Some meters away from us, was the Greek coastguard and they arrested us. It was a big vessel with a firearm on it of 12.7 mm. There were around 10 police officers on board. Two of them were wearing full-face masks. They told us to stop, to raise our hands up and not to move. They called and a second boat came. It was a smaller one, around 15mt long. On the second smaller boat all those who were on board, had their faces covered with full-face masks. The number of that boat was **84030**. They used their arms (M4). They told us to get on the boat one by one and they hit each one with the gunpoint. They didn’t hit the women and the children.

They made us sit down, on the big boat. They took our clothes, our mobiles and threw them in the sea. They spoke among them. The first time they told us to put our hands behind our neck and then they turned our t-shirts over our heads. They didn’t do that to the women and the children. As we sat down they hit us again with the gunpoint. (...)

They took everything, also the engine of the boat. There were two small paddles, which they also took. Someone from our group called the Turkish emergency number (...) We told them that the Greeks left us there. The Turkish coastguards came and took us offshore’.

K.A. (Syria)¹³⁴ / pushed back from the strait of Samos on 27.9.13¹³⁵

K.A.: ‘We were ten Syrians in a boat, in the strait of Samos. We had almost arrived, when suddenly a very fast boat, with men dressed in black arrived. They came closer and slowly started pushing us, by bumping into our boat, until we arrived back on the Turkish coast. We were afraid, also because in that part there were rocks in the sea. They literally left us offshore, in the Turkish side. We jumped offshore and walked (...)’.

Push-backs from the Islands

A.B. (27 years old) and M.B. (28 years old) from Syria (Yezidi minority)¹³⁶ / pushed back after their arrest on Chios island on 27.8.13

M.B.: ‘It was around 11 o’clock in the evening when we left from Turkey. We were six persons in the boat, four Syrians and two Sudanese. We arrived in Chios island. We know for sure we were in Chios, as we checked it on googlemap on our mobile.

A.B.: We arrived after 3-4 hours in the sea. I started running away to the mountains. Three ‘soldiers’ apprehended the three of our group, including my brother. They were dressed in black... I was trying to hide myself in the bushes. They put a gun on my brother’s temple. He was shouting that they would kill me. After 30 minutes they found me in the bushes and they took me with other three persons who were hiding under a tree, back to the beach.

(...) One was wearing military trousers. (...) The men in black told me that they would send me to another island. I told them I didn’t want to go somewhere else: ‘I see the lights here. If you want to kill me, kill me.’ One took his gun out and put it on my temple. They then started punching and kicking me. One slapped me on my left ear and ever since I can’t hear from that side. (...)

They brought us back on the boat on which we had reached the island and forced us to get inside. One person from our group punctured it in order to prevent them from pushing us back to Turkey. The boat started sinking. I

133 Interviewed in Izmir (Turkey), August 24, 2013

134 See also: Push-back on the 8th of August 2013 (Farmakonisi military island) and on the 28th of August 2013

135 Interviewed in Athens (Greece); October 2, 2013

136 Interviewed in Izmir (Turkey); August 29, 2013 [brothers]

fell into the water. I saw our boat sinking. I don't know how to swim and I had no lifejacket. I was just moving my hands and my legs back and forth.

The one with the military trousers grabbed me from my head and put it under the water three, four times. (...) I could not breathe. I was terrified. He then grabbed me and pulled me towards the other refugees, who were wearing lifejackets. They were holding themselves from the boat. We were in the water. I was holding myself from someone else's lifejacket and with my other hand from the necklace of this officer in military pants. (...) The boat was only five meters from the shore, but the water was really deep. Then they took me and another one from our group onto the coastguard's boat. The others from our group were holding themselves from our boat, as they were pulling it to the big boat. The big boat was 20-30 meters from the shore. The big boat was also red. It was made of steel, of red colour outside and white inside with electronic equipment. (...) The Greek officers repaired the hole on our boat. It had a small cut. They took our money, our mobiles and our bags.

We saw two small, uninhabited islands. When the coastguard boat was 20-30 meters away from one of these small islands, the officers forced us back on our rubber boat. They had left us with just one paddle. One of us fell into the water and pulled our boat out to the shore. The coastguard left. It was around 6-7 o'clock in the morning. We arrived in this very small island and we fell asleep there. We were completely wet. Then a Turkish helicopter came. It flew over our heads for three times and afterwards the Turkish police came. They took us to the hospital in the mainland. There, the doctors told me that there's a permanent problem with my ear'.

An.K.N. (28 years old), Ar.K.N. (metastatic cancer patient) and F.K.N. (65 years old) from Syria¹³⁷ / pushed back after their arrest on Chios island on 12.9.13

An.K.N.: 'We were 12 persons on the boat. There were three elderly women, an elderly man with us and my brother, who is seriously sick. He has cancer. We arrived on the island of Chios. We knew it from our mobile. We checked it on google map. We were in an area, where there were abandoned 'factories'. The coastguards knew we had arrived. They looked for us. We hid ourselves for some hours. Then we walked until we reached a big road. And then they arrested us. They were shouting at us. They asked us where we are from. We told them we are from Syria and that we left our country in order not to die and we came to you, asking for protection.

F.K.N.: The coastguards told us that they would bring us to another island and from there to Athens. They spoke with somebody on the phone. They took us back to the beach and they brought a big boat. The officers had masks and they had guns. They told us to get on the boat, but we didn't want to.

Ar.K.N.: They put their guns in our heads. We were forcibly taken onto their boat. They were holding their guns in to our heads, so we wouldn't talk. They told us to turn off our mobiles. One of them wanted to take my mobile. I had hidden it. He searched for it, but he could not find it. They brought us in the middle of the sea. They carried with them a dinghy that didn't work. They threw us into the dinghy and left.

My brother was with me and I didn't know how to help him. He's sick with cancer. His medicine has finished. He left his children and wife to go to Europe and find treatment and get well. But they returned him back from the Greek island'.

The Case of Farmakonisi Island

R., J. & N., from Syria (Yezidi minority)¹³⁸ / pushed back from Farmakonisi on 17.8.13

R.: 'It happened last Sunday (17.8.13). We were five persons - all from Syria. (...) We arrived in a Greek island at around 5-6 o'clock in the morning. It was a military island. There was a small military base, some sheep and soldiers. When we got there we climbed up the street. We heard some sheep and we thought we arrived in a village. We saw the Greek flag and thought that there's a state there and they will respect us. There was a 'soldier' who searched us. He had a beard and very short hair. The first thing this man did was to beat N. who fell on the rocks. He kicked him in the ribs and threw him on the ground. He then went to J. (17 years old)

137 Phone interview – September 13,2013; See also push-back from Farmakonisi 8.8.13 and push-back from Samos 19.9.13

138 Interviewed in Izmir (Turkey), August 24, 2013

and kicked him and badly hurt his foot. Then he started beating up the two other persons who were with us. (...) In the beginning this 'soldier' was alone, but then someone else arrived, another soldier who didn't beat us. They took all of our things. They ordered us to stay with our hands extended and body searched us. They even searched the hemlines of our clothes. They put us in a small room and they beat us one by one - each one for 15 minutes. They were holding us from our t-shirts so that we could not move and were punching us. They were asking things, but I only speak Arabic, so I couldn't understand. I told them to speak Arabic with me and they beat me again.

They then took us back where we were in the beginning and took off our underwear, one after the other and they beat us with a wooden stick. They kept beating us, until everyone was beaten three times. They then put plastic handcuffs in our hands and left us for seven hours with our hands handcuffed in the back under the sun.



Signs left from the handcuffs. One of the interviewee's had a black eye, but didn't want Pro Asyl to document it for obvious reasons (religious minority, suppressed and Greek authorities).
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N.: I still can't feel my fingers. Then they took us back to a room and they forced us to stay down, looking at the wall and with our hands handcuffed. After a while we started crying. Someone brought us some water to drink. It was very dirty. We cried loudly and then another soldier came and cut off our handcuffs. A blonde woman with curly hair in military uniform, who appeared to be a doctor, came and asked us whether we need anything. We were so afraid that we just looked her in the eyes and told her: 'No, we don't need anything.' They brought us something to eat but we were so scared, that we didn't eat. They asked for our names and our nationalities. The man who was writing down our names was bold, tall and thin. He didn't wear any uniform, but a pair of short pants. We stayed on the island for three days. Every day they would beat us. The situation was very bad. (...) We were crying so much. We couldn't even go to the toilet, because even then they would stare at us. The room, where we were detained looked like a garage or a deposit room. The roof was of aluminium.

On the third day, around 11 o'clock in the evening they took us in a car that was dragging something behind and brought us back to the beach. We stayed from 11 o'clock in the evening until 5 o'clock in the morning on the cement with our hands behind our neck. We were the five of us. Five soldiers were guarding us and five men were on the boat anchored there.

They forced us back on the boat with our hands handcuffed in the back. Two of the men on the coastguard boat were wearing black clothes and the others were wearing military uniforms and were aiming at us with their guns.

While we were detained there, they would beat us every day. In almost any occasion they would get in contact with us, for example when they would bring us water to drink, they would beat us. They were mostly beating me.

When we were on the coastguard's boat, they made a round of the island. Then they said: 'Come, come' and they brought two very small boats that were tied to each other. Two of us got in one of the boats and the other three in the second. A soldier was holding them with a rope.

I had a Syrian passport. They had taken it from me so I asked them to give it back. They told me that my passport is in my bag. Then they told me that the Turks have my passport. Then they speeded up and suddenly slowed down. By creating waves they pushed us back to Turkey. The boat carrying the three persons was very heavy and

started sinking. Then we saw the lights from a big boat. The boat that saved us was a big Turkish military boat. They took us to a military camp where they took photos of us. (...) We were barefoot and our clothes were torn by the Greeks.

R.: They took J.'s Syrian Identity card, N.'s passport, I.D and driving license and my ID and my driving licence. They didn't stop to beat J. even though he had his leg broken.

D. (26 years old); A. (26 years old); F. (26 years old); F. (65 years old) (f); R. (25 years old) (f) with her five months old daughter A. and her husband H. (30 years old); C. (25 years old); H. (27 years old); G. (41 years old); A. (13 years old) (f); S. (43 years old); A. (41 years old); A. (42 years old); R. (30 years old); N.M. – 15 interviewed persons from Syria (46 persons pushed back in total)¹³⁹ / pushed back from Farmakonisi on 8.8.13

A.K.: 'It was on the 8th of August 2013. We were 21 persons, all Syrians. Among us there were men, women and children. There was also a pregnant woman and a baby.

We left from Turkey at 5 o'clock in the morning. After one hour we arrived on the island.

There was another boat, with Syrians as well. This boat arrived two or three minutes earlier than us at the sea shore.

A.K.N.: When we reached the shore, there was a Greek coastguard boat in front of us, it made circles around us. It was white on its upper part and grey on its lower part. The police boat was a relatively small one. It had no flag, no European flag. There were four persons on board. They were wearing black uniforms and full face masks. Another man wearing full face mask, waited on the dock with a wooden stick. They started shouting 'fuck off malakas', you know bad things. The women and the kids started crying. They got scared.

A.K.: There was someone from our group who spoke German. He heard them and he told us that they were speaking German. They said: 'Come out to the shore'. They shot twice in the air. The Greeks told us to sit down on our boat and they pulled us out with a rope.

They first guided the other boat offshore and then ours. Once offshore they shouted to us 'sit down'. Four men of our group were chosen by the coastguards and handcuffed. They tied their hands with plastic handcuffs in their back.

R.: C., D. and F. were the last to come out and the police waved to them that they would cut their throats. A. was also with them. They were very nervous. They were swearing a lot in Greek. They would say: 'Malakes, gamo ton bela mou mesa!'¹⁴⁰

A.K.: They beat D so much. One with a wooden stick and one other put his foot on his head and twisted it. D cried so much. He shouted in Arabic 'I'm not an animal'. The police shouted 'shut up'.

H.: They made us kneel with our hands behind our head. They beat each one of the four (C., D., F and A) when they got out of the boat with a wooden stick, which was two palms thick. When we arrived we thought we were in Europe and we are safe. We left the war. As we were getting off the boat, they would kick us on our backs. One of the police officers put his foot on D.'s head as if he was stubbing out a cigarette. D.'s leg broke. It was still blue until some days ago.

F.K.N.: We could not help. It was so terrible.

F.: Then they checked our things. They took our mobiles, toilet articles. Many things: Mirror, shaver, etc

D.: They hit us everywhere: on the back, on the legs, everywhere. Only the four of us. They tied our hands in the back with plastic handcuffs forced us to lie down under the sun and kept on beating us. The police said that one of the four of us was the captain and one the smuggler. So they kept asking whether we were the smugglers but we denied. We told them we are refugees.

139 Interviewed in Izmir (Turkey), August 24, 2013

140 R., one of the Syrians interviewed is from the Hamidi minority (Greek-Turk minority) and speaks fluently Greek. See also push-back interview 28.8.13

A.: The rest of the group remained for three hours on their knees with their hands behind their neck. They took our mobiles. Then they took us all in a basketball field and left us under the sun.

A.K.: They forced us go up on the hill. There were two buildings on the left hand. We walked for about 100-150 meters uphill. The route was very bad. There was a basketball field, with two baskets. The outside line was white. The inside was grey blue. Beside the basketball field there were three building. There were dorms.

G.: They took us to a kind of animals' facility. The place was five to ten meters long. Maybe it was like three meters high.

R.: It had no windows, the door was closed and there was no cement on the ground.

H.: The room was 10 x 5 meters big and there was an aluminium roof. There was a window covered with metal. There was no pavement and it smelled very bad.

A.K.: It was half past nine in the morning-and the sun was already quite strong and we were 46 people inside this place. Men, women with kids and a baby were all sitting on the ground. No toilet. It was getting hot. It was so hot inside. Then they took the families with children outside. The others stayed locked inside. Sometimes the soldiers opened the door.

S.: Our nerves were destroyed. It was hot, there was the aluminium roof and there was no fresh air. What would you do?

The four of our group who were still outside noticed (from their voices and their appearance) the same officers from the boat who had just changed clothes. After one hour, these officers took their faces masks off.

C.: One of the four officers had a red beard and a tattoo. I was beaten that much, that the only thing I could see was his tattoo. It was a relatively big one, around his elbow. They were hitting us on our bones in order to break them - not on the flesh.

Another officer had dark hair and spoke Turkish. He asked me, while he was beating me, whether I spoke any Turkish, but I told him I couldn't understand. I only speak Arabic and Kurdish. The third one was tall and thin and with blonde hair. The fourth one was a 'commando'.

A.K.: One was tall, a little bit fat and had tattoos on the arms. I would always recognize his voice- it was very strong. He speaks English. Sometimes he spoke German with another officer. I know this because one of our group – E.S. – lived in Germany for a few years.¹⁴¹ But he spoke Greek fluently- I lived in Cyprus, so I am able to judge this. When he realized that the door was open, he ordered for the door to be closed.

A.K.N.: Two of the coastguards were very bad and the two others were sympathizing with us. The whole story was done by the two guys. All beatings were connected to these two guys.

A.K.: And there was military staff on the island: Stavros, Katerina, Nikos- they are all good ones. The three treated us with respect, no wrong behaviour. They tried to help us. Especially Katerina, the medical staff. She wore a military uniform. She was very kind. She asked what kind of drugs people use or they need. She asked what we needed. I trusted her. She took care of the pregnant woman. She made a blood analysis and later told her that she needs vitamins. 'You have minus vitamins', she said. 'You need vitamins'.

N.M.: At about 13 o'clock they prepared food. It was a kind of rice and cheese.

A.: After we ate, people started vomiting.

A.K.: The four guys that were beaten were still handcuffed – always kneeling or sitting in the sun. And we could hear somebody beating them. After two o'clock they were brought to a place with a little bit of shadow next to a car. The four guys tried to eat something. I had to feed them, because they remained handcuffed. When they tried the food, they did not want to eat any more.

141 "They were speaking German with a strange accent." E.S., from Syria in a telephone interview on August 26, 2013 / pushed back from Farmakonisi on 8.8.2013

A.K.N.: The water they brought us to drink was brown. There was mud in it.

A.K.: Maybe at nine o'clock in the evening, the door was opened. It was dark outside. The light in our barrack was switched off. All people were inside. Ten minutes before we could go out they switched on one light. They opened the door and said 'ela': The single one- without family without kids should go with them. 'Take your bags from the basket place and follow us.' We went back to the sea shore. The police boat was waiting. 21 single men – most men of our boat were Kurdish - followed their orders. They checked us again. They shouted. They were the same officers from the morning.

Two came with us. Two masked men and the captain were on board. Two stayed on the beach. They took one of our boats- they put on the rope and brought us back to the sea. And then they switched off the lights, they only kept on one from behind. They shouted: 'Go!' And they forced us back on our boat- they treated us like animals. And they disappeared. When they were 100 meters away, they switched on their lights again.

A.K.N.: They took us to the Turkish waters and threw us one by one in our boat. One of us fell in the sea and we picked him up from the water. They threw us as if we were garbage. Then they cut the rope.

A.K.: What could we do? We were in the middle of the dark sea. No telephone, no lights, no motor. We started shouting. And we used our cigarette lighters. Maybe it was at 10 o'clock in the evening when the whole operation started. We sailed for about 20 minutes from the Greek military island to the open sea. And then they left us adrift. Many felt sick and vomited.

Maybe an hour later, we saw another light- in about one kilometre distance. It was the other group – the families with the kids. They heard us. Allah, pity us.

H.: There was no engine, no fuel on the boat and no paddles. Almost everyone vomited. We were in the sea from 10 o'clock in the evening until 5 o'clock in the morning.

A.K.: An elder woman hid a phone and someone called the Turkish military and the Turkish boat came and rescued us.

H.: We were in the sea all screaming, hoping someone would hear us. There was just a Turkish coastguard boat, which came twice to bring both of our groups to the land. Around 4-5 o'clock in the morning they found the group of the 25 persons and this is how they found the second boat with the men.

A.K.N.: They took D. in the hospital in Didim'.

Push-backs of Boats in Distress

O.M., M.M. and D.M., from Syria (Afrin)¹⁴² / pushed back from Farmakonisi on 26.8.13¹⁴³

On Saturday 24.8.13, at 3 o'clock in the afternoon, while a PRO ASYL team was on a mission in Izmir (Turkey) people we had already been interviewed informed us, that the engine of a boat carrying 14 Syrian refugees –among them were some of their relatives - broke, at approximately 2km from the island of Leros and that the persons on board were in the sea for more than 12 hours without food or water. We suggested that they should call 112 and give a distress alert, so that they could be traced. We informed UNHCR Greece. The following day, they informed us, that they had not heard from their relatives since the prior day and that the boat was missing.

Subsequently PRO ASYL informed the Search and Rescue Center in Piraeus (JCRR) and UNHCR Greece again. Additionally the Frontex Headquarter in Warsaw was notified. The Turkish Coastguard was also informed by our Turkish colleagues on Sunday. PRO ASYL was also informed that one of the passenger's brother lives in the UK and he was contacted in order to verify whether his brother was indeed in that boat and if he had heard from him. He informed us that his brother was in a boat the previous night trying to reach Leros island, but he hasn't heard from him since he left the Turkish shore. On August 27, 2013, a member of the PRO ASYL team received a phone call from the aforementioned person, UK citizen who said that the people on that boat in distress were apprehended by the Greek Coastguard and detained on a military island and that on August 26 were pushed back to Turkey. On August 29, 2013 a researcher

142 As M.M and the others interviewees told PRO ASYL, he was severely beaten by non-state agents in Syria. Ever since, he has serious problems with his back. The three of them (O.M, D.M, M.M) are political dissidents in Syria.

143 See also: 'The Farmakonisi case'

of PRO ASYL visited them in Izmir and interviewed them.

O.M.: 'We left from Turkey around 3 o'clock in the night. We were 14 persons. Around 8 o'clock in the morning the boat's engine broke. (...) We had four mobiles and four batteries, which were consumed, calling 112 telling them we need to be rescued. Someone answered 112. He told us in English: 'You are under control we are searching for your point via satellite. Maximum at 30 minutes we will be at you. Keep your phone open'. We saw from a distance two boats from Greece's side. They were passing behind Leros island. We thought they were Greek boats searching for us. It was around 17-18:00 when we saw them.

D.M.: The coastguard arrived around 19:45. The sea was wavy and we were gulping seawater. Some people had lost their senses, especially the two children. We were crying and we were hoping that the fishes would come and eat us.

M.M.: The coastguard's boat was a big one. With an open grey color, it was a steel boat around 15 meters long. There were five persons on board. The boat had the European stars on its side. The officers were wearing black clothes, black t-shirts and have had no masks on their faces. The number of the boat was **ΛΣ 69**. One of the men was thin. He was around 1,70 meters tall, he had blue eyes and he was blonde, with very short hair. His hair was almost shaved. (...) He started talking on the phone. They first told us to be quite. We were silent for about 45 minutes. They kept talking on the phone. They told us to sit down with our hands behind our neck.

O.M.: They first took the woman and the two kids on their boat. There was one woman and two small children. The rest of us remained in our boat. Then they took us one by one on their boat and brought us to Farmakonisi, the military island. Once in Farmakonisi, they made us all lie down with our faces looking on the cement. The woman with the two girls weren't forced to lie on the cement. This lasted for about two hours. They beat us in the faces and in the groin area. They told us: 'Syria, rubbish people'. Whoever tried to talk, they grabbed him from the neck, trying to choke him. There were only the five men from the coastguard boat. Then some soldiers came, but they didn't touch us.

D.M.: One of us was beaten a lot. They took his clothes off, while he was on the dock. Then they took us to the basketball field. They also took off the clothes of the other people and left them in their underwear. They didn't do that to the woman and the two girls. One of the five officers was beating us a lot. He had a small beard and a shaved head. He was fat; 1.55-1,60 meters tall. He had dark skin, wore black trousers and a black t-shirt. He would beat with kicks and punches. Two of them were beating us, by putting us in between them as if we were a soccer ball. From O.M. they took 500 euros and from the others as well. They didn't take the Turkish lira. They only took Euros and the mobile phones. From another guy from our group they took 1.000 euro. M.M., who is suffering from severe pains in the back, asked for his medicine. After two hours they just gave him one pill.

O.M.: They beat us for two hours in the basketball court. Then they took us to the camp that was nearby and left us without water and food till the following day. We felt we wanted to vomit, but our stomachs were empty and there was nothing that could come out. Some of the people from our group remained unconscious for 3-4 hours in the camp. First, no one of the Greeks asked us anything. They just said: 'Fuck off the Turks and the Syrians'. Then they asked us one by one, why we wanted to go to Athens. I told them I'm a refugee and I risk losing my head in Syria. They started laughing at me and they beat me. They said 'Mr., Mr., Turkey, Turkey'. There was one man, who was tall and a little bit fat. He had his hair cut as a soldier. He gave an aspirin to each one of us for the headache. He was polite. We asked him to bring M.M.'s medicines for his back. He went, but he brought just one pill. M.M. told him that one is not enough for his problem, but the man told him he could not bring others, because the officers were watching him. (...)
We spent two nights and one day on Farmakonisi island. Then, around 12:00 in the evening the same five men who had brought us in Farmakonisi, along with the guy who beat us a lot in the basketball field, took us back to the boat. We only ate once in two days and we were only allowed to drink water from the toilet. Our boat had neither an engine, nor paddles but they threw us in it. We stayed in the water from 11:45 until 5 o'clock in the morning. The boat was taking on water.
The Turkish police found us and rescued us. They took us in Didim's Police Station. (...):

Ar.K.N. (metastatic cancer patient), An.K.N. and F.K.N. (65 years old)¹⁴⁴ / pushed back from Samos in 19.8.2013 while having launched a distress alert

Note: On September 19, 2013 PRO ASYL was contacted by a person that we had already interviewed and he alleged that the boat he was travelling with was in distress near the island of Samos. Relatives of the passengers informed the JRCC (Rescue Center in Pireaus). PRO ASYL also informed the JRCC. The boat was located and allegedly pushed back to Turkey. On September 20, 2013 PRO ASYL contacted a telephone interview with three of the people on that boat [passengers,]

An.K.N.: 'We were very close to Samos. We could see the island. There were some uninhabited houses on the island, on our right hand. In the north, we couldn't see many houses. It happened around 19:00 in the afternoon.

Ar.K.N. (cancer patient): Yesterday it was the worst day of my life. I have never seen so much hate in my life. The engine of the boat broke. Someone from our group called his relatives in Europe. They said they called the Greek emergency number. They called back their relatives on the boat and told them that they had given an alarm.

The engine of our boat was broke. We were in the sea and could not move. We were afraid. When I saw the Greek coastguard vessel arriving, I felt joy and hope. But the joy was not complete.

When the Greek coastguard vessel came close, the officers asked 10 people from our group to get on their ship. They told us to lie on the ground facing down and they stepped on our back. One of the coastguards jumped in our dinghy and searched the women and touched their breasts. They were screaming in a terrifying way and they put their guns on people's faces, even on the face of women and children. We were all very scared. Men, women and children, we all cried a lot. My mother had hid some money in her breast. They took it from there.

An.K.N.: They were four persons, with guns, wearing black clothes. There were two minors with us. They took them on their ship and ordered them to lie on the ground and body searched them. They undressed one of our group because he had hidden his mobile in his underwear. He was naked. They put us on their vessel, which was not a small one. It had the **number 604** written on it. They even took my sick brother and kicked him. They kicked me and punched me on my head. Now someone of our group is in the hospital. He was beaten very badly.

F.K.N. (mother): They threatened to kill us.

Ar.K.N. (cancer patient): They took all of our things, bags, mobiles, passports, identity cards. Many of us didn't get our passports back. I didn't get my passport and neither my mother did. They threw many things in the sea. Some others also told us that they didn't get their things back.

An.K.N.: My brother suffers from high blood pressure and he was crying the whole time. It was very painful. The moment they wanted to pull us back to the Turkish waters, a big touristic ship passed by. When they beat us, we were still in the Greek waters. The touristic boat that passed by us was white, big and it had many floors. It was a cruise ship. It was in the Greek waters. When it passed by us, the men with the masks pulled us into the Turkish waters.

We have three brothers and one sister in Europe. We have no one in Syria. Our house was bombed. My brother and my mother need help and I don't know how to help them".

Putting Lives at Risk

K.A., A.A., A.R., A.H., A.S., A.M. and B.F., from Syria¹⁴⁵ / pushed back from the Aegean Sea near Didim on 28.8.13

Note: On August 28, 2013 PRO ASYL was contacted by a person that had already given us an interview and he alleged that the boat he was in at that moment had just been pushed back and left adrift in the Aegean near the island of Samos. PRO ASYL called the JRCC (Rescue Center in Pireaus) and informed them about the boat in distress. On August 29, 2013 PRO ASYL visited them in Turkey for interviewing.

144 Interviewed 20.9.13 via telephone; See also push-back from Farmakonisi 8.8.13 and push-back from Chios island 12.9.13

145 Interviewed in Izmir (Turkey), August 29, 2013

K.A.: 'We left Didim (Turkey) at 22:00 o'clock. (...) We were in the sea for a little over two hours. All of a sudden, a searchlight was turned on us. It was at a distance of approximately 15 meters. We hadn't noticed any lights earlier. We stayed for about five minutes like that and then we raised our hands on our own. They then approached us with their boat.'

A.H.: They were four persons. The captain of the coastguard boat had black and a little bit curly hair, small eyes and brown skin. He knew some Arabic words. He had a thin face and he seemed sportive. He was about 1,75 meters tall. They were all wearing dark blue uniforms and t-shirts with an anchor symbol on the chest. The second one was wearing eyeglasses and had red hair. He was about 1,90 meters tall and weighed around 110kg. He didn't have any beard just some hair on his face. He took his eyeglasses off. He was very aggressive. He would say: 'Go, go, go, go!' and: 'look down!' The third one was polite, around 1,75 tall. He had a round face. He was also wearing eyeglasses, which he didn't take off. He was blonde, with curly hair and quite. (...) The fourth one we could not see very well. He had black eyes and he was also around 1.75 meters tall. He was probably sailing the boat.

A.R.: They told us 'come, come'. They then asked us who among us spoke Turkish. We said none of us and we told them we are from Syria. They tied our boat to theirs. We were ten persons. First, they let the girl onto their boat. They were shouting a lot. They left the last one of us in our boat. They asked him to take off the engine. He didn't understand what they wanted him to do and they yelled at him. He then understood by the signs they made, took off the motor boat engine and threw it in the sea. They were making fun of us, asking us: 'Where are you going?' They were laughing: 'Come, we'll go to Greece'. They were deriding us.

Then they were talking on the mobile. 'We caught ten foreigners we take them back to Turkey'. 'Antoni, Antoni' (they would repeat on the phone)... 'I'm listening, I'm listening'.¹⁴⁶

K.A.: The captain of the coastguard was the same one who had pushed us back also on the 8th of August. He was blonde, tall and very nervous. He was the one talking on the phone. He would put the mobile down for a while, then talk with the others and then talk again on the phone. They made us sit and look down. They pressed our heads with force, so that no one could see what they were doing with the boat. (...) We stayed for about 1 ¼ on the coastguard's boat, with the heads down. Their boat was metal, about 14 meters long, and it was grey. It has 'Α.Σ 140' written on it.

B.F.: They tied the boat in the back of their vessel and pulled it. (...) The coastguards turned off the lights of their boat and took us into the Turkish waters. While we were getting back into our boat, all of a sudden another boat appeared, with men wearing full face masks. They started talking among them. (...) Their boat was white, about six meters long and had two engines of black colour. It was edgy in the front part. They had M16 or 'NATO Cartridge'¹⁴⁷.

K.A.: We informed that we were pushed back and left adrift. So later on, we received a phone call from the Rescue Centre. They asked us where we were.

Officer: *Where are you?*

K.A.: *We are in the sea awaiting our death. We have GPS. You have my number. You can find us through the internet.*

Officer: *What is GPS? Ok, ok. I will call you back.*

K.A.: He called twice, but not the third time as he told me. After 45 minutes the Turks arrived. The Greeks remained at a distance, playing with their lights on us'.

A. and Z., from Afghanistan (two single mothers with children)¹⁴⁸ / both pushed back in October 2012 from Lesvos

Z.: 'I think it happened around 20 days before we finally arrived to Greece (...) When we got closer and it seemed as if we were some minutes far away from the Greek island suddenly a vessel of the Greek coastguard appeared

¹⁴⁶ One of the ten people involved in this push-back incident and one of the 7 PRO ASYL interviewed, is from Hamidiye (Syrian region where people of Cretan/Turk origin reside) and speaks good Greek.

¹⁴⁷ See: http://en.wikipedia.org/wiki/M16_rifle

¹⁴⁸ Interviewed in Athens (Greece), January 1, 2013

and they arrested us. They asked us, where we are from, and we answered them that we are Afghans. They asked us where we were going, and we said to Greece. They tied our boat to theirs. In one direction of the horizon we saw a lot of thunders and it was raining and in the other side the sea was rough with a lot of waves. Our boat was taking on water. We used our own shoes, to take the water out of the boat. There were a lot of children with us. Even though we kept shouting and screaming for help, they didn't react at all. The Greeks tied our boat to theirs with a rope and started pulling us upwards and downwards and making very fast circles. We were shouting for help telling them that our boat has a problem. They didn't care. They were doing that for four hours. They then brought us in the middle of the high waves, untied the rope and left us there.

Then they disappeared for two hours. (...) They were safe in their ship and we were left in the rough sea. It was raining and we heard thunders. (...) It was raining a lot.

(...) At some point they came back and took also the engine of the boat. First they destroyed the engine and then they came to take it away. We couldn't do anything. We were in the middle of the sea, and it was raining a lot. (...) In the beginning the police had told us that they would take us to the island of Lesbos. We were very happy. If they had really taken us on their boat, it would have only been 5-10 minutes distance. Instead, they pulled us 3-4 hours back and forth in the sea, only to take us in the end to the Turkish waters and leave us in the middle of the waves.

We stayed in the sea until morning, as there was no engine left anymore and we couldn't move. We tried to roam and move ahead and also keep our balance in the rough sea, in order not to sink. In the end, we called the Turkish Gendarmerie.

A.: We were 34-35 persons and 10 children. The youngest was six months old. We stayed for almost 18-19 hours in the sea. (...)

Z.: We thought that the six months' old baby had died. He was motionless in his mother's arms for hours. Finally the Turkish police saved us. They arrested us and then they brought us to a camp in Izmir'.

Pushed back from Evros Region

M.A. (24 years old), from Eritrea¹⁴⁹ / pushed back from Evros in May 2013

M.A.: '(...) The first time I was pushed back was in May. We were lost in the woods. The first night we slept in the woods and the second we walked again and reached some fields. (...) After having crossed these fields, we found ourselves in the woods again. (...) The Syrians that were with us decided to go on the main street. After one bridge there was a furrow, from where water was pouring out. It was around 3-4 o'clock in the afternoon. We found a tavern and we let our bags and went inside. The owner kicked us out and said: 'No water, no food'. He called the police and told us to wait. He brought us to a place walking for a while in front of us. It looked like a military camp. We asked if the police station was there and the soldiers told us it was somewhere nearby. We were walking in groups of 3-4 persons. Then a police car came. (...) There were two men, who asked us how we came to Greece, how we crossed the borders, how much money we paid, who was the smuggler, from which part of the river we had passed... They didn't write down anything, they were just listening. Someone from our group spoke good English. Then a van came and they put us all inside. They called someone and went back to the city. (...)

They took us to a police station. There was wired fence around and there were three jeeps, looking the same, parked inside this space. They seemed to be new. There were four men. They looked like soldiers. One had long hair. There was a small room, which had a table in the middle. Two of them were not Greeks, because they talked in English with the Greek police officers. These two told us to put our money and our mobiles on the table. The one with the long hair spoke in English with the police and then the Greek police yelled at us and they made us throw our things in the garbage. They are always looking to take the money. They took 200 dollars from N.'s wife. N. hid my mobile in his underwear. His wife had theirs.

(...) They wore boots and clothes, that don't look like the ones the Greek police wear. They took two of us each time in the room and told us to take all of our clothes off. They told me to turn around. They looked at us, as we

149 Interviewed in Athens (Greece), August 19, 2013

were turning around. Then they told us to put our clothes on.

The ones who body searched us and asked us to take our clothes off, were foreigners. They didn't find any money on me, so they looked in my shoes. They slapped me and then handcuffed me. The one with the long hair, was around 40 years old and very tall. He was blonde, with long hair, but had no hair in the front, like a deep forehead.

That day I think they earned around 11.000 dollars. They found my mobile in N.s underwear and beat him. They searched his shoes and found 700 dollars. They punched and kicked him. We were not in the same pair of people who entered in that room with N. I tried to warn him, once I came out, but they didn't let me look and alert him.

There was a woman police officer. I don't know if she was Greek. She asked N.s wife to take her clothes off, but she didn't want to. They called a man who first threatened and then forced her to take her clothes off. She was very scared. They also handcuffed her.

When it got dark at around 9 in the evening, they put us back in the van and took us to the river. The four persons who had previously body searched us in the police station were already there. The place where they body searched us had no roof. You could see the red bricks and there were no windows. No toilet, no water, no food. They didn't give us anything. It all lasted for three hours plus one hour in the car come and go.

The river was 30' minutes away from where they kept us. When we got off the van we saw some people wearing full face masks. Their shirts had buttons and their clothes were dark. There was a slope we had to climb on with our hands handcuffed in the back. I hadn't tied the shoelaces, so I slipped and fell down. When I fell, I had to return where the others were. They made us sit down. N.s wife had her t-shirt moved and her shoulder out. So she asked the police officer to adjust it for her, because she was feeling uncomfortable. He slapped her and she hit her head on the car. One of the police vans was parked in front and we were made to sit behind so that nobody could notice us. I think the four had arrived with that car, in order to check whether they could push us back. They pushed back some guys from that point and then they put the others back in the van and brought us to another point. We were on the second route. We don't know where they took us, but there was something like an islet there. We were in the boat for one hour. They took N.s handcuffs off, so he cut those of the others as well. After two hours the Turks came.

From where the Greeks left us until the Turkish camp it was one and a half hour distance. We told them that the Greeks pushed us back. The day after, they took us to the hospital and then transferred us to the camp in Edirne. We were released soon thereafter'.

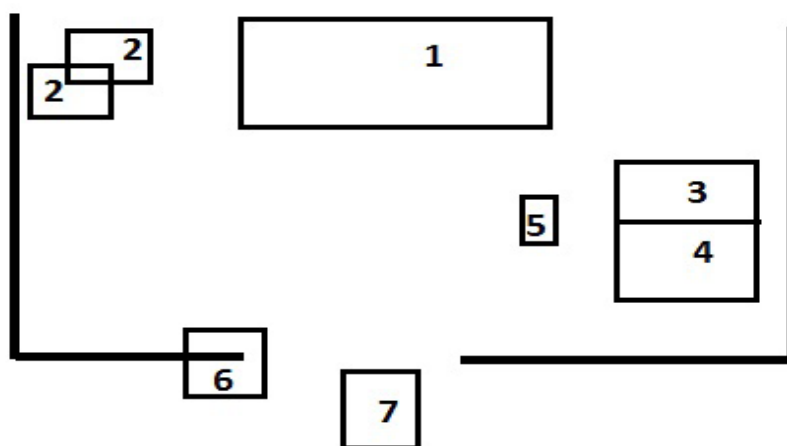


Figure 1: Reconstruction of the place, as the interviewee drew it for PRO ASYL. (1) 'There was a new building, it seemed new. We didn't go inside.' (2) 'There were small dinghies parked there.' (3) The place where they body searched them by taking their clothes off. (4) The place with the table, where they were asked to leave their mobiles and money. (5) Where people

were waiting. (6) There was a 2mt high wall (7) from where they entered.

Pushing back Particularly Vulnerable People

Unaccompanied minors

A. (16 years old), M. (14 years old) and J. (9 years old), from Syria (three unaccompanied minors with another underage brother)¹⁵⁰ / pushed back from the Aegean in November 2012

A.: 'We were 24 people in the boat, from Sudan, Syria, Iran and Morocco. We had almost arrived on the island, when the coastguard suddenly arrived with their vessel. It was the Greek coastguard. Our boat's engine stopped and we couldn't restart it. They came closer. (...) They called somewhere and we could tell that they were saying something about Syrians. They didn't allow us to go to the Greek island. We all insisted that we would not leave and they bumped into our boat. Then they started shooting into the water and over our heads, in order to scare us and make us return back. They were wearing full-face masks. They approached us with a big boat, but they had a dinghy too and those who were on the dinghy wore full-face masks and were the ones who were shooting. The big boat stopped in front of us. The small boat attacked us from the other side. As we were being pushed back onto the big boat, we almost fell into the water.

There were babies with us and there was a pregnant woman. Some people lifted their babies up in the air. The Greeks took us with our boat from Greece and pulled us back. (...) The Turkish took us in a camp (prison) where we stayed for 14 days. There were also other children on the boat, six small kids and some babies.

M.: When we said we would not leave, the police came and they aimed a gun with a red light at my sister. I was so afraid. I fainted and fell. Everyone started screaming. The Greeks hit our boat with their vessel. As they started going in circles around our boat, water was splashing and our rubber boat was getting filled with water. Someone knew how to say 'help' in Greek, he told us to say this word. We all started saying this word and the police told us 'no, no go back!'

A.: We told them we were Syrians and that we are refugees and that we wanted to seek asylum and they told us they didn't believe us.

M.: One of us put fuel in his mouth and threatened to set himself on fire, if they wouldn't let us get to the Greek coast.

A.: (...) The Greek police aimed their guns at a girl and at me and then started shooting in the water. The pregnant woman fainted.

J.: I was scared and I was crying and I saw my brother who was asking for water and the police officer then shot in the water. He was feeling dizzy and almost fainted.

M.: We were feeling sick. I wanted to vomit; I was feeling dizzy and was very afraid. We were scared, as we had never seen such things before. A woman was so scared and she wanted to jump into the sea. The others stopped her. Some others were trying to open holes in the boat with A.'s hairpin, but they couldn't. When I saw that, I thought we were going to die.

A.: I hope that not everywhere in Europe is like Greece. When we arrived in Greece and we saw how things were here, we hoped things weren't like that elsewhere.

M.: One day we'll tell our children about that. When I grow up I will become a journalist and I am going to write all these things that happened to us'.

150 Interviewed in Athens (Greece), June 22, 2013

Women

M., from Afghanistan (single mother)¹⁵¹ / pushed back from Evros in October 2012

M: 'We walked in the woods for about 6-7 hours and then we slept at night. (...) The day after, we walked again for about 4-5 hours when the police arrested us. We thought it was the European police, as they spoke three different languages. We were some minutes away from the main road, when they arrested us.

They had dogs with them. The dogs found us. The children were crying. The police were shouting at us and insulting us. They arrested us and put us in a van with no windows. They took us to a camp. We were almost 20 persons detained there. No matter how much we implored them, they just told us that we had come illegally and we should go back. There were people from Palestine, Afghans and of some other nationalities. My child was the only underage. We stayed for 24 hours in this place. They didn't give us anything to eat or drink.

We begged the authorities to let us stay. We cried. We told them that we were forced to leave our home. But they told us they had the order not to let us come. They were also joking and laughing at us. They were unleashing the dogs against us. They were making fun of us, asking us how we were doing. They laughed at us, with our fear. (...) We were kept in a wooden place, which was like a storage room. On one side there was this wooden room and in front of us there was the forest. In front of it, there were trees and many dogs. There wasn't any building nearby, something like a police station. There were no other houses, nothing. But every 15 minutes, they would come and go, so it must have been somewhere close. (...) They had locked us inside this wooden room.

Then after one day and night they told us not to make any noise and not to say a word. They put us in vans. After driving for two hours, they stopped next to the river. They told us not to speak and to get out of the van. We stayed there for ten minutes. (...) They pushed us back with a wooden boat. There was one police officer with us on the boat. They put us by force into the boat. They had handguns and machine guns. They sneakily sent us back'.

Pregnant woman with family

M.S. (wife)¹⁵²; M.H.S. (husband); A.R.S. (underage son), from Afghanistan¹⁵³ / pushed back from Evros in September 2012¹⁵⁴

M.H.S (husband): 'The Greeks sent us back three times. The first time, was when we crossed the land border from Edirne to Greece. I was with my pregnant wife and my four boys. We were a group of approximately 15 Afghans: our family and several single men. (...) While crossing the fields, my wife fell down by the riverside and strained her foot. (...) I held my wife and we walked until the morning, when we arrived in the first village.

(...) With difficulty we took her to a bridge. We had seen rail tracks in about 30 minutes walking distance from the bridge. It was a highway bridge. In the village, we asked the inhabitants the way to the refugee camp. The people told us we should take a bus and that it was far away. After one hour more or less that we were sleeping under the bridge the police came. They took us with a police van with no windows. (...) After 10-15 minutes of driving we arrived at a place, which looked like a police station. It was a place with police vans parked outside. There was an old building, a yard and a big tree. In front there was only a street and occasionally cars passed by. In the back we could see some old buildings but no one seemed to live there.

(...) We were around 20 persons in the beginning, but the police kept bringing more people. In the end we were 30-40 persons. There was one woman who was in a very bad condition; she was also pregnant. We were all kept outside. (...) Until night, we all thought that they would transfer us to a camp. The police also was telling us this. It got night, and we hadn't eaten for 24 hours. There was only a water pipe we could drink from. (...) Some police

151 Interviewed in Athens (Greece), January 1, 2013

152 By the time of the first push-back from Evros she was pregnant.

153 Interviewed in Athens (Greece), June 14, 2013. They are together with four minor sons and a six months old baby girl with serious health problems, due to its premature birth.

154 The family was pushed back later another two times from Lesvos in February and April 2013. The two other push-backs were also documented but are not included in this report, due to space restrictions.

were dressed in green, others in blue. I am not sure, but the two officers guarding us looked like soldiers to me. They were speaking Greek.

A.R.S. (son): We stayed in that place only for one day - from morning to night. They arrested us around 9 o'clock in the morning and we arrived in this place at almost 10 o'clock in the morning. There was also a dog, a fat police officer brought with him. He was shouting at the dog: 'Eat the Talibans! Eat the Talibans!' I told the guards that my mother is pregnant and they slapped me twice.

M.H.S. (husband): On that night around 8:30 or 9pm, I am not sure about the exact time, 10 jeeps and two vans came. They used the two vans to take everybody away: A smaller white van for the families and a bigger van for the men who were more. They put us with two Syrian families in the van. They didn't tell us where they were taking us or if we would be sent back to Turkey. (...)

After half an hour, when the vans stopped and they opened the doors, we were in the woods. Then I realized that they had already brought many persons there. It was dark, and I couldn't count, but there were at least another 150-200 persons sitting on the ground guarded by police. (...) Only then we realized that they wanted to deport us. There were people from everywhere: Afghans, Syrians, Somalis and Iranians. Half of us were families and half men, the women were crying and imploring them not to deport us. They took all our things, like our bags and threw them away.

M.S. (wife): They also took everyone's mobile phones away. They had taken them from the first day, when they arrested us, but never gave them back to us.

A.R.S. (son): The Greek police told us in English: 'Don't come back again! We won't give you any water or food. We don't have jobs here and we won't give you papers. Don't come back! If you come back we will kill you all!' We were all so scared. They then divided us into small groups and put us in the boats. (...)

A.R.S.: There were also female officers. Most of them were laughing at us. They were aiming at us with their flash-lights and ordering us to sit down. Whenever someone was not going fast enough the police beat him with batons. They beat a lot of people.

(...) I am not sure if they were only Greek police. They were wearing blue uniforms. It was very dark. Some among them were speaking in Greek others in English. They had translators with them. The police were telling in English and the translators were translating it in Arabic for Arabs.

A.R.S. (son): The Greek police stayed until the morning on the Greek side of the river aiming their lights at us, telling us to leave. They were shouting: 'Go away from the border.' They were waiting at the other side of the river to prevent us from swimming back but for us it was difficult to move. My mother couldn't walk at all.

H.M.S. (husband): The men that were with us when we were sent back, over the river were handcuffed by the Greek police before pushing them back. They tied their hands in their back with plastic handcuffs, so that they wouldn't swim back to the Greek side once in Turkey. The Greeks told them in English to stay until the morning and wait for the Turkish police to arrest them. First, they handcuffed them in their backs and then tied them in a way that it was impossible to take the handcuffs off on their own. They untied one of them after crossing to Turkey so he could free the rest of them.

M.S. (wife): Back in Turkey I noticed that I wasn't feeling well. We were back in Turkey, when it happened. I was five months pregnant, maybe six. I had to stay in the hospital for almost ten days. The doctors told me that the situation was difficult. They were drip-feeding me to stop the water breaking. They told me there were low chances that my baby would be born alive. My girl was born premature. She was six months old and weighed only 1,1 kilo. She had to stay for two months in the incubator. The doctors said that we needed to examine her when she gets older because she might have brain damage due to her premature birth. (...)"

Multiple Push-Backs

L.H. (31 years old) & M.I. (20 years old), from Syria¹⁵⁵ / pushed back together five times from the Aegean on 30.7.13 from Samos, 4.8.13 Chios, 11.8.13 Samos, Samos (fourth time without exact date) and 22.8.13 Samos

L.H.: 'The first time was on the 30th of July. We were together with I. all the times. We were 40 people in one boat - all from Syria. There were 11 children, 7 women and some elderly people on board. (...) At 7 o'clock in the morning, just some meters from the coast, the Greek coastguard found us and put us in their boat. The first boat that found us was 15 meters long, grey and white. There were 5-6 police officers on board wearing full-face masks. There was one officer who had a problem in his right wrist. He was wearing long sleeves.

M.I.: I could recognize him among 10.000 persons. They shot in the air 3-4 times. We had raised our hands in the air even before they shoot us, because we saw the coastguard boat approaching us. The children started crying. They gave us a rope and pulled us onto their vessel. (...) They pulled the women from the hair and they were saying very bad words, we couldn't fully understand. When they pulled a woman up they kicked her in order to move on and make some space for the others. Once everyone was on board, they forced us to kneel down with our hands behind our necks. They then kicked us, took all our mobiles (which had cameras). They searched them to see whether we had taken any picture. They took the money from the people who had some in their pockets. They body searched us. Whoever got in the coastguard vessel along with his personal belongings had his bags thrown in the sea. Someone said he didn't remember the password for his mobile, so they broke the mobile and beat him. They pulled us in the area, which is very close to Turkey. They threw away the engine and the fuel along with the paddles. They were making fun of us, saying that we could use our hands instead of paddles.

R.H.: I had an international mobile with me so I called the Turks. A woman called a relative in Greece. Someone from our group called UNHCR in Greece and told them what happened and that we are in the water and we don't know what's going on. They told us not to hang up the phone. Then someone else called us from another number who spoke English. He asked how many people were in the boat. He told us to keep our mobile on for five minutes in order to be able to detect the signal and not to worry. Then they told us: 'Hang up they are close to you. They will come and get you.' After one hour the Turks arrived.

L.H.: The second time we were pushed back five days later (4.8.13). We tried again. We were 42 persons, 14 children, 5 women and 5 were elderly people (1 woman and 4 men over 61 years old). It was again the same thing. We were just some meters before reaching the Greek coast. The number of the Greek boat was **84604**. It was the same procedure: They threw our things away: our mobiles etc. 15 minutes later, they called the Turks. The first and the second time, the Greeks stayed in a distance and observed. The third time we were brought back to Çeşme in Turkey.

(...)¹⁵⁶

L.H.: The fifth time was on the 22nd of August. We were 40 persons from Syria and Sudan. Among us there were also some children and women. The weather was not clear, but I realized that we weren't in the strait of Samos, but on the other side. There was a woman with her two daughters (15 and 16 years old) that wasn't feeling very well. The boat was sailing so slow. We could see that we were close, but we couldn't arrive. We were moving around for another two hours. Then two boats from the Greek coastguard arrived. The big one, which had the Greek and the EU flag and a small one, that had no flag, but the number: **84030**. On the big one, there was kind of a diagonal line of blue and white colour. There were some things like stickers: the EU, German, French flags. The woman had travelled five times and she had some psychological problems. When she saw the big vessel she lost her senses and she was shaking. Her children were crying out loud: 'Doctor! Doctor!' The coastguards would circle around us telling us to sit down.

There were 10-15 coastguard officers in the big boat. They were doing circles around our boat. There was also a woman officer and they were all staring at us proudly. The whole story lasted for about one hour and a half. We didn't know whether the woman was dead or alive. She had lost her senses.

155 Interviewed in Izmir (Turkey), August 25, 2013

156 Due to the length of the interview, the fourth time was cut off.

The small boat was the same as the other times, but this time there were other officers on board who treated us a little bit better. They put us on the floor, with our hands behind our neck. They approached us, tied our boat and took the people up. The woman was unconscious in our boat and her children were crying. We had to carry her. The boat was going back and forth from the waves. They kicked our things in the sea. We were sitting down on our knees having our hands behind our necks so we couldn't see what was going on with the woman. After two hours we reached Turkey. We went back to our boat and we also helped the woman to get in our boat.

We had nothing: no engine, no fuel... They had body searched us taking our mobiles and our money. The Greeks called the Turks. They took the woman to the hospital, but we don't know where she is until today'.

I.¹⁵⁷ (brother), M.¹⁵⁸ (husband) and F.¹⁵⁹ (wife), from Somalia (with their 1 year old daughter) / pushed back from Evros 2.5.13 and from Lesbos 8.5.13

F. (wife): 'We were pushed back twice. First time from the land borders and the second time was from Mytilene. We were with my husband, our 10 months old daughter and my brother. The first time, we crossed from the river. We were 45 persons – most from Syria and Somalia. A few hours after we entered in Greece, the police arrested us. They brought us to a police station where we stayed for three hours without giving us any food or water. They told us to undress. Then we were body searched. We were only with our underwear. They did this only to the men. They handcuffed us and we stayed without clothes. They then pushed us back to the Turkish side. There were six police officers wearing full-face masks and in plain clothes. Two of them entered with us on a boat, two were watching and the other two police officers stayed in their car. My daughter was crying. She was only ten months old at that time and she had stayed without sufficient milk for two days. The police started shouting and beating the men with metal sticks. I asked an officer to help my daughter. She needed milk. But he didn't care. It was early morning at 5am when they pushed us back.

M. (husband): The second time we came by sea, on a dinghy boat. We were 45 persons. There were also some other families - some were from Syria. We were mainly from Afghanistan, Syria and Somalia. (...) My wife, our daughter and my brother-in-law were with me again. It was around one o'clock in the evening when we left the Turkish coast and we were on the sea for three hours. We had covered almost half distance, when the Greek police apprehended us. I don't know who, but one of us, when they caught us, knifed our boat, which started sinking. The commandos were just watching. They had a big grey boat. I could see 6 officers. When I looked to them they shouted: 'Don't look!' They were wearing full-face masks.

F. (wife): When he opened the holes in our boat, we started shouting for help. There was chaos, as one knifed the dinghy in one side of the boat and the rest of us got very afraid.

M. (husband): They didn't want to help. They left. We were shouting: 'Baby, baby.' They came back. (...) They then took us all on board. They took our telephones and our SIM cards. They threw our bags in the sea. The commandos called another boat. The other boat took our rubber boat to fix it. It was very cold and we stayed all night on the ship's bridge. They beat us a lot.

F. (wife): They came and started to beat the guys from Syria, Algeria and Afghanistan.

M. (husband): They brought our boat in the morning. They took us back into the Turkish waters. They threw our boat into the water, but they hadn't fixed it well. They took away the paddles and the engine. They then forced all 45 of us back into our dinghy by aiming their guns at us. We had to return back to the Turkish coast, by using our own hands for paddles. Thank God, we arrived in Turkey'.

157 Telephone interview, May 26, 2013

158 Interviewed in Mytilene (Lesvos island, Greece), June 7, 2013

159 Interviewed in Athens (Greece), June 13, 2013

Documented Chain Refoulement

M. (16 years old), from Afghanistan¹⁶⁰ / pushed back from Evros in August 2012

M.: 'We came to Greece from Turkey. It was in the beginning of the second month of the summer according to the Iranian calendar.¹⁶¹ (...) When we entered into the Greek territory the police arrested us. (...)

They put us in a van. They drove through the mountains and the fields for more than 3-4 hours. We were hungry and thirsty. We had walked a lot before that. We were tired. At a certain point they stopped. It was sunny and very hot. They took us to a place that looked like a camp. We didn't eat anything. There was only a water pipe. (...) We were very hungry. We begged for food. (...)

They kept us there until the evening. We were a lot of people and they treated us very badly. (...) Then the police came with vans, these small ones. First they put the families inside, then the others. Most of the people thought that we would be transferred to a camp. They brought us to the borders. When we arrived there, it was very dark. The police treated the single men and the teenage boys badly. They beat us and shout at us, that we should run to the boat. They were just pointing the way with their hands. We couldn't understand what was happening.

'Go, go!' and 'go!' When we arrived at the river, they took some of the people to the other side. When they put us in the boat, one of the police officers told us, that if we come back again to their country, they would send us back again. He took out his gun and pointed it to us. We heard the noise of the gun as he loaded it threatening us that if we would come back they would shoot us. 'We will beat you. We will torture you.' We were all afraid at that moment. We didn't know what to do. Among us, there was one who translated from English. The police spoke to him and he translated for us.

When they were about to push us back, the Turkish police appeared on the other side, so the police took us back into the car and drove to another place, from where they could finally push us back. We arrived in the morning and at night we were sent back. If we had stayed longer there, we would have gotten sick from the hunger.

A relative of mine, with whom I came from Iran and we crossed the borders together, was sent back to Turkey separately. We lost track of him. A month later, he called his family. He told them that he was deported to Afghanistan. (...).

A.K., from Afghanistan¹⁶² / pushed back from Evros in December 2011

A.K.: 'It's my second time that I come to Greece. I finally arrived here five months ago, but the first time when I tried from the land borders, I was sent back. That happened almost a year ago. It was really very cold. I think it was December or something. We were three families: my family, my aunt's family and a woman's family. When we arrived at the Greek side of the border the Greek police found us. We were already out of the river and had walked for about 10-15 minutes on the Greek side. They didn't see us when we were crossing the river. They found us later and sent us back with a boat. They were 8-9 officers. When they put us in the motorboat three of them were with us. The Turkish police transferred us in a camp in Edirne, where we were detained for five days and then we were deported back to Afghanistan.'

160 Interviewed in Mytilene (Lesvos island, Greece), December 20, 2012)

161 The second month of the summer according to the Persian calendar is August.

162 Interviewed in Athens (Greece), December 15, 2012

EPILOGUE

In lieu of a conclusion we will present a complete interview which entails almost all of the findings relevant to push backs presented in this report, as experienced by two European (French) journalists.

C.B. (journalist), O.J. (photojournalist)¹⁶³ / pushed back from Samos 28.7.13

C.: We are working for a magazine and we had been following some Afghan refugees from Afghanistan, for about two months. We were following them, posing as Afghans, so we didn't show our identities to almost anyone. We went on a zodiac, an inflatable boat with 28 refugees, mostly Afghans and Iranians.

O.: There were two women and no children.

C.: We tried to go from Kusadasi in Turkey, to Samos island. We took this boat late at night, the smugglers were actually only putting the boat in the water. Then we jumped inside and they left. It was one of the passengers who was sailing and we went all the way towards Samos. It's about 15km away from the (Turkish) coasts. And after approximately 2-3 hours we arrived.

O.: After two hours.

C.: We were for two hours on the boat, which was quite crowded and the engine was small, when a Greek coastguards came. They started shouting at us, they told us not to move in broken English. Then, they threw a rope to tie the inflatable boat to their own patrol boat. It was a white and a grey boat that was not too big. It's quite a small one and it had a back stand where you could walk. And then, you could walk on the ladder, on the back of the boat.

O.: When they arrested us, we were close to the island of Samos. We could see it, we were really close to it, I would say, maybe at 1km.

C.: They were wearing uniforms and black masks. Black uniforms.

O.: Just one guy was not wearing a mask. He looked like an officer.

C.: We could not tell if they were officers or not. One was speaking English. His face was uncovered.

O.: He was saying 'Don't cut the rope or we'll kill you!'

C.: They had guns, they pointed at us, those in black uniforms. But they weren't pistols. They were big guns (she showed with her hands extended how big these guns were, ed.). They pointed their guns at us and they shouted quite angrily, that if we cut the rope, they would kill us and then refugees climbed one by one from the ladder up on their vessel. Refugees had to kneel down with their hands behind their neck and those who didn't do it, were punched and kicked. They kept us for about an hour. They tied the zodiac onto their vessel and started leaving the area with their own vessel.

We didn't say we were journalists, they didn't see us as journalists. They thought we were Afghans. And then they said they didn't have time to take care of us and that a white big boat would come and take us to Samos island. Then they asked the migrants to get off the vessel one by one and get back onto the zodiac. And when it was done, they untied the boat. They shouted 'Welcome to Greece' and they left towards another direction. When we got back into the inflatable boat, the engine was gone. We were left adrift. And we didn't know what to do, the refugees tried to use their mobiles.

O.: I think that he (the one without mask) is the same one who said 'Welcome to Greece', the one that spoke English.

C.: I saw on my mobile, that there was Greek network connection and after about one hour?

O.: One hour or two.

¹⁶³ Interviewed November 1, 2013 via skype

C.: After one hour or two, it's not very clear, a white vessel came, but it was a Turkish one and so the Greek coastguards had pushed us back into the Turkish waters and the Turkish gendarmerie rescued everyone and took us to the shore.

The Turks arrested us, they counted everyone, so we waited in the boat, until they took the refugees and they recognized that we are foreigners, journalists. They took everyone to the police station. Downstairs, on the basement there was sort of a jail. On one side there were the men and it was very crowded. On the women's section, we were just three women and it was quite.

We were interrogated for a while, for more than two hours. They fingerprinted us and took photos and then they detained us for three days. They did what they could to proceed faster with us, in order to expel us, to deport us. And the refugees that were with us, the ones we had been following, after 15 in Aydin's detention, on the 18th of August 2013 were deported to Afghanistan. They had no access to any lawyer.

O.: Not all passengers from our boat were deported. From the five guys we were together, three were deported and two weren't as they said they were minors. So they transferred them to a specific camp for minors, it was an open one and after two weeks they left from there.

We were arrested for leaving Turkey illegally. It was easier to deport us, because we were able to buy our own ticket, this made the procedure faster. And since we are journalists, they tried to do it as quick as possible.

TABLE 1. Total of persons pushed back according to the research data

No.	Date of p.b.	Place of p.b.	Nationality of person/s int.	No. of persons pushed back
1	12-Jul-13	Evros	Afghanistan	30
2	07-Jul-13	Evros	Syria	X* (24)
3	July 2013	Evros	Afghanistan	14
4	17-Jul-13	Evros	Eritrea	25
5	June 2013	Evros	Afghanistan	24
6	June 2013	Evros	Eritrea	22
7	May 2013	Evros	Eritrea	X* (24)
8	02-May-13	Evros	Somalia	45
9	April 2013	Evros	Afghanistan	100-200
10	October 2012	Evros	Afghanistan	20
11	October 2012	Evros	Afghanistan	13
12	September 2012	Evros	Afghanistan	15
13	September 2012	Evros	Afghanistan	30
14	August 2012	Evros	Afghanistan	X* (24)
15	August 2012	Evros	Syria	40-50
16	August 2012	Evros	Syria	13
17	June 2012	Evros	Syria	25
18	December 2011	Evros	Afghanistan	X* (24)
19	08-Sep-13	Lesvos	Syria	30
20	August 2013	Lesvos	Afghanistan	48
21	August 2013	Lesvos	Afghanistan	48
22	13-Jul-13	Lesvos	Afghanistan	30
23	08-May-13	Lesvos	Somalia	45
24	Spring 2013	Lesvos	Eritrea	45
25	Spring 2013	Lesvos	Eritrea	27
26	Spring 2013	Lesvos	Eritrea	X** (35)
27	May 2013	Lesvos	Somalia	25
28	April 2013	Lesvos	Afghanistan	30
29	March 2013	Lesvos	Afghanistan	30
30	January 2013	Lesvos	Afghanistan	30
31	January 2013	Lesvos	Afghanistan	28
32	Dezember 2012	Lesvos	Afghanistan	42
33	October 2012	Lesvos	Afghanistan	45
34	22-Sep-13	Samos	Syria	50
35	28-Aug-13	Samos	Syria	X** (35)
36	22-Aug-13	Samos	Syria	40
37	22-Aug-13	Samos	Syria	50
38	11-Aug-13	Samos	Syria	40
39	04-Aug-13	Samos	Syria	42
40	August 2013	Samos	Syria	30-40
41	August 2013	Samos	Syria	40
42	30-Jul-13	Samos	Syria	40
43	28-Jul-13	Samos	France	28
44	05-Jul-13	Samos	Afghanistan	45
45	July 2013	Samos	Afghanistan	33
46	June 2013	Samos	Syria	47
47	June 2013	Samos	Syria	20
48	June 2013	Samos	Syria	18
49	Spring 2013	Samos	Eritrea	46
50	27-Aug-13	Chios	Syria	6
51	18-Aug-13	Chios	Syria	X** (35)
52	August 2013	Chios	Syria	30
53	26-Aug-13	Farmakonisi	Syria	14
54	17-Aug-13	Farmakonisi	Syria	5
55	08-Aug-13	Farmakonisi	Syria	46
56	10-Jul-13	unspecified island	Afghanistan	40
57	10-Jul-13	unspecified island	Afghanistan	40
58	05-Jul-13	unspecified island	Afghanistan	X** (35)
59	summer 2013	unspecified island	Syria	61
60	summer 2013	unspecified island	Syria	45
61	November 2012	unspecified island	Syria	24

* There were four instances where the actual number of people pushed back from Evros was not mentioned, yet we estimate based on our data that on an average approximately 24 persons per time are pushed back. We did not include the number 100 (as it occurred only once and seemed to be an exception) in the account for finding the average size of groups pushed back. We counted: $316/13=24$. (Total pushed back from Evros 512)

** There were four instances where the actual number of people pushed back from the Aegean was not mentioned, yet we estimate based on our data that on an average approximately 35 persons per time are pushed back. (Total pushed back from the Aegean sea: 1,523)

According to the statistics based on the research data in the most conservative interpretation of the numbers given by the interviewees, 2,035 persons were affected by push-backs only based on the incidents reported here for the given period.

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