



**ILLEGAL PUSHBACKS AND
BORDER VIOLENCE REPORTS**

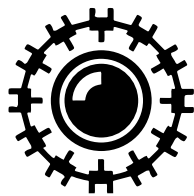


**Border Violence
Monitoring Network**

**Monthly report
February 2024**

February 2024

ILLEGAL PUSHBACKS AND BORDER VIOLENCE REPORTS



Border Violence Monitoring Network





TABLE OF CONTENTS

Executive Summary	4
General	6
• Reporting network	
• Methodology	
• Terminology	
• Abbreviations	
Update on the situation	7
Serbia	8
• Situation at the Obrenovac Asylum Centre	8
• Pushbacks to North Macedonia	10
• Bosnian border police operation	11
• Serbia – EU relations	12
Bosnia-Herzegovina	14
• Talks with FRONTEX	14
• Updates from Una Sana Canton	14
Greece	15
• Hunger strike in Corinth Pre-Removal Detention Centre	15
• FRONTEX report on Evros	16
• Lack of access to hot water	16
• Situation in the Samos CCAC	17
• Situation in the Lesvos CCAC	18
Bulgaria	21
• BIRN report on pushbacks	21
Turkey	22
• Maritime Pushbacks	22
• Apprehension Statistics and Mobile Migration Points	23
• Death of Syrian Hasan Muhammed in GGM in January	25
• Transphobic reporting of Moroccan student's detention in Kütahya	26
• Iranian-Kurdish couple at risk of death in Iran facing deportation in Turkey	26
• Detention under accusations of espionage	27
France	28
• Updates from Calais	28
Advocacy	29
• EU Commission on Frontex evaluation: full fundamental farce?	30
• European Ombudswoman Inquiry into FRONTEX Results	31
• Approval of the contentious agreement between Albania and Italy	33
• The transfer of people on the move to Libya is illegal, Italy's top court ruled	34
Deaths and Disappearances	35
• Turkey	35
• Calais	36



EXECUTIVE SUMMARY

This report gathers updates from February and brings together first-hand testimonies from a range of countries in the region to look at the way European Union states and other actors are affecting systemic violence towards people crossing borders. It also includes general insights from advocacy actions taken by members of the network and other allied organizations.

This month, the severe harassment against people on the move (POM) by the authorities in Serbia continues. In what can be interpreted as a concerted effort to keep people away from the northern half of the country, Transit Reception Centres in the north continue to be closed and a police operation has been implemented at the border with Bosnia in order to forcefully relocate POM staying in the area. Meanwhile, the Obrenovac Asylum Centre in Belgrade barely allows new registrations, and at least one group of people has been reportedly pushed back to Bulgaria directly from these facilities. The videos of a violent pushback from Serbia to North Macedonia at the beginning of February have become a public example of these systematic violations, which are encouraged by the European Union's strategy for border externalisation.

This strategy is likely to be mirrored in Bosnia and Herzegovina through increased collaboration with Frontex as conversations with the Agency have started this month. At the moment, Bosnia remains one of the very few countries in the region without the presence of the EU Agency, but the authorities of the country seem determined to change that. This is despite widespread evidence of Frontex's involvement or complicity in human rights violations in countries where they are present as revealed by an investigative report on pushbacks from Bulgaria to Turkey this month by BIRN.

In Greece, the denial of access to the asylum procedure, along with other violations, has been met with a hunger strike by 36 Egyptian nationals at the Corinth pre-removal detention facility. Meanwhile, new updates and reports from the Samos and Lesbos CCACs continue to shed light on the lack of an institutional response to the inhumane conditions of the facilities, characterised by severe overcrowding and lack of adequate shelter and medical care. Moreover, this month, we received reports describing coercive practices that force people to give up their rights to state-funded accommodation and financial assistance if they want to travel outside of Samos, along with state pressure to be transferred to the mainland at the Lesbos CCAC. The inhumane conditions at the centres often force people to sign these papers.

Updates from Turkey include the implementation of the so-called Mobile Migration Points, which have increased the scrutiny and harassment of POM in the public spaces, leading to a massive rise in the number of arrests, detentions and deportations in the country. Activist groups have denounced the dangers that many people face upon deportation to their countries of origin and the lack of transparency and communication that often surrounds the detention of POM. This



EXECUTIVE SUMMARY

“incommunicado” detention was brought to light this month by a group of lawyers who have been unable to establish contact with their clients for almost two weeks, an illegal and especially worrisome practice given the existence of multiple reports and testimonies outlining inhumane conditions and ill-treatment at many of these centres. The death of the Syrian national Hasan Muhammed in a Removal Center under suspicion of torture in January, which remains not independently investigated, constitutes one example of the impunity that surrounds the practices and abuses in these facilities – and so many others.

The last part of this report looks into the highly questionable evaluations of Frontex implementation of its 2019 Regulation and Frontex obligations in the context of search and rescue operations by the EU Commission and the European Ombudswoman, the lack of accountability surrounding the Agency increased by the absence of independent and thorough examinations, and follow-up on these practices.



GENERAL

REPORTING NETWORK

BVMN [1] is a collaborative project between multiple grassroots organisations and NGOs working along the Western Balkan Route and Greece, documenting violations at borders directed towards people-on-the-move. The partners have a common website database, used as a platform to collate testimonies of illegal pushbacks which are gathered through interviews.

METHODOLOGY

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

TERMINOLOGY

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

REPORTING NETWORK

BiH - Bosnia and Herzegovina
HRV - Croatia
SRB - Serbia
SLO - Slovenia
ROM - Romania
HUN - Hungary

AUT - Austria
MNK - North Macedonia
GRC - Greece
BGR - Bulgaria
TUR - Turkey
EU - European Union

[1] BVMN is a network of watchdog organisations active in the Balkans, Greece and Turkey including Rigardu, Are You Syrious, Mobile Info Team, PIC, InfoKolpa, Collective Aid, Blindspots, Pushback Alarmphone Austria and I Have Rights, Center for Legal Aid and Mission Wings





**Border Violence
Monitoring Network**

**UPDATE
ON THE
SITUATION**

Situation at the Obrenovac Asylum Centre

Throughout the month of February, different NGOs have been regularly servicing a population of people sleeping rough outside of the Obrenovac Asylum Centre (AC), near Belgrade. This population has fluctuated in numbers from 10 - 70, consisting of adult men, families, and groups of unaccompanied minors. This month, people staying outside of the camp shared that the centre has seldom allowed the registration of new people, especially those coming from Afghanistan who have been reportedly referred to by the Commissariat - Serbian authorities responsible for the facilities - as 'Taliban'. At the moment, there is an estimated population of 50 people in the 1200-capacity camp, including only those already registered in the Serbian asylum process and staying long-term in the centre. The Obrenovac AC has also opened up its 200 capacity quarantine area designed for the COVID pandemic, where they allow people to stay overnight, within a curfew, as described in the November Balkan regional report. However, reporters from BVMN-partner organisation Collective Aid have been told this area is cramped and has no access to charging, and people are often reluctant to use the space after police and the Commissariat have confirmed systematic evictions directly from the quarantine area.

People we have spoken to staying outside the camp consistently report being subject to violence and harassment by police and the Commissariat security throughout the month of February, as well as forced relocations to state camps in the south of Serbia - namely the Sjenica & Tutin Asylum Centres. One of these forced relocations took place on February 2nd, when 2 buses arrived at the Obrenovac AC and reportedly took 150-200 people from within the quarantine area and outside of the camp, including families. Moreover, there have been reported instances of shelter items and personal belongings of people staying outside being destroyed by the authorities, as well as of physical violence and verbal assaults.



Tents distributed three days prior destroyed by police outside the Obrenovac AC on February 9th. One of them belonged to a family. © Collective Aid

Lastly, the team in the region has received an account of a pushback that took place directly from this government facility. According to a man from Afghanistan who was previously staying outside of the camp, on February 14th, during the evening, 45 people were effectively entrapped by the police and Commissariat and later pushed back to Bulgaria, after having been told to move from the area outside of the camp into the quarantine space. On February 16th, when this testimony was shared by a witness and friend of one of the people who were pushed back, some of those taken had been detained at a closed camp in Sofia. This reported pushback would constitute a violation of European and international law, involving the collaboration of Serbian police, the Serbian Commissariat for Refugees and, arguably, UNHCR's complicity as a support network for Serbian state camps.

The actions of the authorities seen and reported outside the Obrenovac AC during the past month demonstrate a continued state effort to keep people on the move south of Belgrade. Following this goal, all transit centres north of Belgrade - Subotica Reception Transit Center (RTC), Sombor RTC, Kikinda RTC, Adasevci RTC, and Principovac RTC - remain closed.

Pushbacks to North Macedonia

A severe example of the systematic intimidation and violation of the rights of people on the move by Serbian authorities was made public this month through the publication of video footage taken during a pushback to North Macedonia. Over a period of 24 hours on February 9th, Serbian border police conducted two collective expulsions to North Macedonia of around 70 men. The videos, filmed by locals and published by North Macedonian NGO Legis, showed a group of around 12 men who had been stripped - with some in just their underwear and barefoot -, walking on the side of a road between the border checkpoint and the North Macedonian village of Lojane. The people carried no belongings but the few clothes on their backs, and seemed to be walking toward the Tabanovce transit centre, at a distance of nearly 5km, with temperatures dropping to lows of -3°C on that night.



Screenshots from the video of the pushback. © Legis.

It has been reported that Serbian authorities beat, stripped, took documents, phones, and belongings from those pushed back, and sent them to walk back into North Macedonia. Despite the widespread media coverage and shocking nature of this pushback, it is a sad fact that this phenomenon and style of pushback is not uncommon nor unique around the borders of Serbia. For example, Serbian organisation APC cite pushbacks akin to that of February 9th from Croatia to Serbia in the past, a practice that has also been widely reported by BVMN. On top of the above described collective expulsion from Obrenovac AC to Bulgaria on February 14th, APC estimated numbers of 15 people pushed back daily from Croatia this month, while Hungarian police - who publish their own pushback data - reported carrying out 123 pushbacks in the past 4 weeks.

The inhumane and collective nature of the pushbacks conducted on February 9th represent clear breaches of [Article 3](#) and [Article 4](#) of Protocol 4 of the European Convention on Human Rights respectively by a country receiving consistent IPA funding for its supposed ascension to the EU, under the requisite: “[Beneficiaries of the fund are required to] comply with Union values and to progressively align to Union rules, standards, policies and practices”. It’s important to highlight the hypocrisy of these required “standards and values” since the same [IPA](#) funding helps fund the Serbian border police’s illegal and violating activities, activities that are also in direct breach of the [Constitution of the Republic of Serbia](#).

The Serbian Ministry of Internal affairs has since denied their involvement with events of February 9th, ratification from those affected and those in contact with the affected.

Bosnian border police operation

On January 29th, the head of Serbian Ministry of Interior, Bratislav Gasic, ordered the establishment of temporary headquarters to ‘suppress irregular migration’ in Mali Zvornik - a town of just over 4,000 people at the Serbian-Bosnian border. He also ordered a subsequent policing operation between the areas of Loznica & Mali Zvornik, beginning on January 30th. This operation was stated to mirror that carried out on Serbia’s northern border with Hungary from November on - detailed in the BVMN November [Balkan regional report](#).

On February 6th - one week after the start of the operation -, it was reported that 1015 vehicles had been checked and 300 people on the move had been taken from this area to reception centres around the country. A team assessing this area between February 8th and February 9th saw no sign of police nor people on the move at known informal living sites. Three Gendarmerie vehicles - Serbian military police - were seen between Loznica & Mali Zvornik, with a low police presence in the town of Mali Zvornik. Banja Koviljaca AC - the asylum centre in this region- appeared to be empty. Locals spoken to reported that there had been a high military police presence in the previous week but that they had since mostly left the area.





PICTURED: (L) emergency foil blanket found next to Drina crossing point, (R) empty Banja Koviljaca AC.
© Collective Aid

It appears the police operation carried out on this section of the Serbian-Bosnian border was swift and effective in its goals. However, despite the operation people are still attempting to cross this dangerous border in small numbers.

Serbia - EU relations

The above described actions of Serbian authorities throughout the month of February demonstrate an inferred effort by the state to effectively block Serbia's position along the Balkan route. On one hand, these efforts were visible through the systematic restriction of movement for people on the move in Serbia to south of Belgrade, as demonstrated by the maintained closures of northern reception centres, decisions to not allow new registrations at the Obrenovac AC, and continued evictions of those staying outside of the Belgrade asylum centre to centres in the south. On the other hand, the blocking of the Bosnian-Serbian border through a special policing operation at the end of January and the continuation of the practice of illegal pushbacks into countries south of Serbia, including the collective expulsion of people directly from within Obrenovac AC's quarantine area and the filmed violent pushback to North Macedonia, contributed to the securitisation of the country's borders.

On February 7th, two days prior to the described pushback to North Macedonia, EU representatives met Serbia's Ministry of Interior and the Commissariat for Refugees & Migration to discuss border cooperation. It was agreed to further implement the EU Action Plan for the Western Balkans in the field of migration - a plan that defines stricter border controls. It is likely that Serbia's actions surrounding its borders in the past four months, including the Special Military Operation in the north starting in November, the announced increased police cooperation between Serbia and Hungary on October 20th, 2023, as well as the state actions described in the month of February, point at Serbia's attempts at compliance with EU migration policy, especially in the context of a significant rise in registered "irregular crossings" in 2022 and 2023. The "success" of these actions in the eyes of the EU led to the congratulation of Serbia for their recent compliance by EU representatives at the February 7th summit. Importantly, this compliance also ensures valuable continued EU funding such as IPA III - through which Serbia received 22.4 million euros in November alone for cross-border cooperation with Bosnia and Montenegro. We believe these funding systems constitute an important form of soft power exercised by the EU that allow for the trickling down of EU border policy at non-EU borders. Violent and inhumane practices, such as the pushbacks to N. Macedonia on February 9th, become the real manifestations of such processes.

Talks with FRONTEX

The number of people on the move crossing Bosnia and Herzegovina in 2023 was almost 32,000, the highest since the opening of the so-called Bosnian Route in 2017. However, the number of border police officers employed in monitoring the country's borders is currently lower than the one supposedly required under the 2005 "Border Safety Assessment". Consequently, the government of the country has initiated talks with Frontex, a step that also constitutes one of the conditions set for the commencement of accession talks with the European Union, for which Bosnia and Herzegovina was officially granted candidate status on December 15th, 2022. At the beginning of February 2024, the EU office in Sarajevo welcomed the news, stating that "This is an important step and one of the priorities before the European Council in March. Greater cooperation on border management is in the interests of both EU & BiH."

However, historically, Frontex's presence in the Balkans has faced widespread criticism. In November 2022, plans for extensive border surveillance in Europe were halted following a cross-border investigation by BIRN and a critical evaluation of the program by the European Data Protection Supervisor. Frontex was obliged to acknowledge irregularities and commit to revising the program to comply with EU data protection laws. Its director resigned amid a human rights scandal revealed in a joint investigation published in April 2022 by Lighthouse Reports, Der Spiegel, SRF Rundschau, Republik, and Le Monde. The investigation uncovered Frontex's involvement in illegal pushbacks of asylum-seekers from Greece to Turkey between March 2020 and September 2021. This involvement was later verified by the EU's anti-corruption watchdog, OLAF. No further details about this upcoming collaboration have been made public so far.

Updates from Una-Sana Canton

This month, teams in the region have witnessed a decrease in the number of people on the move present in the Una-Sana Canton, compared to last December and January, with the Transit Reception Centres also hosting a smaller population. At the moment, the most represented country of origin at the centre is Syria, followed by Afghanistan and Morocco. Though the numbers of people staying in the region are lower, the violence at the borders seems to still be increasing; more and more people, often including unaccompanied asylum-seekers, report having been heavily beaten up and pushed back by the Croatian police. Many show multiple signs of this violence that also testify to the practices of the authorities, such as contusions, broken bones, or dog bites.

Hunger strike in Corinth Pre-Removal Detention Centre

During February, 36 male Egyptian nationals went on hunger strike at the Corinth pre-removal detention facility (PRDC) on the Greek mainland, in response to the denial of access to the asylum procedure and medical neglect by the authorities. The group was reportedly transferred from Kalamata port directly to detention, after being shipwrecked and separated from the women and children who arrived on the same boat. The group was supported by Equal Rights Beyond Borders to submit a report to the Ombudsman on February, 15th 2024, challenging the legality of their detention.

According to a statement released by those involved in the protest, the strike started in response to the ongoing denial of detainees' basic rights at the PRDC, including access to asylum, medical care, denouncing the inhuman and degrading conditions within the facility.

"Now, if I do not leave this place, I will commit suicide. For me, this is better than being alive in prisons and torture".

- Egyptian man at Corinth pre-removal detention centre

A similar hunger strike took place in Paranesti PRDC in March 2023 in response to people being prolongedly detained in dire conditions with repeated episodes of police violence within the facility.

On February, 20th 2024, at 9:50, the Ombudsman called for the release of the Egyptians, while noticing an ongoing pattern of imposing pre-removal detention to people straight after entering from the Evros border or after a shipwreck. However, at 10:00 Solidarity with Migrants, Equal Rights Beyond Borders and Ef.Syn reported a heavy-handed police response. Reports emerged of violent raids on striking detainees' cells by security forces, accompanied by physical searches and intimidation tactics. These actions, described as attempts to terrorise those fighting for justice, only aggravated the situation of the 36 people.

FRONTEX report on Evros

Last month, Greek media published findings from Frontex's Fundamental Rights Officer (FRO) report on the case of 48 Syrians who were stranded on an islet in the Evros river in summer of 2022. In July 2022, the group was abandoned between Greek and Turkish territory for more than three weeks, while many of them were in urgent need of medical attention. Prior to the incident, BVMN had reported on the practice of people on the move being stranded in the Evros river islets. The FRO's report concludes that the Greek authorities 'were aware of the group's whereabouts but failed to provide assistance.' The report also concludes that the group experienced pushbacks on three occasions during this period. The FRO additionally highlighted that the treatment of the group by Greek authorities was violent enough to result in deaths and injuries. The report thus admits the Greek authorities' responsibility and notes that the absence of formal records of their activity should be investigated as a problem on its own.

On July, 22nd, 2022, Alarm Phone had alerted the Greek authorities, Frontex and UNHCR of the situation of the group. On the same day, they were informed by the Greek authorities that despite "extensive searches by the Greek Authorities and Frontex joint patrols in the location indicated by the coordinates area and also more widely, no human presence was found." Similar statements have been issued by the Greek authorities on a number of cases, evidencing a pattern of intentionally denying the provision of rescue to people in distress, as part of an attempt to conceal pushback operations.

A year later, BVMN issued a statement on a similar islet case. In light of the number of reported pushback cases involving deaths and injuries at the Greek borders, the role of Frontex requires further scrutiny. To date the agency has systematically denied responsibility for pushback operations despite being present during well-documented incidents, such as the Evros 48 case, when pushbacks occurred. Despite the resignation of the agency's director following pushback reports, such practices are still being recorded. By providing support to Greek authorities in search and rescue operations, Frontex is complicit in violations of the rights of people on the move.

Lack of access to hot water

In February, BVMN recorded a testimony from a person who reported being denied access to hot water in Xanthi PRDT. The respondent reported that hot water is available only for one hour three days per week. Additionally, the living conditions of the PRDC were described as substandard, with detainees sleeping on dirty bed mattresses and insects, such as cockroaches, being common in living spaces. Detainees are provided with minimal personal hygiene items which do not meet their

basic needs. Moreover, despite the respondent's attempts to communicate these issues to the officers working at the PRDC, these were reportedly ignored and no action was taken to fix these problems. Unsanitary conditions and the lack of access to hot water has been systematic in the Xanthi PRDC and amounts to degrading treatment, as reported by Mobile Info Team and BVMN's recent Internal Violence report.

Situation in the Samos CCAC

February began with the European Court of Human Rights granting Interim Measures for a mother and baby held in the EU-funded Samos Closed Controlled Access Centre (CCAC). The Court ordered the Greek Authorities to accommodate the Applicants in safe and suitable accommodation, who were confined to the CCAC in absolutely inadequate conditions. The case demonstrates the severely deteriorating conditions in the CCACs on the hotspot islands of Greece and is further evidence that even the most vulnerable asylum seekers are failed within these facilities.

Last month, we saw that the degrading conditions of the Samos CCAC are being used as leverage to coerce asylum seekers into signing away their rights. We had previously received reports of a protest in the CCAC calling for open cards to allow asylum seekers to leave Samos. Usually, people receive this card if there are mass arrivals, have a positive asylum decision or if they are considered vulnerable and need specialised care. However, an I Have Rights (IHR) client reported that CCAC staff told the protesters that anyone could get a card if they came to an office and signed a form. The form was in Greek and clients reported that they were not allowed to have a copy or take a picture. After weeks of confusion, IHR finally received a copy of the form.

The form states asylum seekers can get an open card if they agree to rescind their rights to be accommodated in Greek reception centres and to financial assistance. Despite this being against people's best interest, many have felt no choice but to sign it due to the inhumane and degrading conditions of the CCAC.

These inhumane conditions are not new and the European Commission has been well aware of how they have deteriorated. IHR recently published reports by the European Commission that reveal how the authorities lost control of the Samos CCAC in 2023. The reports were obtained through a Freedom of Information request and show an alarming increase in people detained in inhumane conditions for extended periods in the CCAC. In September 2023, over 70% of the population of the CCAC was 'unregistered' meaning that they were *de facto* detained as people could not leave

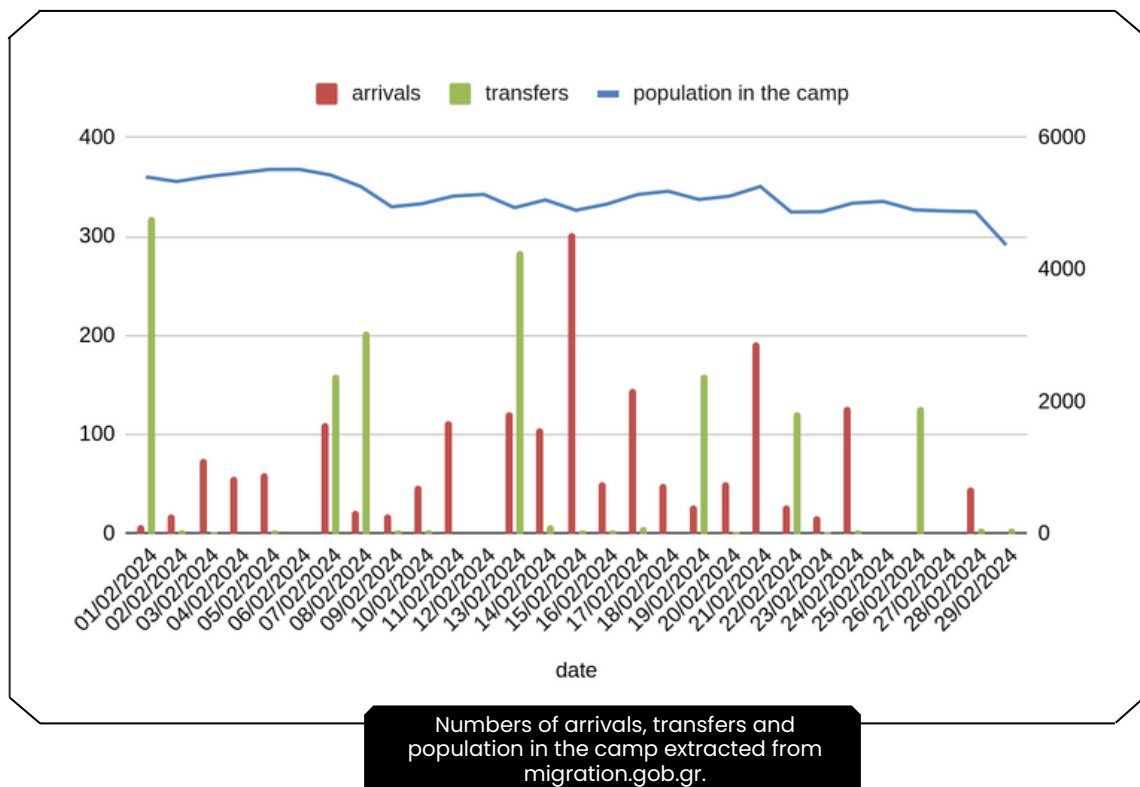
the CCAC until they were fully registered. In October, this number rose to 83%.

The EU documents also record the persistent lack of medical care in the CCAC. In September, one of the reports records that only one army doctor visited the CCAC to attend to over 4,000 people. Moreover, the reports detail how the Pre-Removal Detention Centre and administrative buildings, such as classrooms, are used to accommodate people.

Now, almost 4 months since the first mention of people sleeping in classrooms, the CCAC is still well over capacity with people forced to sleep in overcrowded containers and dining areas. The first mention of water cuts in these reports was made in early September 2023 and almost six months later the issue has still not been solved. IHR's clients report water has only been switched on for one hour per day so far this year.

Situation in the Lesvos CCAC

Statistics of people on the move residing on Lesvos:



During the month of February, 1,816 people arrived in Lesvos and 1,438 people were transferred to other camps in the mainland. This meant that the population in the CCAC stayed more or less the same, oscillating between 4.000 to 5.000 people.

As reported in the previous BVMN Monthly Report, many of the residents of the CCAC are currently being accommodated in Rubb Halls, which are massive tents with capacity for hundreds of people, some of which can't be closed to protect residents from weather conditions. At the moment, only 8 of the 13 Rubb Halls are heated, and some residents have complained that even in those where heating devices have been installed, temperatures are still low. Among those accommodated in these structures are people newly arrived to the island. These involved diverse groups of people with different needs that are not being taken into consideration when assigning them into these facilities. Notoriously, several women in advanced stages of pregnancy have been residing in these Rub Halls throughout the month of February. Moreover, due to the hospital in Mytilini scheduling C-sections for pregnant women on the move without providing a choice for natural birth, many pregnant women are reportedly scared of attending their appointment to give birth in the hospital. As a direct result of this practice, in February a baby was born inside of the camp.

The lack of dignified hygiene conditions has perpetuated the spread of scabies, as reported in the last Monthly Report. This situation has remained unchanged throughout February, together with the lack of medicine available for those affected, unless they buy it themselves.

Upon receiving a positive decision, many families and other camp residents are being forcibly moved into the Rubb Halls. The further lack of care in this procedure is evidenced by the fact that many just find all their personal belongings outside of their ISO Box after they return from an appointment outside the camp. People are then supposed to live in these Rub Halls and wait there until they receive their travel documents. In several cases, after having received their travel documents, people were told to leave the following day, or at the start of the following week. Even though this is not a new practice, it seems that the pressure to leave the CCAC has recently increased. For example, some people report police showing up at their tents with strict orders to evacuate them. In one documented case, a family was escorted out of the CCAC - even before receiving their travel documents - after they opposed relocating within the centre for a third time.

A Task Force was also sent to the Lesvos CCAC by the Ministry of Migration to issue travel documents more efficiently, in response to the high numbers of people in the centre. However, due to mistakes of this Task Force, some families have now been waiting for corrected travel documents for over 2 months. It has been reported that the group committed over 500 different mistakes in travel documents they recently issued, thus increasing people's waiting time in the inadequate facilities.

Lastly, pressure to sign transfer papers to the mainland has also increased. In the past, people could refuse a transfer to the mainland if they had been registered for transfer without their knowledge. Analogous to the irregularities and coercive practices described in the Samos CCAC, In February, pressure on residents of the Lesvos CCAC to accept this transfer took new forms, such as the transfer office reportedly implying that if they were to reject the transfer, they would lose access to services in the camp.

BIRN report on pushbacks

A recent investigation by the Balkan Investigative Reporting Network (BIRN) has revealed that both the European Commission and Frontex were aware of Bulgaria's serious human rights violations at the country's border with Turkey.

BIRN obtained a report from an unnamed Frontex officer stationed at Bulgaria's border with Turkey, which documented the harrowing treatment of people on the move by Bulgarian border officers. The report outlines how Bulgarian officers referred to individuals in transit as 'Taliban' and subjected them to inhumane and degrading treatment, such as stripping them naked, robbing them of their belongings and forcing them to swim back to Turkey, regardless of whether they could do so or not. According to the report, apprehended individuals are not fingerprinted nor have their personal information taken, meaning these practices are not reported. The officer also noted efforts to keep Frontex officers away from key areas where illegal pushbacks occur. In response, the Bulgarian Chief Directorate of the Border Police has seemingly dismissed these accusations, stating that they have not found any information regarding "unethical behaviour" by Bulgarian border officers.

Documents obtained through Freedom of Information requests from Frontex and the European Commission reveal that both Bulgarian authorities and EU officials have neglected to address evidence of severe and ongoing human rights violations on Bulgaria's borders. This accumulating evidence appears to have been ignored during the process of the country's entry into the Schengen Area.

BVMN has documented the practice of illegal pushbacks from Bulgaria, recording 92 pushback testimonies since 2020, affecting approximately 1,746 individuals. While these mainly involve pushbacks into Turkey, there are also reported instances of pushbacks into North Macedonia and Greece. Furthermore, there have been cases of chain pushbacks, where individuals are pushed back from Bulgaria to Greece and then to Turkey. Among the testimonies, 100% of respondents reported theft of personal belongings, 99% reported beatings, 89% reported kicking, 26% reported dog attacks, 57% reported forced undressing, 47% reported threats with guns, and 17% reported instances of sexual assault. People report that pushbacks and violence are carried out by a mix of Bulgarian border police, Bulgarian military (recognised by their uniforms) and unidentified masked men. Nine testimonies mention those who spoke languages other than Bulgarian and English or had blue armbands on their uniforms, suggesting the possible involvement of Frontex in violent pushbacks.

In light of the investigation, Frontex announced its plan to triple the number of officers in Bulgaria in March to reduce the number of people crossing into the country from Turkey.

Maritime Pushbacks

According to [statistics](#) released by the Turkish Coast Guard, there were 185 “irregular migration incidents” in February 2024. These involved 6,099 individuals, including 2,193 minors. Comparatively, this number stood at 1,802 in February 2023.

These “incidents” are regularly reported in Turkish media, such as in [this article](#) from February 16th covering the rescue by the Turkish Coast Guard of 24 people in the Aegean Sea, including 13 children, whose rubber dinghy had its motor reportedly removed by the Greek Coast Guard after they were stopped in Greek territorial waters, close to Lesbos, to then be left adrift at sea. In keeping with the regular accounts of these frequent incidents, the article highlights the dishonesty of Greek authorities and the gratitude of people on the move to Turkish soldiers upon their rescue, but does not allude at all to what happened to the 24 people after their rescue, though swift detention and removal orders have been commonplace in these scenarios in recent times.



Photograph showing the rubber dinghy in which 24 people were found afloat in the Aegean by the Turkish Coast Guard (the photograph highlights that the boat had no motor) - ©iha.com.tr

Apprehension Statistics and Mobile Migration Points: more efficient, effective controls

According to data shared by the Presidency of Migration Management for the first 2 months of 2024, the number of “irregular migrants” apprehended was 34,767 as of the end of February. Among the “irregular migrants” detained, Afghanistan, Syria and Turkmenistan nationals constitute approximately 2/3 of the total number of people. In addition, a total of 2,158 so-called “organizers” were apprehended in the first two months of 2024.

In a statement from February 27th, Interior Minister Yerlikaya stated that the government took “irregular migration” under control through their new “mobile migration points” and that 192,934 foreign nationals were inspected only in Istanbul between mid-July 2023 and February 2024; 56,620 of them were identified as undocumented and referred to Removal Centres for deportation. Operations targeting migrants in Turkey have become more frequent, intense and publicised in recent months. Following the January 28th attack on Istanbul’s Santa Maria Church – claimed by Islamic State – numerous migrants were detained as suspects. According to lawyer Halim Yilmaz, many of these suspects are persecuted for political reasons in their home countries and are supposed to have protected status in Turkey. He likened the current conditions to those of Guantanamo Bay, where the law in these states of exception does not apply.

“Mobile migration points” is a project implemented by the Ministry of Internal Affairs to facilitate and expedite the identification of irregular migrants. As part of it, police forces conduct increased identity checks in the streets, and those unable to present identification are directed to the Mobile Migration Points. These points consist of large vehicles staffed with an interpreter and a representative from the Presidency of Migration Management. The procedure should then follow through some biometric data checks, after which if an individual is found to have no valid permit or to have transgressed their residency conditions somehow (e.g. a person with temporary protection status stopped and checked in Istanbul but registered – and formally confined to – another district), they can be immediately referred to a Removal Center for deportation procedures.



New "Mobile Migration Point" vehicles for street inspections of "irregular migrants" on display at a press conference by the Presidency of Migration Management.
© Presidency of Migration Management

According to the data shared by the Interior Ministry, there are 162 such "Mobile Migration Points" in service in thirty metropolitan cities across the country, with the addition of 65 more vehicles in February. The implementation was initially launched in Istanbul last July, where there are currently 103 Mobile Migration Points in operation.

1 Haziran 2023-25 Şubat 2024

ÜLKEMİZDEN ÇIKIŞ YAPAN VE GİRİŞİ ENGELLENEN YABANCILAR

- VİZE/VİZE MUAFİYETİ VEYA İKAMET SÜRESİ BİTEN VE KENDİLİĞİNDEN ÜLKEMİZDEN ÇIKIŞ YAPAN YABANCILAR
273.063
- GÖNÜLLÜ, GÜVENLİ VE ONURLU GERİ DÖNÜŞ YAPAN SURİYELİLER
(1 HAZİRAN 2023: 55 BİN 416 - 25 ŞUBAT 2024: 630 BİN 735)
75.337
- YAKALANAN DÜZENSİZ GÖÇMEN SAYISI
222.125
- SINIRLARIMIZDAN GİRİŞİ ENGELLENEN DÜZENSİZ GÖÇMEN SAYISI
150.255

MOBİL GÖÇ NOKTASI

Bugün itibarıyla 30 Büyükşehirde

TOPLAM 162 Mobil Göç Noktası Aracımız bulunuyor

- 286.102 Sorgulanan Kişi
- 61.429 Tespit Edilen Düzensiz

SON DAKİKA ALI YERLİKAYA - İÇİŞLERİ BAKANI

YERLİKAYA: ORGANİZATÖRLERİ YAKALIYORUZ

"GÖÇMEN KAÇAKÇILIĞI ORGANİZATÖRLERİNE 5701 OPERASYON YAPTIK"

CNN TÜRK

© Presidency of Migration Management
<https://x.com/Gocidaresi/status/1763211846880755849?s=20>

Interior Minister Yerlikaya stated in a TV program that the “inspection speed” of those suspected of being “irregular migrants” through these mobile points has tripled. He noted that, in the past 9 months, 222,125 individuals were caught as “irregular migrants” nationwide.

In this context, activist groups have denounced that in recent months, and especially after the introduction of Mobile Migration Points, arbitrary deportations have skyrocketed. It should be noted that this practice is not only affecting Syrian nationals, but it is even harder to monitor for people of other nationalities as many of them are without any legal status. Programs like the Mobile Migration Points constitute an example of the increased criminalisation of migration, which leads to growing restrictions in the use of the public space by people on the move – and with it, decreased access to basic services – due to fear of harassment and deportation.

Death of Syrian Hasan Muhammed in GGM in January – Suspicion of torture

News was also released in early January of the death under suspicion of torture of Syrian Hasan Muhammed in Akyurt GGM (Akyurt Removal Center), Ankara. 28-year-old Hasan’s body was inflicted with wounds and his family is initiating legal proceedings. The Refugee Rights Platform relayed the news from his parents that they had been contacted by the Removal Center telling them to come and collect their son’s body, with no further explanation offered for the cause of his death. He had reportedly been detained for eight days, after alleged problems with his ‘kimlik’ (ID card/status). The report on his situation goes on to describe another alleged death in Akyurt GGM in November 2023, that was reported anonymously online by the brother of another detainee:

“They don’t give my brother clothes. However, they were delivered there by hand, 500 TL money and clothes. Should the people there die of pneumonia? Why are your phones unreachable when we call? Is human life that precious? A male corpse was found there just 15 days ago, why is it not being taken care of? If you don’t care, send it somewhere else. I don’t understand why there is persecution. They say human rights. I’m looking and can’t find [them] anywhere. Give me my brother’s clothes and money.”

In the wake of Hasan's death, the campaign group We Want to Live Together Initiative released a [statement](#) calling for a proper clarification of the suspicious circumstances of such deaths: "We know that perpetrators of torture and ill-treatment are protected in GGMs, which are not allowed to be inspected by independent and impartial institutions."

Transphobic, HIVphobic, sensationalist reporting of Moroccan student's detention in Kütahya

On February 16th, news agencies [reported](#) that Anouar, a Moroccan transgender woman studying in Kütahya province, was subjected to administrative proceedings as part of an "anti-prostitution" campaign of police forces. She was then handed over to the Provincial Directorate of Migration Management. According to a statement by the social media group [transprideistanbul](#), Anouar is currently being held for deportation. During this process, journalists disclosed many pieces of personal information about Anouar, from her HIV status to her identity information. As a result of brutal journalism and its sensationalised news reports, transphobic and anti-immigrant discourses were reproduced which were further fueled by numerous social media users, ultimately leading to Anouar being stigmatised and targeted. This deportation case was appealed with the support of rights organisations, and the case is being followed through by Anouar's lawyer. Moreover, various rights and LGBTI+ organisations drew attention more widely to the violations carried out in Removal Centers, the provocative and hostile language of the media and the discriminatory and brutal policies of the government.

Iranian-Kurdish couple at risk of death in Iran facing deportation in Turkey

Iranian activist Hossein Manbari, one of many activists who fled Iran to Turkey after taking part in the Mahsa Amini protests, is [now in danger](#) of being deported back to Iran. Manbari, who participated in the protests, fled to Turkey with his wife after witnessing the killing of a relative by Iranian police, but last month he was detained in Turkey without any justification and taken to a Removal Centre. Dr. Said Muhammadi, the lawyer handling Manbari's case, has begun various attempts to suspend the deportation process. Muhammadi states that Manbari's deportation to Iran would result in the death penalty or, at best, a 10-20 year prison sentence, making this extradition illegal under international law.

Last year, in the context of the widespread protests in Iran, The UN human rights chief Volker Turk stated that death sentences implemented in the country represent "state-sanctioned murder" and that executions were being used to instil fear in the population and destroy the voices of the opposition. Despite the danger posed to people being deported, there has been an increase in extradition cases in Turkey recently.

Detention under accusations of espionage

As reported in November, Istanbul-based Syrian human rights activist Ahmed Katie was announced missing, having last been seen on the evening of November 27th. No news of his whereabouts were made available until December 13th, when the Istanbul police department contacted Katie's family, informing them that he was arrested on charges of "espionage" on behalf of the French state, together with two other Syrian national, Hüsam Elnahar and İbrahim Shewaish. On February 22nd, Turkish-state media agency Anadolu Agency reported that Istanbul Chief Prosecutor Terror and Organized Crime Bureau arrested seven more individuals under the same investigation with the claims of espionage for the Chinese intelligence agency.

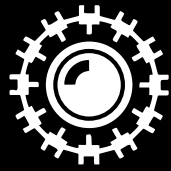
Updates from Calais

February was once again a difficult month for people on the move along the French-British border. France's zero point of fixation policy continues to elicit destruction and brutality upon people on the move in Calais. Occurring every 48 hours, belongings, including tents and warm bedding have been taken by police convoys across over 170 evictions in 2024 alone, according to Human Rights Observers, leaving people on the move to sleep outdoors in rainy and cold February conditions. In addition to the distress caused by this near-constant police harassment, inter-community tensions have also been reported by people on the move and organisations on the ground in Calais. Reports include incidences of violence between individuals residing across different living sites, including beatings and theft of belongings.

In an attempt at curbing smuggling networks across the French-British border, the UK will now gain access to the EU's intelligence on human trafficking, after an agreement was struck with Frontex on February 23rd designed to facilitate better information and technological exchanges between the EU and the UK. On that same day, under the guise of cracking down on smuggling across the English Channel, a teenager from Senegal was sentenced in the UK to nine years and six months of detention, in what has been described as an "escalation in the government's policy of criminalising migrants and asylum seekers".

Ibrahima Bah was sentenced under four counts of manslaughter, and one count of facilitating illegal entry into the UK, after four people drowned during an attempted channel crossing in late 2022, after he was found to have steered the overcrowded and unseaworthy boat. Ibrahima told the court that he had agreed to help steer the boat to receive free passage across the channel. However, upon seeing the boat, which fell under duress within 30 minutes of the journey, and noting its size and condition, he changed his mind. The court heard that consequently, Ibrahima was beaten by the smugglers who had organised the crossing, who then threatened to kill him if he did not proceed to steer.

This is the first time an asylum seeker has been found guilty of manslaughter in a "boat pilot" case in the UK, under the Nationality and Borders Act of 2022, which a recent Oxford University report describes as being designed to "achieve nothing but human misery." The Act, which introduced the offence of 'illegal arrival' and expanded the offence of 'facilitation', has expanded the scope of criminal offences related to channel crossings in the UK, as a result of a series of overturned prosecutions for illegal entry and facilitation in 2021. However, the Oxford report claims that despite prosecutions, the law has predictably not deterred people on the move in risking everything to cross the French-British border in search of safety.



**Border Violence
Monitoring Network**

ADVOCACY

EU Commission on Frontex evaluation: full fundamental farce?

This month, the European Commission released its report assessing the implementation of the Frontex 2019 Regulation and the efficiency and effectiveness of the Agency. Despite mounting evidence against Frontex in lacking fundamental rights safeguards, increased border violence in their operational areas, and the Agency's cover-up of violations, the European Commission found that Frontex has done well and contributed to border management in "**full compliance with fundamental rights**". Below, BVMN briefly analyses the Commission's evaluation report point by point.

- *Frontex provided operational support to EU member states which had added value to the state, including assistance in search and rescue operations:* the sole support Frontex has provided is in assets, funding, and direct involvement in pushbacks and other human rights violations. Whether we examine the fact that Frontex has turned a blind eye for years and even covered up for human rights violations in Hungary and Greece, or that it helps Greece in detering boats from reaching its shores, as well as Italy and Malta by sharing locations of boats with the Libyan so-called coast guard, the Agency has indeed **fully failed to guarantee the fundamental rights of people on the move**. A Frontex interpreter who was "accidentally" pushed back from Greece to Turkey might be able to attest to the Agency's stellar record in safeguarding fundamental rights in their operational areas. As history repeats itself, so does Frontex practice; a recent investigation revealed that Frontex overlooked pushbacks from Bulgaria too, and indeed the "appropriate" response was more Frontex.
- *Standing Corps:* while most of the population was concerned with Covid restrictions, Frontex was deploying its first officers to Albania in 2020. Coincidentally, BVMN started reporting record pushbacks from Albania to Greece as of 2020.
- Frontex is better supporting Member States to implementing return measures: let us recall that the Agency is still conducting returns from Hungary, an EU state where a person cannot apply for asylum in violation of EU law, European Convention of Human Rights, the 1951 Geneva Convention on the Status of Refugee, and the list continues. However, Frontex claims that the one piece of paper issued by Hungarian authorities stating that the returnee has undergone procedures in line with EU law is sufficient to make a return lawful (sic!).

- *Frontex expanding its operational areas in third countries:...*with a record in human rights violations. Aside from breaches of fundamental rights being a fixture of the EU border regime, the Commission and Frontex are courting non-EU countries with similar politics to join the Frontex friends list. From Senegal, Egypt, to Niger, Serbia, Albania and the list goes on.

The Commission report states that *“Fundamental rights: Frontex is governed by a strong fundamental rights framework that ensures the respect for fundamental rights in all its activities. Since 2021, Frontex has actively developed its internal rules to enhance the respect, protection, and promotion of fundamental rights during joint activities. Furthermore, fundamental rights monitors accompany Frontex’s border guards to all their deployments”*: On a more sombre note, it’s borderline dangerous that the European Commission, proclaimed guardian of the EU Treaties and the Charter of Fundamental Rights is stating that Frontex is fully compliant with fundamental rights after over 4 years of scandals and dodging responsibility for deaths, torture, ill-treatment, refoulement, robberies, a long list of rights violations. On a less sombre note, the European Commission proclaiming Frontex is fully compliant with fundamental rights is a fundamental farce.

European Ombudswoman Inquiry into FRONTEX Results

At the end of this month, the European Ombudswoman issued her [inquiry decision](#) as well as an accompanying [article](#) regarding FRONTEX’s fundamental rights obligations for maritime search and rescue activities after the events of the Pylos shipwreck that killed over 600 people.

In her assessment of the situation, she maintained that, first and foremost, the responsibility of coordinating Search and Rescue (SAR) operations belongs to the national authorities whose territory the incident occurs in - in this case, Greece. She put forward that the relevant Rescue Coordination Center (RCC) has “exclusive” competence to decide to launch or coordinate a SAR mission. Joint operations, the Ombudsman said, are a “challenge” to determine responsibility of each actor. The Ombudsman stated that FRONTEX’s duty while operating in the context of a joint operation is to collect and promptly provide accurate information about an emergency situation to the relevant RCC, and be available for dispatch if the RCC demands it, which she maintains is what FRONTEX did. The Ombudswoman put forward that FRONTEX offered assistance to the Greek RCC for the Pylos incident but was instructed to send aircraft to another SAR situation. Therefore, the Ombudsman purports that FRONTEX has not broken procedure, though the procedures in place act to limit FRONTEX’s ability to fulfil its fundamental rights obligations. The Ombudsman

says that some of this limitation is “due to its mandate”.

The Ombudswoman discussed that FRONTEX may issue “Mayday relays” to situations that present an imminent threat to life, meaning a vessel is severely non-seaworthy or the boat is already sinking, and there is no ongoing SAR operation. The Ombudswoman deflected claims that FRONTEX should have issued one of these relays on the basis that the Ombudswoman does not have expertise in this area of maritime law nor the practical expertise of how to respond in emergency situations, so she is incapable of making that judgement. The Ombudswoman agreed with the FRO’s assessment that FRONTEX needs to explicitly lay out their approach as to how to react to maritime emergencies of all natures, including when to issue a Mayday call, as, according to FRONTEX, since SAR missions are within the mandate of the member state, they do not have any internal procedures. The Ombudsman also maintained that such guidelines should clearly lay out the distribution of responsibilities between Frontex and its host country when carrying out joint operations.

The Ombudswoman concluded that no further inquiries are justified. In her suggestions, she advises FRONTEX to decide on whether or not they should terminate activities in Greece and to publicly clarify why they made their decision. She also advised an internal organisation-wide reflection and the establishment of guidelines and operational plans on maritime emergencies since FRONTEX claims to not have any, as well as learning to respond better to “unofficial” NGO reports.

In her report, the Ombudswoman suggested that FRONTEX did everything they were mandated to do, owing to their position beneath Greece’s Hellenic Coast Guard in terms of hierarchical superiority and coordination. However, as discussed in BVMN’s [submission](#) to this inquiry back in October, Frontex has obligations under Regulation 2019/1896 to “ensure the safety of the persons intercepted or rescued” and monitor fundamental rights compliance in their activities, accounting for the fact that some situations may be humanitarian emergencies. Frontex is also bound by national law of whatever country they are operating in as per their Operational Plans.

The Hellenic Coast Guard has been known to disregard the safety, wellbeing, and fundamental rights of people on the move as reported in the 2021 [OLAF report](#) on FRONTEX, in the [media](#), and by civil society organisations. Yet, despite this, FRONTEX protocol is still to give up investigating a potential SAR situation, instead opting to call the Hellenic Coast Guard to conduct their own assessment. They do not often investigate thoroughly enough to truly determine the level of unseaworthiness or distress despite clear criteria in the [Sea Borders Regulation](#). There is precedent for FRONTEX refusing to obey orders from state authorities when fundamental rights are

at stake, two of these being the Chios Swedish FRONTEX vessel's refusal to proceed north after the Hellenic Coast Guard was alerted to a vessel carrying 25 people in fear that the Hellenic Coast Guard would engage in an illegal pushback, and the Kos Danish FRONTEX asset refusing to tow a boat back to Turkish waters. The fact that FRONTEX disregarded this precedent that SAR operations, due to the potential for immense loss of life and injury, superseded the standard chain of command operations at sea, shows that they have clearly not upheld their fundamental rights obligations and, indeed, could have intervened. Even if FRONTEX did not have guidelines and procedures for sea rescue, they were also bound by Greek law which does have such procedures, and thus their lack of action signifies a failure to comply with the law.

Definitive approval of the contentious agreement between Albania and Italy

Following approval from the Chamber of Deputies in January, the Italian Senate has given the green light to the controversial agreement envisaging the construction of two Return Centres on Albanian territory. On the side of Albania, the Parliament has approved the deal and the president will now have to issue a decree as the final step to the implementation.

The agreement, first signed in November, provides for the opening of an asylum seeker registration centre in the port of Shëngjin, located in northern Albania. Another centre will be opened approximately 20 kilometres further north, where people on the move will wait for their asylum applications to be processed. The centres will be managed and controlled by Italy.

Under the agreement, Italy will outsource the processing of up to 36,000 asylum applications a year. Italian military vessels will transfer people rescued at sea to Albania where asylum seekers will be subject to an accelerated procedure, to quickly return those who are rejected.

The agreement has been strongly criticised by civil society, NGOs active in sea rescue operations in the Mediterranean Sea and legal scholars. The resulting extra-territorial asylum system and the treatment that people on the move will face in Albania are deemed to be contrary to the Italian constitution as well as European and International legal standards. Following the approval by the Italian Senate, Amnesty International stated that the manipulation of search and rescue regulations is dangerous, puts lives at risk, and affects individuals who are already vulnerable due to the circumstances of their journeys. The NGO added that this represents a shameful chapter for Italy.

The transfer of people on the move to Libya is illegal, Italy's top court ruled

Libya is not a “safe haven” and therefore the transfer of rescued people on the move back to the country is illegal. With this decision, the Italian Cassation Court in Rome has upheld the conviction of a captain of a tugboat for events that occurred in July 2018. In particular, the present case concerns a rescue operation at sea, during which the captain, acting on instructions received from an allegedly unidentified Libyan customs officer, had rescued 101 shipwrecked people and then brought them back to Libya, handing them over to the coast guard of Tripoli. The group included pregnant women and children.

The sentence n. 4557/2024 of the Cassation Court states that taking people on the move back to Libya constitutes “abandonment of minors or incapacitated persons” (as defined in Art. 591 of the Italian penal code) and “arbitrary landing and abandonment of persons” (Art. 1155 of the navigation code). The Cassation Court reiterated that the captain's conduct violated the procedures of the SOLAS Convention (International Convention for the Safety of Life at Sea) and the IMO (International Maritime Organisation) directives, amounting to collective refoulement in an unsafe port where people on the move are likely to be subject to inhuman and degrading treatment.

The Court, recalling the jurisprudence of the Court of Justice of the European Union, stated that the signing of the Geneva Refugee Convention is a “precondition of the “safety” of the state”. Libya has never signed the Convention and can be hardly considered a safe place for people on the move. As affirmed by the UN in June 2023, there is “overwhelming evidence” that the people on the move in the North-African country are “systematically tortured”, and subject, *inter alia*, to “sexual slavery”, a crime against humanity. Moreover, a few months ago, UNSMIL, the United Nations Support Mission in Libya, expressed its concern over the “mass arbitrary arrest of migrants and asylum-seekers across the country”, involving thousands of men, women and children.

The decision of the Cassation Court constitutes a landmark ruling considering the criminalisation of rescue operations conducted by NGOs in the Mediterranean Sea by the Italian far-right government. The case is also groundbreaking in light of the ongoing cooperation between Italy and Libya in the field of migration, ensured by an EU-sponsored agreement of 2017 that has been constantly renewed. Under this agreement between Italy and Libya, Italy and the EU have been helping the Libyan Coast Guard to enhance their maritime surveillance capacity, providing them with financial support and technical assets. This is part of a shameful broader defensive strategy pursued by European governments aimed at preventing the entry of people on the move rather than providing protection.

Deaths and Disappearances

Turkey

On February 13th, a group of lawyers in Turkey released a statement denouncing how they had not been able to reach a total of 35 of their clients, all migrants or refugees - including women and seriously ill individuals -, for 11 days at the time of publishing. Their lawyers had not been informed of their whereabouts and it could not be ascertained if they were being held in Removal Centers, prisons or elsewhere. This practice is against both national and international law.

The statement read:

"We, the undersigned lawyers, especially those referred from the Istanbul Police Department to the Directorate of Migration and approached by their families for legal assistance, have been unable to reach and obtain information about our foreign national clients for a long time. [...]

Although we have personally applied to the deportation centers in Istanbul and many provinces, no information is provided about the situation and fate of our clients. [...]

The families of the individuals who cannot be reached have been waiting anxiously because they have not heard from their relatives for a long time and cannot obtain any information about what happened to them. [...] Among the individuals not heard from are high school students, small children, the elderly, individuals with serious chronic illnesses, and pregnant women. Every day, the concern of both us lawyers and the families of the individuals is increasing. [...]

According to the Constitution, the Law on Lawyers, and Law No. 6458 on Foreigners and International Protection, individuals whose freedom is restricted by administrative decisions by the Directorate of Migration have legal rights. These include being notified of administrative decisions through proper legal procedures, being represented by a lawyer, objecting to decisions, filing lawsuits, meeting with their families and lawyers, and making phone calls. [...]

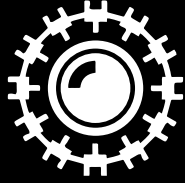
However, our clients have been kept undocumented for a long time, they are not allowed to meet or obtain information, their ties with their families and lawyers are severed, they are completely isolated from the outside world, and they are kept under unknown conditions. [...] Keeping individuals in this way is contrary to both national and international law, humiliating, and constitutes ill-treatment."

Practices of arbitrary detention or unlawful practices under detention – including, but not limited to, not being able to communicate with the lawyers or families – are not uncommon. Activists on the ground have reported multiple obstacles to locating the whereabouts of foreign nationals, as their cell phones are taken from them and accessing “phone privileges” is often only available to people with sufficient money to cover the phone expenses. As a result, foreign nationals are being isolated in the removal centres and not able to access or get information about their rights, in conditions that may amount to enforced disappearance. Hence, they often feel obliged to sign voluntary return forms or are not able to apply for international protection.

On February 18th, the Directorate of Migration shared a [press release](#) denying the allegations of ill-treatment, torture in removal centres and cases of forced returns of migrants who have been or are at risk of being persecuted in their home country.

Calais

In Northern France, apt weather conditions saw a sizable number of people crossing the English Channel via small boat this month, confirmed by smaller numbers of people observed at Calais living sites by organisations on the ground. However, due to a lack of safe and legal migration routes, opportunities for a successful channel crossing also present a larger window for dangerous incidents out at sea. On [February 28th](#), three people on the move fell out of a small boat crossing the channel. A lifeless body was found, and two people are still missing at the time of writing, with all three people remaining unidentified. This event brings the [total number of dead and missing persons at this border](#) for 2024 (January-February) up to 10 people.



Border Violence Monitoring Network

NETWORK STRUCTURE AND CONTACT

BVMN is a volunteer led endeavor, acting as an alliance of organisations in the Western Balkans and Greece. BVMN is based on the efforts of partner organizations working in the field of documentation, media, advocacy and litigation.

We finance the work through charitable grants and foundations, and are not in receipt of funds from any political organisation. The expenditures cover transport subsidies, several part-time paid coordination positions and some costs incurred by partner organisations for their contributions to our shared work.

To follow more from the Border Violence Monitoring Network, check out our website for the entire testimony archive, previous monthly reports and regular news pieces. To follow us on social media, find us on Twitter handle @Border_Violence and on Facebook.

For further information regarding this report or more on how to become involved please email us at mail@borderviolence.eu.

For press and media requests please contact: press@borderviolence.eu



@Border_Violence