

Border Violence Monitoring Network

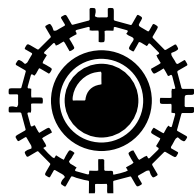
ILLEGAL PUSHBACKS AND BORDER VIOLENCE REPORTS



**Monthly report
December 2023
January 2024**

December 2023
January 2024

ILLEGAL PUSHBACKS AND BORDER VIOLENCE REPORTS



Border Violence Monitoring Network



Push-Back Alarm Bulgaria
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MOBILE
INFO TEAM



POLESKO INFORMACyjNY CENTR
REFUGIANTY I OSOBY
SZUKAJĄCY AZYLU

BLIND
SPOTS



Center for Legal Aid
Voice in Bulgaria



ARE YOU
SYRIOUS





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EXECUTIVE SUMMARY

In December, the Border Violence Monitoring Network (BVMN) shared 7 testimonies of pushbacks impacting 72 people on the move (POM) across the Balkans and Greece. This report gathers updates from December and January 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 report delves into the Europe-wide trend of increasing criminalisation of POM, through multiple testimonies from across the continent evidencing the continued securitisation of the discourse around migration and the inhumane treatment of people seeking safety - and defending the right of others to do so. Thus, we include updates from Thessaloniki on the systematisation of raids and police harassment against POM in the city and the consequences of the Special Military Operation in Northern Serbia, which has resulted in the transfer of hundreds of people to centres in the south of the country and the destruction of several informal living sites. From this month, BVMN partner organisation Collective Aid also provides updates from Northern France, where people are evicted from informal living sites every 48 hours and face constant police harassment. The detention of the Syrian human rights defender Ahmed Katie by the anti-terrorist police in Turkey - after weeks of no information on his whereabouts - constitutes an example of the more formal forms of criminalisation that endanger the life and liberty of many migrants at the borders of Europe.

As POM are increasingly effectively prevented from using public space in many places, they are often pushed to live in inhumane conditions inside official accommodation centres that constantly neglect basic needs. This is the case of the Closed Controlled Access Centres on Samos and Lesbos, where the increase in arrivals in 2023 has been met with no adequate government response, leading to deteriorating overcrowding conditions with no access to properly heated spaces in the winter or sufficient and adequate hygiene facilities. Residents from both camps report hours-long lines for food, as well as completely deficient health care services. The picture in Serbia is not very different. After the evictions of all living sites in the north of the country, all of the official camps in the region have also been closed, leaving only two of them in the south to host the whole population of POM in the country. In Turkey, testimonies are shared from the EU-funded Removal Centres, where people report severe abuses from punitive denial of medicine and hygiene items to outright economic exploitation

The beginning of the new year has also not made any difference in the deadly consequences of the violent European migration regime. After 2023 became one of the deadliest years for people on the way of seeking safety in Europe since 2015 - with 710 confirmed deaths in the Aegean, but likely to be many more in reality - 5 different shipwrecks have been reported in the Aegean in January 2024 with 16 deaths confirmed, while 2 deaths have been reported in the English channel.



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**

European torture delegation visits Greece but misses key detention sites in the north

Between November 21st and December 1st 2023, the Council of Europe Committee for the Prevention of Torture (CPT) undertook an ad hoc monitoring visit to Greece, examining the treatment of foreign nationals detained under immigration powers. The delegation visited six of the seven Pre-Removal Detention Centres and several police and border guard stations in different regions, as well as three Closed Controlled Access Centres on the islands of Kos, Lesbos and Samos. The visit aimed to review progress in implementing the CPT's recommendations that followed their visits to immigration detention facilities in 2018 and 2020, including regarding pushbacks at land and sea borders. Notably, no police stations in Northern Greece were visited apart from police and border guard stations in the Evros border region. BVMN documented appalling conditions in several police stations in the regions of Thrace and Macedonia in 2023 - including a holding facility for undocumented people in the Metagogon Transfer Centre and police stations in Idomeni, Kato Poria, and Komotini. The CPT visited the Thessaloniki Transfers Department in 2016, noting poor, unsanitary and cramped conditions with up to 12 people held in a single cell for four months or more. Similarly, appalling conditions at the holding facility were noted in a 2013 case from the European Court of Human Rights, including cells which were insufficiently lit and ventilated, impacting detainees' health. Testimonies collected by BVMN in 2023 show little improvement at the facility, with prolonged detention in dilapidated cells with limited access to the outdoors still the norm, demonstrating the urgent need for a follow-up visit from the Committee.

The CPT has carried out country visits to Greek detention facilities since 2005, consistently documenting appalling conditions. BVMN partner Mobile Info Team produced research in 2023 showing that some pre-removal centres have been visited for five years consecutively by the CPT - with little improvement in conditions.

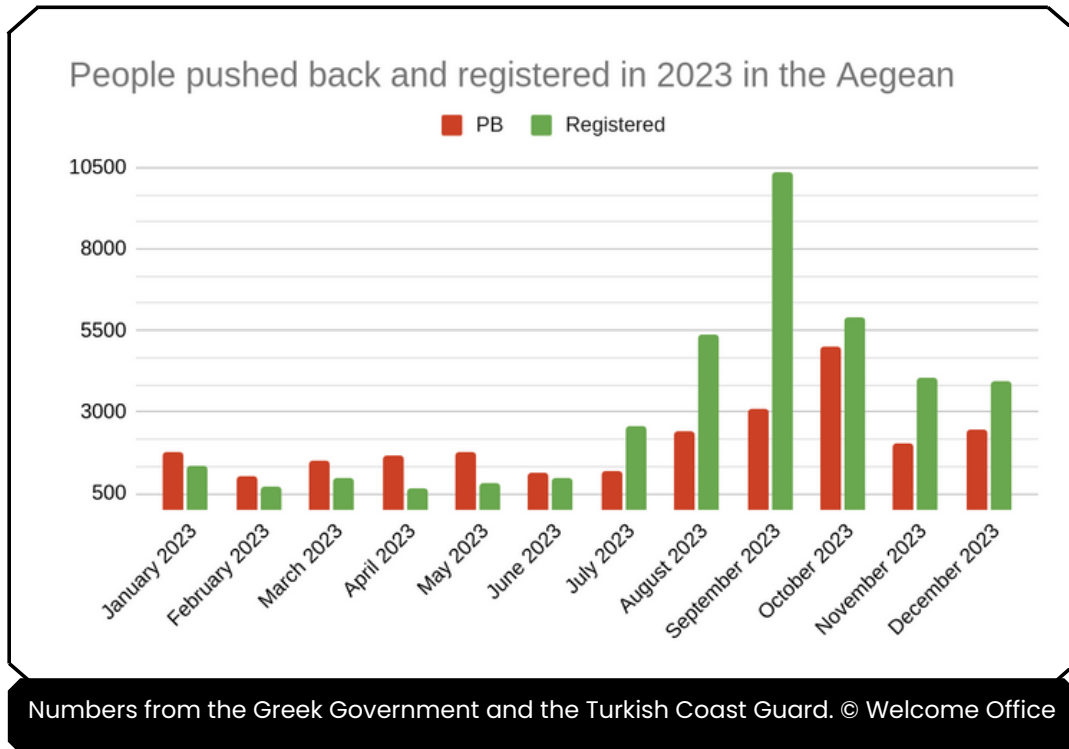


Metagogon Transfer Centre. © Google Maps (Spyros Mousias)

Continuous police raids against people on the move in Thessaloniki

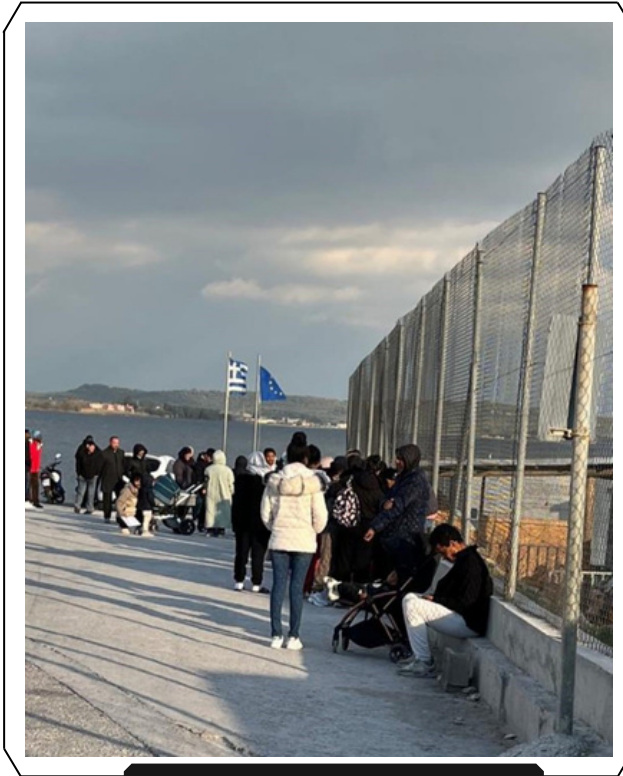
During the period December–January, increased police checks have been conducted in areas of the city centre of Thessaloniki, intercity bus stations and railway facilities. Checks have also been regularly conducted in surrounding areas of two general hospitals in Thessaloniki city centre. According to the Greek police statistics, a total of 1,847 people underwent checks, 338 were brought in, while 63 were arrested for offences related to illegal stay and illegal transportation. As a reminder of the raids' systematic manner, the relevant police announcements state that "similar actions will continue with unabated intensity." This pattern has also been identified in the February 2023 [Monthly report](#) and [Special report](#), where BVMN noted the regular use of raids and mass arrests, or "broom operations" against people on the move in Thessaloniki. They demonstrate a continuous trend of intensified [criminalisation](#) of people on the move, through increased police operations and smuggling charges.

Increase in registrations and pushbacks in the Aegean

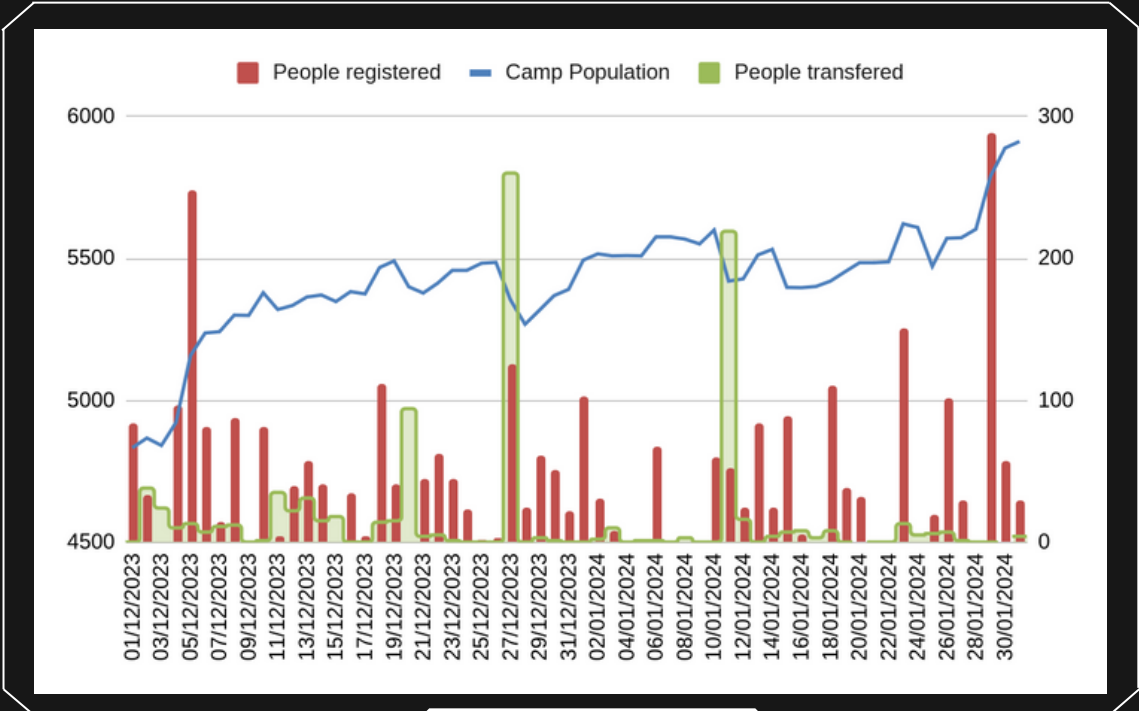


During 2023, we witnessed a great increase in the number of arrivals to the islands in the Aegean. In Lesbos, last year saw the arrival of 13.142 people in Lesbos, almost 4 times more people than in 2022, when 3470 people arrived, and more than 8 times more people than in 2021, when 1553 people were registered in the island. Since July 2023, the number of people newly registered in the islands has been much higher than that of the previous three years. During the summer of last year, the narrative in the Greek news changed: after a period of silence on the topic, they started frequently reporting about arrivals and rescues at sea. This also happened not long after the shipwreck of the Adriana in Pylos, which resulted in the death of more than 600 people. Despite the increased scrutiny on the practices of Greek authorities at sea after this shipwreck, the news on the bad relationships with FRONTEX or the publishing of images of a pushback from land in the New York Times on May 2023, the reality is that the growth in the number of arrivals has also been accompanied by an increase in the people who have been pushed back during this period. Official numbers show that pushbacks did not stop, nor did they decrease.

Situation in the Lesvos CCAC

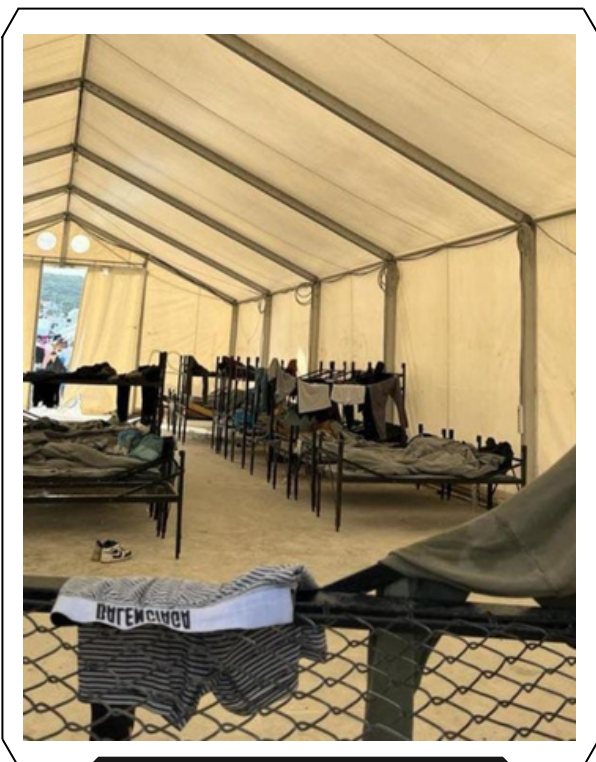


Lesvos CCAC © Welcome Office



© Welcome Office. Numbers from UNHCR.

With the increase in arrivals in Lesvos, and the lack of an adequate response from the state authorities, the population in the camp keeps increasing and the living conditions keep deteriorating. As of January 31st, 5911 people were living in Mavrovouni camp. Although in the case of Lesvos, the Government determined the capacity of the camp to be 8000, in reality the increase in the capacity from 3200 was just “achieved” through the building of several Rub Halls. These structures have no electricity, mattresses or heating devices and some of them are not even properly closed, which increases people’s exposure to current winter conditions even further. Moreover, there has been no construction of new hygiene facilities such as toilets or showers and half of them are reportedly broken due to a lack of maintenance. Most of these facilities don’t even have hot water and, during some days in January, there was no water at all.

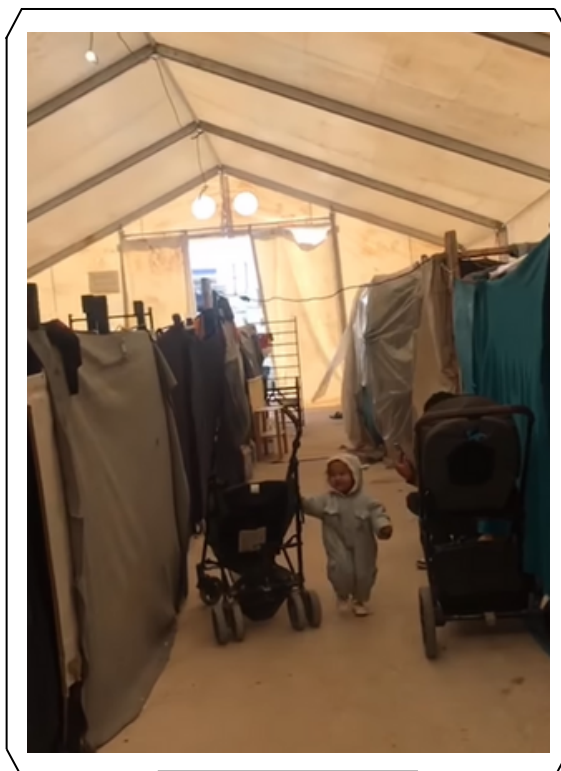


Rub Halls in the Lesvos CCAC.
© Now you see me Moria

On January 6th, the Ministry of Migration announced a proposal for 15 million Euros to cover "extraordinary operational needs to strengthen the National Reception System". Among other things, this would include the expansion of the capacity and the upgrade of the Reception and Identification Center and Temporary Accommodation Structure of Mytilene. The impact of this proposal remains to be seen, since past expansions and “improvements” have been far from being such, and consisted in the construction of uninhabitable Rub Halls with no basic facilities.

On December 14th, the camp management announced that all people who had received a positive decision in their asylum claim would have to leave the camp. As an only alternative, they were allowed to move into the Rub Halls. Thus, between December 14th and 15th, 700 people were forced to move to those tents. At the moment, there are 2700 people with positive decisions in the camp, 700 of those received their passports and need to move out from the facilities on their own means, while 1000 are waiting for their documents and another 1000 are waiting to get their fingerprints taken.

People with positive decisions are excluded from any support from the camp, including health care and food. In the same way, people that had their asylum claim rejected and didn't open a new case yet are also left without access to services. There are currently 127 people in Mavrovouni camp who remain outside of the asylum procedure, and therefore, the service provision.



© Welcome Office

During the last month, several open letters signed by different organisations working in Lesbos have been sent to the Greek Government regarding the systematic violations of the rights of people seeking international protection in the country.

"Everyone, no matter their legal status, has the right to a standard of living adequate for the health and well-being of themselves and their family, including access to food, medical care and necessary social services"

Article 25 of the Universal Declaration of Human Rights (UDHR).

At the same time, some organisations have been organising alternative food distributions for the nearly 2000 people that haven't received food for some months now. Some of them provided dry food bags for people to cook themselves. However, given the current conditions in the camp, without access to services and the Rub Halls as only possible shelter, the dry food distributed doesn't make sense anymore. Most people don't have the possibility to cook, nor the option of getting cooked food in the camp. For those who currently have the status of asylum seekers the situation is not much better. Food is only distributed once per day, and portions have often been described as very small and sometimes inedible. The lines last for several hours and food sometimes runs out before everyone can have a portion.



Foodline. © Now you see me Moria

Even though people who are still in the procedure officially have access to health care, the adequate provision of this service is, once again, far from a reality. At the moment, there are only two doctors in the CCAC who are responsible for carrying out all of the medical examinations, leading to a systematic lack of capacity and deficient examinations and treatments. Furthermore, there have been persistent concerns regarding the lack of care for patients with chronic medical problems, including diabetes, despite this being the responsibility of Greece's National Public Health Organisation (EODY) since September 2023. Lastly, the insufficient medical services, together with the overcrowding conditions have exacerbated the presence of scabies in the camp. Under these circumstances, the mental health of many people in the camp - most of whom have already experienced traumatic situations in their countries of origin or during transit - continues to deteriorate.

Inhumane conditions in the Samos CCAC

In late November 2023, in the cases of M.L. v. Greece and M.B. v. Greece, the European Court of Human Rights (ECtHR) found again that the conditions in the Samos 'hotspot' amounted to inhumane and degrading treatment. The applicants were two women who were forced to live in degrading conditions in Samos for months while in the late stage of their pregnancies.

Furthermore, again in January 2024, in the case of T.K. v. Greece, the ECtHR condemned the treatment of an unaccompanied asylum-seeking child on the Greek island of Samos, stating the violation of his rights under the European Convention on Human Rights. All three cases were supported by I Have Rights.

While the cases were linked to the old Samos camp, the conditions in the current Closed Controlled Access Centre (CCAC) are also inhumane. Even though, it was supposedly built with the objective of improving conditions, since the summer of 2023, it has been hugely overcrowded, with capacity nearing 200% with almost 4000 people.

In December, the negotiations for the EU's New Pact closed and the resulting text will effectively normalise *de facto* detention centres at Europe's borders with substandard asylum procedures, just like the Samos CCAC. The New Pact is not the "historic moment" Commissioner Johansson claims it to be, rather it accelerates the deterioration of the rights of asylum seekers in Europe, as the example of Samos continues to demonstrate EU's failures to protect them.

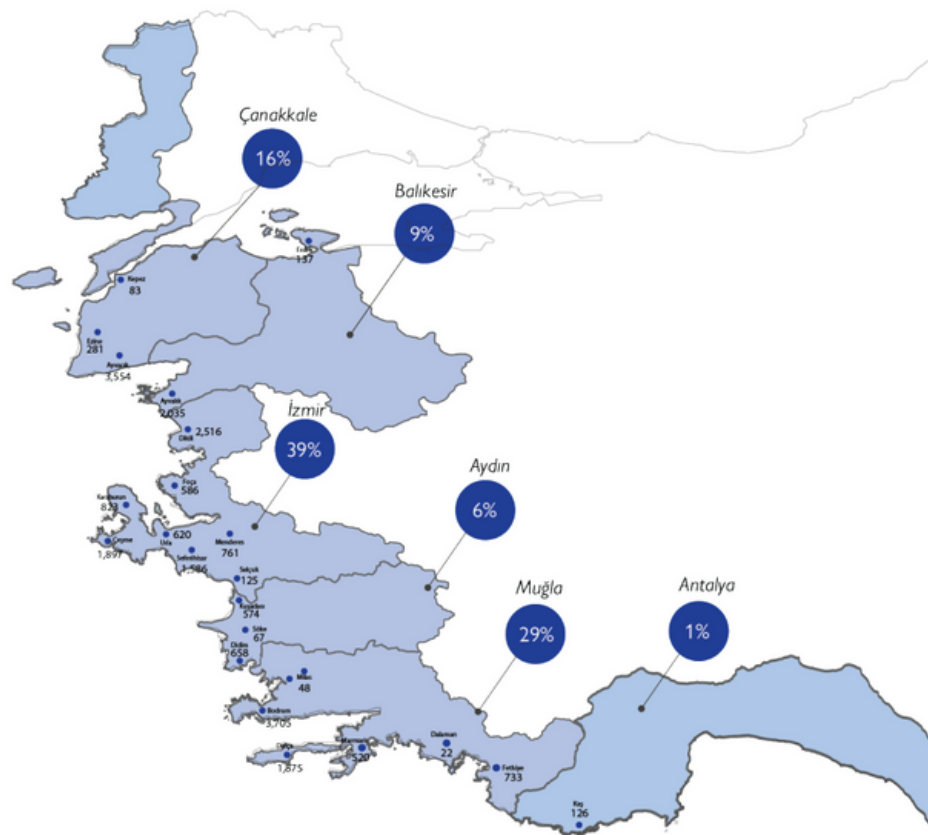
I Have Rights' clients report living in cramped and unsuitable conditions. For example, clients report to be sharing a container with around 20-30 other men or sleeping in a space that was designed to be a dining hall. We continue to receive reports of hours-long lines for food, forcing people to spend most of their day waiting for food. Many of our clients describe this as "humiliating". Additionally, access to water remains an issue. We have received reports that the water runs for only around 3 hours per day. People in the CCAC rely on this water not only for drinking but also to clean themselves and their clothes as there are no laundry facilities.

Finally, the Greek Ombudsman has found that the Reception and Identification Service (RIS) of the Samos CCAC unlawfully restricts lawyers' access to the site. In a complaint, Samos-based legal organisations highlighted the multiple barriers in place for lawyers to perform their work and for asylum seekers to receive their right to legal counsel. This complaint highlighted the arbitrary entry requirements for lawyers, accompaniment by security staff hindering client communication and the isolated location of the CCAC hinders asylum seekers' access to lawyers.

2023 Summary of Maritime Pushbacks from Greece to Turkey

According to data shared by the Turkish Coast Guard, [Ihlas News Agency](#) reported that a total 1,879 of what they term, “irregular migration incidents”, occurred in 2023. This figure marked an increase from 1,607 in 2022. The article specifically claimed that a total 56,289 people were apprehended after being “pushed back into Turkish territorial waters by Greek authorities”, along with 159 so-called “organisers”.

Data from jointly coordinated operations by the Turkish Coast Guard, Gendarmerie and Police units were also reported, in which 4,440 “irregular migrants” were apprehended in 159 separate cases, along with 207 “organisers”.



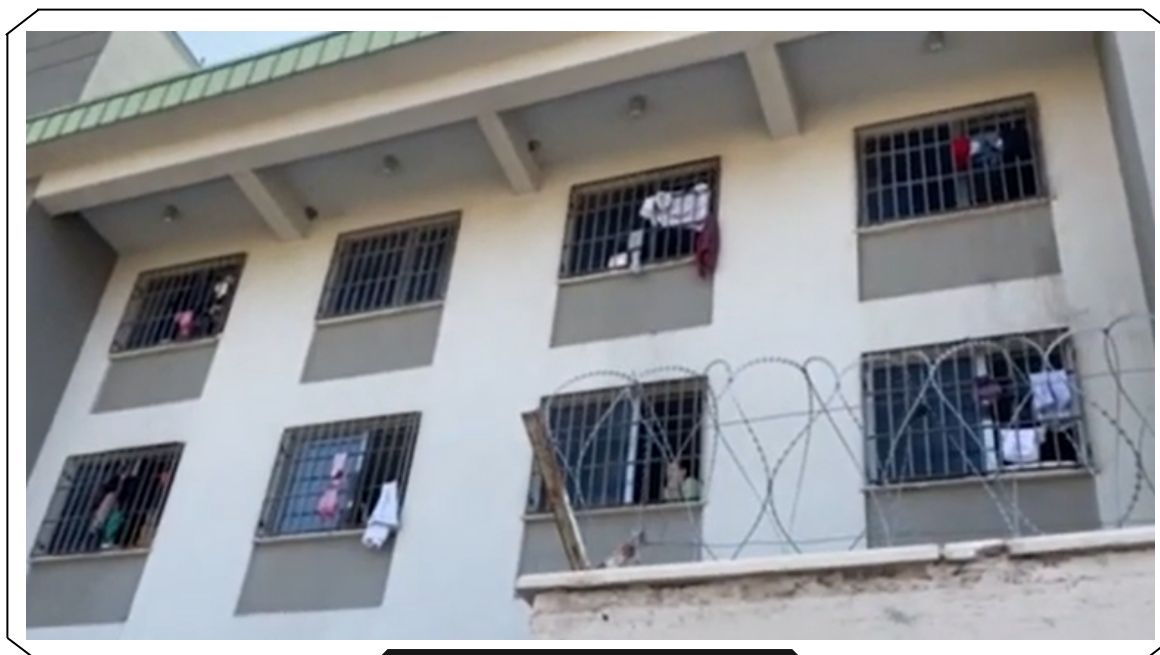
IOM representation of Turkish Coast Guard interceptions/rescues from Jan 1 - Dec 31, 2023, © IOM

Moreover, the Turkish Coast Guard statistics for January state that a total of 3,654 people were involved in irregular crossing incidents in January 2024, up from 3,025 in January 2023.

The lack of specificity in these terms adds to the challenge of addressing the violence of borders. It underscores the importance of transparency and accountability in documenting and reporting such incidents, as highlighted by organizations like Forensic Architecture. In January 2024, Forensic Architecture updated their [Drift Back platform](#), which has verified 2000 pushback cases in the Aegean. Relatedly, on January 31st, journalist Eleonora Vasques [shared Frontex documents](#) concerning the Pylos shipwreck in June 2023, where an overcrowded fishing trawler capsized, resulting in the loss of over 600 lives. Having departed from Libya five days prior, the vessel was carrying an estimated 750 migrants and asylum seekers, including

children, primarily from Syria, Pakistan, and Egypt. Among those aboard, only 104 survived, with authorities recovering 82 bodies. The Frontex Report published by Vasques, describes how “the Greek authorities failed to timely declare a search and rescue and to deploy a sufficient number of appropriate assets in time to rescue the migrants.”

Testimonies from Detention / Removal Centers



Silivri Removal Center © Emek Partisi

To mark December 18th, World Migrants Day, Turkey’s Labour Party held a press conference where they shared testimonies from people who had been or were still being held in Turkey’s EU-funded Removal Centers (GGM), stressing the “circle of lawlessness, arbitrariness and fear” that those detained are subjected to. The testimonies describe a situation in which those detained face everything from punitive denial of medicine and hygiene items to outright economic exploitation.

The following quotations are taken from the extracts of those testimonies, with names abbreviated as they were when shared originally:

"The rooms were full. I had to sleep in front of the toilet door for two weeks. The food was not of a type that people could eat. We were convinced that sometimes sedatives were added to our meals. I personally witnessed that everyone slept on the floors all day long, especially after the meal on soup days."

-MB

"There was an African female friend named N. at the GGM when I was there. N. was a diabetic. One day, two weeks after she arrived, she started having a crisis. The crisis lasted almost an hour and a half and we thought she was dead. The responsible people came during that time but they just laughed. They said that N. was performing this 'theatre' to get out of the GGM, and they were laughing. After an hour and a half, N. could no longer move, as if her brain was not giving any commands. She did not remember anything. After this, they took N. to the hospital. But taking her there was no use. N. could no longer use her hands, she couldn't walk or talk. They gave her a wheelchair. We were taking her to dinner. She was an overweight woman and while climbing the stairs, we couldn't hold her so many times because she was heavy and she fell. Imagine, you have a disease that can be controlled with medication. While you were able to walk, talk and do your physical activities, you became wheelchair-bound just two weeks after coming to GGM? What I am talking about is not theatre, it is something that many of us actually experience in our bones..."

-AS

“The hygiene conditions were terrible. There were huge black garbage bags in the toilets and the garbage was not collected for days. There were dirty pads everywhere. Infection with fungus was very common. White spots began to appear on my body in a short time. On the other hand, an infection started to occur in my gums. Even though I informed the administration that I was in a lot of pain for days, I was not taken to the hospital. The last time my whole mouth was swollen they took me to the dentist. There were not even the most basic things to meet people's needs. For example, a comb. We kept the forks given to us and combed our hair. Lice were very common. It was very difficult to access pads when we had our period. When we said we were on our period, they would bring us pads 2-3 days later. Therefore, everyone said that they had their period a few days before their period. On the other hand, we could only buy one pack of small pads and it was almost impossible to buy a second one. While that one package was normally enough for 2 days, you had to spread it over 6 days and this meant illness. There was no toilet paper either.”

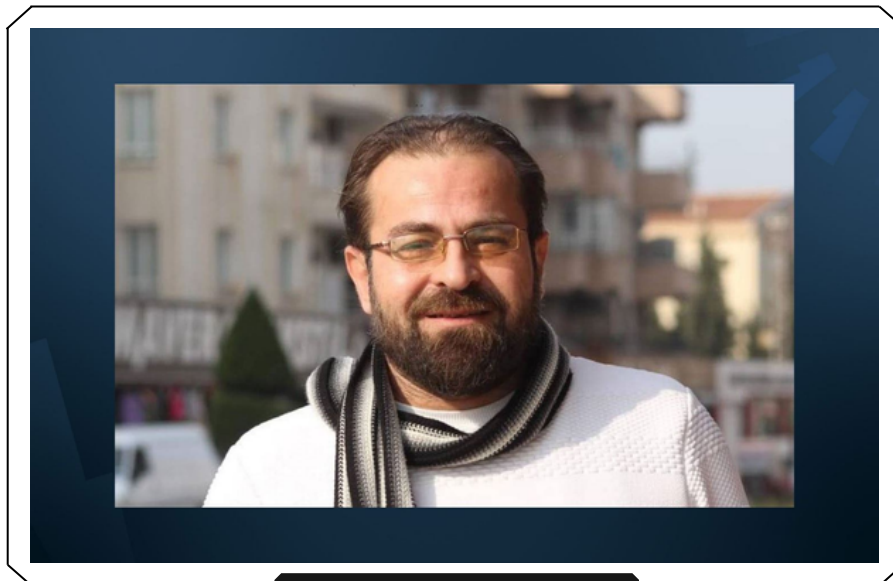
-AG

"During our time at GGM, those who agreed to be deported were divided into two: those who had plane money and those who did not. Normally, GGM has to cover those who do not have money for a flight, but the response "We don't have money now, we will send them when we have it" meant that the refugee or immigrant would stay in GGM for months under the conditions I mentioned. That's why those who stayed there were trying to find money and buy plane tickets. When buying a flight ticket, you had to buy the flight ticket chosen by the administration, not yourself. In other words, when the cost of a flight to a country was 2 thousand liras, the administration was forcing you to buy a ticket worth 10 thousand liras. The reason was this: They were showing plane tickets as expenses of the administration to the places where they received funds and budget. They repeatedly forced people who paid for their own flights to sign a document saying "The administration purchased my flight ticket." The hard part was not the violence, but the bullying of 'If you don't sign, you can't buy a ticket'. And this still caused women who were in those conditions to respond, 'Okay, I'll sign.' "This and similar things were common occurrences."

-MB

The situation in Turkey's Removal Centers was also covered in [this video](#) produced by Sahi TV in November 2023.

Ahmed Katie, Syrian Human Rights Defender: in custody by Istanbul Anti-Terrorism Police



Ahmed Katie ©Bianet

On November 27th, a statement was issued by the family and legal representatives of Syrian Human Rights Defender and journalist Ahmed Katie stating that he was missing. No news of his condition or whereabouts were available for over two weeks. Prior to this, on October 29th, Katie had announced on Facebook that he had suspended all media and human rights activities due to special circumstances and pressures. On December 12th, it emerged that he was being held by Istanbul Police Department Anti-Terrorism Branch, having been arrested on charges of "espionage". The case has managed to warrant some coverage in international media, but has largely disappeared from the news agenda in Turkey. On January 24th, Ahmed Katie's lawyer, Halim Yilmaz, was a guest on the Taksim Tramvay podcast, where he reflected on the case and what it shows about the current situation of human rights and migrants in Turkey.

"Defending human rights has been turned into a criminal situation in Turkey. This is perceived as 'making Turkey look bad'. People have to prove themselves innocent, this is a very wrong legal system. Government officials commit all kinds of unlawful acts against immigrants and want this not to be criticized. [...] Those who defend human rights are viewed negatively in Turkey. They are actually trying to punish him. Human rights defenders are being conspired against."

Katie has been a contributor to the Syrian opposition news outlet Enab Balabi, whose critical summary reflections on the situation for Syrians in Turkey at the end of 2023 can be read here.

The New EU New Pact: Turkey as 'Safe Third Country'

At a [BVMN webinar](#) on the New EU Pact on Migration and Asylum, Turkish researcher and activist Cavidan Soykan outlined how she sees the EU's expected further use of 'safe third countries' to deny asylum based on the Turkish context. The webinar - which presented the case that with this New Pact, the EU is effectively abolishing the right to asylum in the region - saw a discussion on some provisions outlined in the Pact and how they have already played out in practice in Turkey (in its relation to the EU and as a part of the EU border regime) and other countries.

According to Cavidan Soykan's assessment, "the case of Turkey exemplifies how the EU intends to use the 'safe third country' practice as an instrument to deport asylum seekers to countries that are safe on paper but in reality pose grave risks to the fundamental rights of people on the move."

She argued that the EU uses the 'safe third country' concept to deny the right to asylum "on the grounds that they can seek protection in another 'safe' country," with Turkey in particular since the 2016 EU-Turkey Deal.

"The EU determines the criteria for what they deem a safe country. As the case of Turkey clearly demonstrates, these criteria contradict international refugee law, the European Convention on Human Rights, and the UN Convention against Torture. While the protection of refugees in Turkey was already critical in 2016, it has deteriorated since."

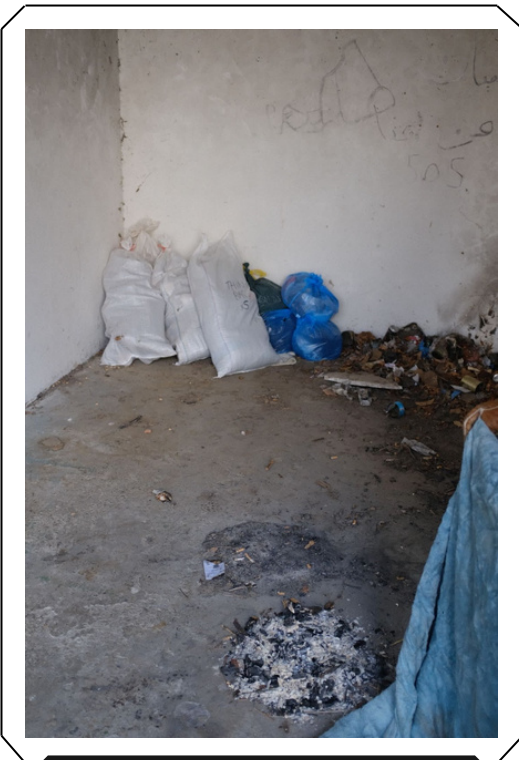
"In 2016, refugees received conditional (temporary) refugee status and had the right to reside in Turkey, yet they were not protected under the Geneva Convention. By now, the Turkish government has changed both its rhetoric and its practice. Turkey has adopted a similar narrative as the EU, presenting high numbers of deportations and increased border security as successes. [Syrian](#) and [Afghan](#) nationals are deported and pushed back, [unlawfully detained](#) without access to legal aid and forced or manipulated into signing voluntary returns agreements. Turkey's overall economic and political situation has even led to increasing numbers of Turkish nationals seeking protection in the EU."

A full summary of all contributions to the webinar can be found [here](#), a comprehensive expert opinion composed by Medico International on Turkey as a safe third country can be found [here](#), and a summary of the same report from Bianet is available [here](#).

The continued closure of state reception facilities in Northern Serbia

Since the beginning of January, numbers of Serbian police active along the northern border with Hungary have been reduced from around 1000 to around 100 - what BVMN teams in the region understand to be standard operational levels, as the Gendarmery (military police unit) drafted in from around Serbia have been retracted. Despite this, there has been no official declaration from the state to announce the end of the joint 'special military operation' with Hungary which began on October 27th - as outlined in the November Balkan Regional report. Frontex remains active on the northern border, with semi-regular sightings of German and Italian police, in and around the Subotica, Palić, and Horgoš areas.

Regardless of reduced Serbian police units, all state reception facilities (Reception Transit Centres - RTC) in the north of Serbia remain closed: Subotica RTC, Sombor RTC, Kikinda RTC. January also saw the additional closure of camps on the north-western border with Croatia: Šid RTC, on January 5th, and Adaševci RTC and Principovac RTC on January 13th.



Emergency 'drop' next to a recently used open fireplace. © Collective Aid.

The continuation of these closures means that right now there are no 'legitimate' spaces for people on the move to be in northern Serbia, forcing those trying to cross the borders to be completely invisible to authorities. Thus, most people are compelled to move only at night and likely have to pay for highly expensive taxis, sometimes adding up to 700€ for moving across the country. The necessity for people to remain 'invisible' means that they can rarely access anymore the important support structures that NGOs and other collectives and organisations were able to provide in the past, including medical aid, non-food-items, firewood, and hot showers in temperatures that have dropped to lows of -10 °C this month. Instead distribution of aid is now limited to 'drops' of emergency items.

Despite these circumstances, people are still attempting the crossing into Hungary. In the first three weeks of January, Hungarian police published information on 94 border crossings, in which 50 people were reportedly pushed back, evidencing the continuation of the violation of the human rights of people on the move by the authorities.

The picture outside of the north: Where and how people are being held in Serbia

Over 1000 people were forcibly removed from the northern region during the special operation - local news cited 1,027 people relocated within the first two days - via the closure and evictions of the northern state camps Subotica RTC, Sombor RTC, and Kikinda RTC, as well as the evictions and destruction of all known informal settlements and squats. A significant number of people were first taken to the facilities of Šid RTC, Adaševci RTC, and Principovac RTC - resulting in increased overcrowding. Following the evictions of more centres this month, the majority of the people were taken to Tutin Asylum Centre (AC) & Sjenica AC, around 400km south on the Montenegrin border.

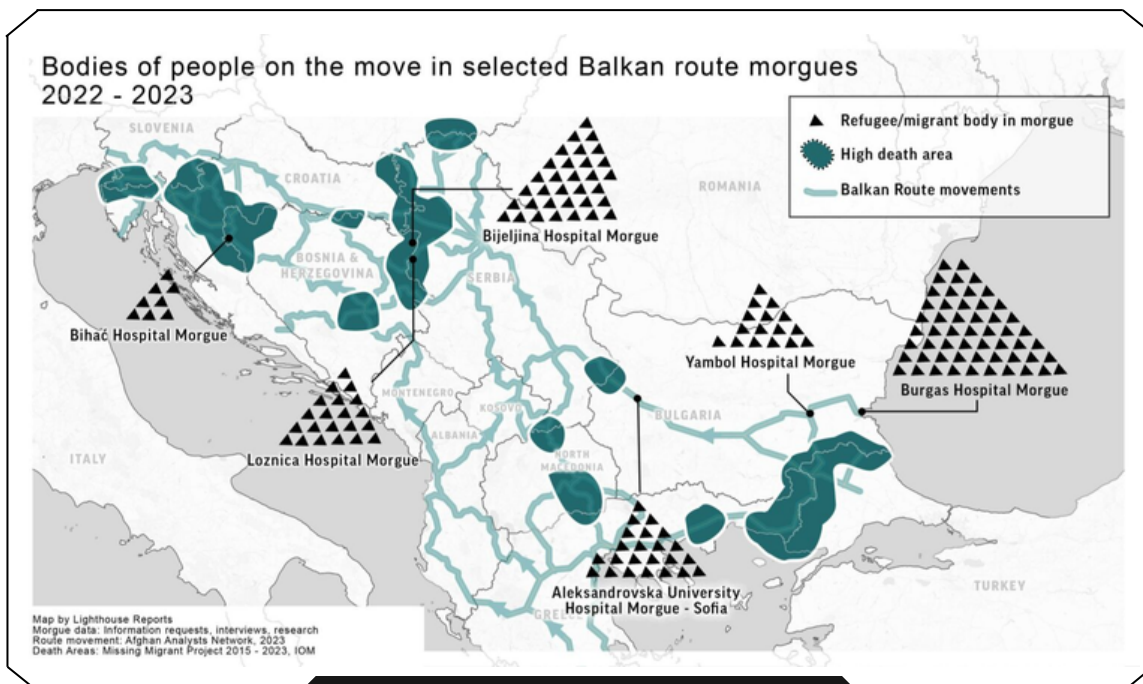
The camp at Tutin is particularly isolated, situated in the mountains 5km away from the nearest public amenities, without public transport, and frequently snow-covered with temperatures reaching lows of -13°C in January. It is reported that at Sjenica AC the police maintain a presence at the camp gate, whilst in Tutin, police monitor the bus station, effectively forcing those registered in the camps to stay. We were told that inside Tutin AC, scabies is rife and remains untreated by the commissariat doctor. This is despite UNHCR and Serbia's Commissariat's joint December site profile (published on January 16th 2024) stating that "adequate medical treatment" is executed within Tutin AC.

Additionally, there are reports of almost daily buses, operated by the state, taking people from outside the Obrenovac AC near Belgrade to Tutin & Sjenica, yet the Obrenovac camp remains drastically below capacity (an estimated population of 50 out of a maximum of 1200), showing that the commissariat are not allowing people to be registered at that facility. From these practices, it appears at this moment that the goal of the Serbian state is to keep people on the move south of Belgrade, and directed towards the camps of Tutin & Sjenica. It is understood from assessments of all state camps by various NGOs (except Bosilegrad RTC) that the total population of people on the move in Serbia is currently around 1100, with around half (500-600) split between the centres of Tutin & Sjenica.

An interpretation of the tacit ‘closure’ and restrictions of movement for people on the move in the north of Serbia is that it is a performance of the state’s ability to execute ‘effective border management’ that aligns with political ideals demonstrated within the EU’s recent Migration Pact. Thus it is a possible means to legitimise Serbia’s maintenance of valuable IPA funding from the European Commission.

Changes in the Balkan route

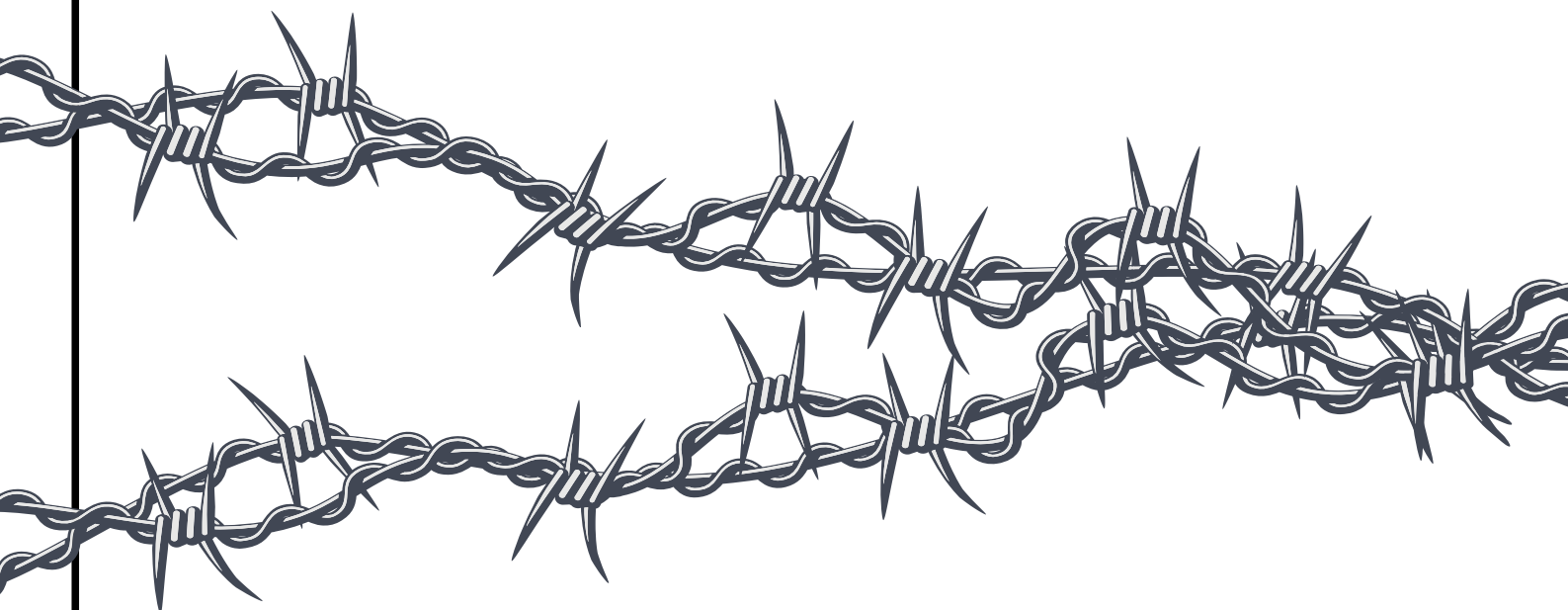
Considering the above outlined conditions created by Serbian authorities, people on the move in Serbia who continue their journeys to claim asylum in EU countries are effectively forced to travel toward Bosnia-Herzegovina. This is a notoriously dangerous route, the deadliness of which is only enhanced in the winter months, particularly along the Drina River, which constitutes a large proportion of the Serbian-Bosnian border. The dangers entailed in this border are clearly reflected in the below map recently produced as part of research by Lighthouse Reports.



Bodies of people on the move in selected Balkan route morgues 2022-23, © [Lighthouse Reports](#)

The Collective Aid team in Sarajevo has also reported an increase in the number of people arriving to Bosnia-Herzegovina, specially from Syria. Syrians constituted the majority demographic that used to occupy the Sombor RTC and many informal living settlements in north-western Serbia - an area now uninhabited by people on the move since the special military operation. IOM situation reports further evidence these changes in Bosnian state camps. Reports from October 30th to November 12th 2023 (the beginning of Serbia's special military operation) to the most recent, January 8th to January 21st 2024, show the percentage of Syrian people in the facilities, go from not even being included in the top five, to being the highest at 40%, along with a more than doubling of overall camp occupancies from 1,495 to 3,124. This is reported to have contributed to increased tensions within Bosnian camps.

Far from preventing the transit of people on the move, the actions of the Serbian state instead force people to use more treacherous border crossings in order to seek safety and increase the chances of death along the Balkan route.



New potential State Commission for the Border

Bosnia and Herzegovina's Council of Ministers is soon set to vote on the establishment of a State Commission for the Border, a new body to take responsibility for all matters related to border management. Outlets like Balkan Insight see in this development a step towards facilitating the deployment of Frontex officers in the country, since Bosnia's Border Management Strategy and Action Plan - which would inform the mandate of this new body - express the need for the EU Agency to assist in border operations.

At this moment, Bosnia-Herzegovina constitutes one of the very few countries in the Balkans that doesn't have a presence of Frontex agents at its borders. In the last few years, Frontex has expanded its mandate to allow for the deployment of officers in non-EU countries, starting with Albania in 2019. Albania has since been followed by Montenegro, Serbia, Moldova and North Macedonia. These operations have been criticised by many on account of violations of the data protection of people on the move in the context of their action plans in the Balkans as well as the mounting evidence of the involvement of EU officers in pushbacks and other human rights violations in other countries.



Evictions and Police Violence in Calais

In Northern France, violence and the policy of continuous evictions of living sites continue. Pullbacks to French territory have become normalised and once again this winter, Calais has seen 1,500 to 2,000 people sleeping outside in summer tents, while they face police harassment, violence and sub-zero temperatures.

In Calais, the zero point of fixation policy ensures that police evict people on the move from their living sites every 48 hours. The constant evictions exist on a sliding scale from 'soft', in that people can return their tents straight back to where they picked them up from, to 'hard', meaning that tents are destroyed and people are removed to other locations by bus. A hard eviction has not occurred since November 2023, however the constant smaller-scale evictions, used as a tactic of police harassment, result in anticipatory distress, extreme inconvenience, and oftentimes theft.

At the Collective Aid WASH Centre, A., a person on the move from Sudan, shared his experiences of police violence in Calais during recent evictions.

"The police here, they're not police, they're like mafia," said A. "They come to where we live and shine strong torches in our eyes and I can't see anything. They took my bag and shoes, sometimes they take our phones and power banks; this has happened to my friends."

Human Rights Observers, an organisation that monitors police violence against people on the move in Northern France, have recorded 101 evictions in January 2024, following 86 evictions in December 2023.

Outside the scope of evictions, A. explained how people on the move are continuously targeted by cruel acts of police brutality, even whilst walking in the city centre.

"When they're driving in their cars, they wait until there are blind spots with no cameras on the streets and they slow down and spray you with pepper spray," said A.

Living in fear and under stress, we have been informed that some communities have now relocated to areas outside of Calais, especially to avoid having their tents and belongings either destroyed or taken, meaning that some are forced to walk for over two hours before reaching the city centre, where access to food, water, medical care and washing services are within reach.

In a recent ad hoc visit, the Council of Europe's Committee on Migration, Refugees and Displaced Persons found that "by harassing migrants, asylum seekers and refugees, and making them more invisible, the authorities ultimately strengthen smugglers who are the last point of contact with them."

New Immigration Bill

These violations of human rights, often even resulting in preventable deaths, have been acknowledged and commemorated by the highest level of the state.

Following his recent work on France's harmful new Immigration Bill, Interior Minister Gerald Darmanin paid a visit to Calais, to decorate the very same police officers who routinely evict and harass people on the move in his home region of Hauts-de-France. Since Darmanin's visit, the controversial legislation passed in parliament on December 19th, after tweaks were made to the already flawed bill to win support from the far-right's National Rally.

The new Immigration Bill seeks to further erode the rights of asylum seekers in France across a range of areas, including the reduction of avenues to obtain citizenship, the removal of safeguards for those being forcibly removed from France, the weakening of appeal and due process rights, increased difficulties in family reunification, and notably, the introduction of preventative detention for selected asylum seekers.

One of the changes that will have a severe impact in Calais specifically, is the removal of access to state-funded emergency shelter for people with a deportation notice, unless the shelter is in administrative detention. Over the course of the next year, the government will also review current laws that allow people on the move access to state-funded medical care, the most basic necessity for an already-vulnerable population who are forced to live in precarious conditions, which in themselves often lead directly to serious health problems.

Controversial agreement between Italy and Albania approved by the Italian Chamber of Deputies

On January 24th, the Deputy Chamber of the Italian Parliament approved the controversial agreement establishing two Return Centres on Albanian territory managed and controlled by Italy. Under the agreement, Italy will outsource the processing of up to 36,000 asylum applications per year. Italian military ships will transfer people on the move rescued at sea to Albania. Asylum seekers will be subjected to an accelerated procedure, with the aim of swift returns for those rejected. The bill was now passed forward to the Italian Senate for consideration.

If implemented, the agreement would mark the first instance of an EU member state transferring asylum responsibilities to a third country. When signed in November 2023, it was not deemed to be against EU law by Ylva Johansson, the European Commissioner for Home Affairs. Yet, it received significant criticism from civil society and migration experts for several reasons.

According to the Commissioner for Human Rights of the Council of Europe, Dunja Mijatović, the agreement raises a range of important questions on the impact that its implementation would have for the human rights of people on the move. These relate, inter alia, to timely disembarkation, impact on search and rescue operations, fairness of asylum procedures, identification of vulnerable persons, the possibility of automatic detention without an adequate judicial review, detention conditions, access to legal aid, and effective remedies.

Scholars have highlighted that the agreement can lead to reduced protections and potential discrimination: a person on the move who is transferred to Albania may receive different treatment compared to one arriving in Italy as it is not possible to guarantee the same protection standards. This would be contrary to international and European migration law. ASGI (Association for Juridical Studies on Immigration) adds that the document included 'uncertain and illegitimate provisions' that conflict with the Italian Constitution. These perspectives were also put forward by NGOs involved in rescue operations in the Mediterranean Sea, such as Emergency and SOS Méditerranée.

Amnesty International indicates that the agreement is unlikely to achieve its stated aim in terms of migration management and its implementation would negatively impact a range of human rights. More generally, the agreement is in line with the worrying increasing European trend of externalising border control and asylum responsibilities.

In December 2023, Albanian Members of Parliament questioned the agreement's legitimacy. Consequently, Albania temporarily suspended the agreement while awaiting the Constitutional Court's ruling on its conformity with national laws. On January 29th, the Court rejected the accusation of unconstitutionality, stating that the agreement does not impose additional restrictions on existing human rights and freedoms beyond those already provided by Albanian law.

Rule of Law Report 2024

On January 15th, BVMN submitted a completed survey to the European Commission for their 2024 Rule of Law Report. The survey focused on how Greece and Bulgaria handled issues such as access to legal procedures for people on the move, media pluralism and freedom of the press, protections or restrictions on NGOs and humanitarian aid workers, and other topics relevant to the application of the rule of law in those countries.

- Greece

Access to asylum and other legal procedures was highly restricted in 2023, mainly due to the new asylum processing system, long waiting times, high fees of 100€ euro per subsequent application, de-facto detention and obstacles to appeal. Delays at almost every stage made it difficult to apply for asylum, especially at the CCAC in Samos where delays in card-issuing caused issues for those detained in the camp. Greece continued to criminalise people on the move and human rights defenders on charges of smuggling or trafficking, which often comes with a lengthy pre-trial detention applied mostly to people on the move.

Greece demonstrated that it lacks adequate safeguards for journalists against state and political interference. Its legislation on 'fake news' is incredibly vague and SLAPP lawsuits against journalists and outlets continue to be common. Violence from non-governmental sources was also reported, from physical altercations, to threats, destruction of property, or hacking. Human rights defenders reported similar harassment, including police over-surveillance as well.

The Greek Ombudsman and the Greek National Commission for Human Rights made publications criticising Greece for pushback complaints and the effectiveness of its border regime. Despite recommendations by the Commission. Greece has not made any changes to their laws regarding the registration of CSOs.

- Bulgaria

Bulgarian authorities proposed amendments to the Bulgarian Constitution and the Asylum and Refugees Act. The draft law on Asylum and Refugees seeks to align the existing law in accordance with EU legislation and allow an array of new procedures that are pending adoption under the New Pact.

BVMN reported testimonies of pushbacks from Bulgaria, often accompanied by violence, theft, and unlawful detention of people on the move. New reports attest that organisations in the area are under increased surveillance and investigation for helping people on the move. The EU launched a pilot project meant to grant Bulgaria €45 million to fund new border control technologies and a new asylum regime. This is happening while people on the move are dying on the route through the territory without proper investigation or willingness from the states to reunite the deceased with loved ones.

Trends also arose that emphasise a lack of independence and protection of journalists. The profession has been identified as risky by an Alpha Research study due to corruption, pressure, harm to physical and mental health, and a decay in adherence to journalistic ethics.

Council of Europe: New Commissioner for Human Rights

The mandate of Dunja Mijatović as Commissioner for Human Rights at the Council of Europe (CoE) has come to an end this year. She is succeeded by Michael O'Flaherty, director of the EU Fundamental Rights Agency for the past eight years. Prior to him being awarded the position, CoE organised an online event with three shortlisted candidates where civil society organisations were invited to participate and quiz the candidates on their mission and vision as potential Human Rights Commissioners.

In 2023, BVMN obtained participatory status at the CoE platform for non-governmental organisations. In this capacity, we attended the event and put forward key matters concerning migration policies at European level, and beyond the European Union. BVMN's main concerns regard the role of the Council in the context of lowering of standards for people on the move at EU level. Specifically, the New Pact on Migration and Asylum envisions a series of measures that will hugely impact the human rights of people on the move, from blanket detention, fictions of non-entry, legalisation of pushbacks, to deportations to arbitrarily chosen safe third countries.

Michael O'Flaherty addressed these questions by restating that the Council of Europe is the guardian of human rights and should ensure that the EU does not violate human rights. He expressed his disappointment in the EU's migration policy and committed to get involved in influencing decision-making as he has done previously in his role as director of the Fundamental Rights Agency. He expressed worries regarding the situation at the Finnish-Russian borders and the lack of access to asylum for those in need. Furthermore, he committed to continue engaging closely with NGOs during his mandate, and ensure the protection of the civil space for organisations.

O'Flaherty's mandate starts at a dire time with European states severely circumventing the rights of people on the move. The right to protection avowed to refugees in the 1951 Geneva Convention is being rapidly eroded in the EU and national legislations. Great expectations and responsibility are placed on the shoulders of the new Commissioner, who must continue the work of his predecessor in condemning these matters publicly. The lack of transparency that EU Agencies operate under in shaping policy-making cannot be transposed to the position of Commissioner of Human Rights. We hope that the Commissioner assumes his new role accordingly.

Dead and Missing

Shipwrecks in the Aegean

The start of the year didn't make a difference for border violence and the continuous news of shipwrecks in the Aegean, just in the first weeks of January, 16 deaths have been confirmed from 5 different shipwrecks in this sea. On January 6th, a shipwreck near Rodes took the lives of 3 people. Only four days later, on January 10th, a boat arriving on Lesbos sank, and two bodies were recovered. At the beginning, a third person was thought to be missing. While this was never confirmed, a body showed up on the shore some days later near the place where the shipwreck happened. If confirmed, that would make it into 17 people known to have died only in January in the Aegean. On the night of January 19th, four more people lost their lives when they fell into the water trying to cross from Turkey to the Greek islands, near Symi, where a total of 38 people were rescued after calling for help from a rubber dinghy. On the next day another shipwreck took place near Farmakonisi, 4 people fell in the water and remain missing. On January 29th two other people lost their lives and one is missing after the boat where they were travelling crashed into a rocky shore in Lesbos.

Not far away, at the southern coast of Turkey between Antalya and Mugla, 9 dead bodies have been washed ashore between January 17th and January 23rd. They seem to be linked to a shipwreck of a boat with 90 people on board, a boat that left from Lebanon trying to reach Cyprus and was reported missing on December 11th. It adds 90 more people that will most likely never be found, 90 more people at the bottom of the Mediterranean.

Last year was the deadliest one in the Eastern Mediterranean route for a long time with 710 people reported dead or missing. However, the real number is actually much higher: every now and then bodies have washed up on the shores of the islands without any explanation, without having been reported missing or linked to any incident. Even though the worst year was 2015, when a total of 799 people were reported dead or missing, the big difference in the number of arrivals is very important to notice. While in 2015, there were 856.723 official arrivals, in 2023, there were only 41.561, a decrease of 95%. Therefore, the proportion of deaths and disappearances in relation to arrivals has increased massively. This increase can't be the consequence of a sudden change of climate that makes the sea more dangerous. Rather these numbers show that the violent practices implemented at Europe's external borders have become increasingly dangerous and deadly. We are unable to know how many of these shipwrecks were due to pushbacks, or non assistance from the Coast Guard, but we have enough testimonies and reports that

show many of the violent and illegal practices of the authorities at sea, to suspect that a lot of deaths could be prevented otherwise.

Deaths at the Franco-British border

2023 saw an alarming increase in the number of deadly incidents in the English Channel, with 13 lives lost at sea, and 16 elsewhere on the French-English border.

December proved to be a particularly deadly month with at least two deaths in the channel in two different incidents on the 15th. A Kurdish man from Iraq drowned 8kms off the coast of Grand-Fort-Philippe after the dinghy he boarded had a deflated tube. Two young Kurdish Iranian men are still missing after the incident. On the same day, a Sudanese man drowned as his overloaded boat faced difficulties in taking off from Sangatte's beach, after the French police fired teargas, and the boat's engine stopped functioning. The young man was trapped under the collapsed dinghy, and died later from cardio-respiratory arrest in hospital.

Alarmphone reports that these incidents are the most recent in an observed trend, where deaths at sea are occurring extremely close to French beaches, and often in the presence of police. French coastguard boats follow dinghies as they make their way to the UK, to be on hand to rescue if necessary, however, the UK-funded activities of French police on land are resulting in two outcomes. Firstly, fewer dinghies are even reaching French beaches, resulting in overcrowding and stressful embarkations. Secondly, police attacks on the dinghies that do eventually launch from the beach are inciting panic and chaos in what is already a dangerous situation.

UK-funded efforts to prevent the departure of boats from the coastline also include interceptions and pullbacks at sea, in order to prevent asylum seekers from reaching British territorial waters. When talking with one young man in Calais during November 2023, he described to Collective Aid how he had tried to cross the channel twice, and how the French Coastguard had caught up with the dinghy he had boarded, broke the engine of their boat, forced them to climb aboard the FCG vessel and then abandoned them on the beach.

January 2024 also saw the deaths of six people, as four Syrian men and one other person lost their lives off the coast of Wimereux while attempting to cross to the UK on the 14th, and a young Sudanese man was killed in in Marck, near Calais, after being crushed in the trailer of a lorry he had boarded on the 27th. Police violence against those attempting the cross via lorry is also present, as police use pepper spray and smoke bombs to prevent people from accessing vehicles that will cross the channel.

DECEMBER PUSHBACK TESTIMONIES

Link	Incident	Recorded	Demographic	Group size	Organisation
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Hungary to Serbia					
<u>1.1</u>	31st December	30th January	Afghanistan, Syria, Turkey	9	Collective Aid
Croatia to Bosnia-Herzegovina					
<u>2.1</u>	6th December	7th December	Syria	12	Anonymous Partner
<u>2.2</u>	9th December	12th December	Syria	4	Anonymous Partner
North Macedonia to Greece					
<u>3.1</u>	20 October	07/11/2023	Pakistan, Syria, Algeria	8	Anonymous Partner
<u>3.2</u>	02/11/2023	07/11/2023	Algeria	2	Anonymous Partner
Greece to Turkey					
<u>4.1</u>	17/09/2023	17/10/2023	Algeria	2	Anonymous Partner
<u>4.2</u>	15/12/2022	23/06/23	Pakistan, Syria, Congo, Nigeria, Somalia	35	Anonymous Partner



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



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