

ILLEGAL PUSHBACKS AND BORDER VIOLENCE REPORTS

JULY 2023
BALKAN REGION



**Border Violence
Monitoring Network**



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Monitoring Network**

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**BLIND
SPOTS**



**ARE YOU
SYRIOUS**

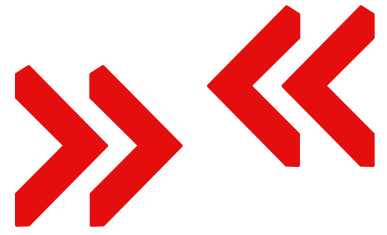




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EXECUTIVE SUMMARY



In July, the Border Violence Monitoring Network (BVMN) shared 2 testimonies of pushbacks impacting 22 people on the move (POM) across the Balkans and Greece.

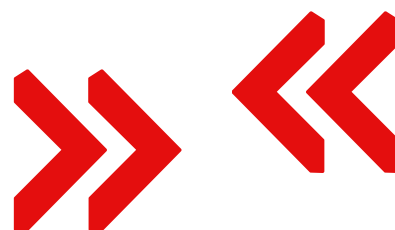
This report brings together first-hand testimonies from a range of countries in the region to look at the way European Union states and other actors are affecting systemic violence towards people crossing borders. It also includes general updates and insights from advocacy actions taken by members of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

This month, field reporters in Northern Serbia have witnessed the continuation of a trend of increasing evictions of informal living sites of people on the move in the region. This trend has been escalating for several months, but has been especially prominent since mid-June, when evictions -often involving high degrees of violence- became almost daily following increased pressure from the local population on the authorities. This pressure has also led to an intensification of taxi controls in the region, as well as of police operations in general, which regularly involve the apprehension of people on the move in public spaces, such as bus stations or supermarkets.

The harassment of people on the move in urban areas constitutes an issue that expands across borders. In Istanbul, these police raids in the city have become more and more common, fueling insecurity within migrant communities and making them more vulnerable to exploitation and abuse, especially in the labour market. In July, we also witnessed the ongoing detention of two groups of third-country nationals in the midst of multiple violations. The first case is that of a group of over 100 people -including 22 children and 27 sick or elderly adults- of a persecuted religious minority, which, after seeking to follow safe and legal pathways to claim asylum in Europe, were rejected and eventually detained in the Edirne Migration Center, in inhumane conditions. A request for interim measures was lodged at the European Court of Human Rights (ECtHR), but rejected on July 21st, no reasoning provided. The second one is that of the five third-country nationals that were arrested -together with 108 Turkish people- during Istanbul's Pride March on June 25th. They have been served with deportation orders, despite one of them having international protection status.

In Greece, the existence of divergent testimonies from the survivors and the Hellenic Coast Guard, together with new independent investigations, is increasing the scrutiny on the country's authorities regarding their role in the Pylos shipwreck. In this report we also look at the protest in Amygdaleza Pre-Removal Detention Centre (PRDC), following the death of a 26-year-old Indian national this month, in the context of the long-documented violence and inhumane conditions characterising Greek PRDCs. Inadequate conditions are also the reason behind ongoing protests in the prison-like Closed Controlled Access Centre on Samos, conditions that have seriously worsened during this month's heatwave, during which residents from Lesbos and Samos camps have reported impacts on their health, linked to inadequate accommodations and a lack of access to sufficient water and spaces of shade. Lastly, we look at the recent violent eviction of Lavrio Camp, outside of Athens, a self-organised camp accommodating Turkish and Kurdish political exiles and displaced individuals.

The last section of this report comments on the European Commission's annual Rule of Law report, which barely touches on the issue of pushbacks, highlighting its lack of independence and thoroughness, as well as the difficulties to enforce recommendations.



▶ 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.

▶ ABBREVIATIONS

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 No Name Kitchen, Rigardu, Are You Syrious, Mobile Info Team, PIC, InfoKolpa, Collective Aid, Blindspots, Pushback Alarmphone Austria and I Have Rights

UPDATE ON THE SITUATION

➤➤ Northern Serbia

Campaign of squat evictions

Starting on June 17th, informal living sites occupied by people on the move across northern Serbia were subject to a campaign of near daily evictions – pledged by Bojan Šoralov, leader of the North Bački administrative region. The rate and intensity of evictions has continued into the month of July. In reports from the field and through local media coverage there have been at least 27 documented evictions.

Evictions are an operational strategy whereby police forcibly remove people on the move from the informal living sites, or even from public spaces and take them to state reception facilities – often in the south of Serbia. It is common for this to be a violent process. During evictions in the month of July people on the move have been consistently subject to beatings with hands, feet and batons, abuse, theft of valuables, and the destruction of property and temporary infrastructure. Evictions have been reported to be carried out by local police, national police, and the Gendarmerie (military police). In one report from the eviction of 20-30 people from an informal living site near the town of Horgoš on July 20th, there were also two German police officers present. It was described that they were witness to the beating of three minors by Serbian police, the theft of mobile phones, and destruction of a generator.



Pictures of tents destroyed during an eviction in Northern Serbia, July 27th.

Source: Collective Aid

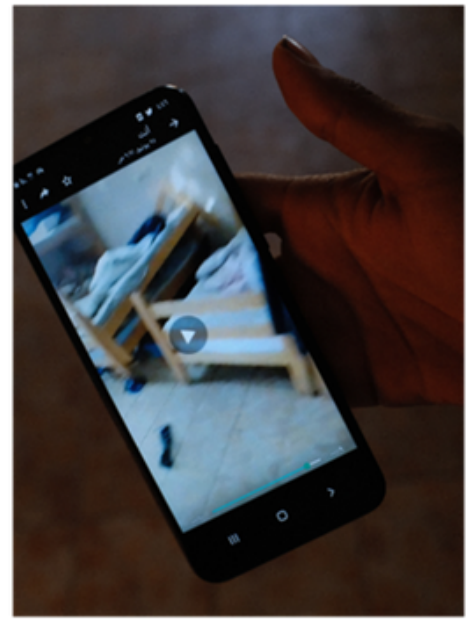
Of the 27 reported evictions in July, 10 have been violent and 9 have involved theft and the destruction of property. It must be stated these statistics do not paint the whole picture of evictions across northern Serbia – as there are certainly many more unaccounted for in the region. An eviction testimony taken on July 11th at a living site near the city of Sombor described Serbian police forcibly entering a property at around 7am, in which around 20 Syrian men were sleeping. The police proceeded to beat people laying in beds with their hands and with batons, forcing them outside. It was reported one man was hit so hard on his neck that he fell unconscious. A 15-year-old boy sustained an injury to his shoulder that three-days later he couldn't move due to pain. The police stole money, phones, and power banks. 10 people were apprehended and taken to another facility. Evidence of the described police brutality is pictured below.



Door destroyed by the authorities during an eviction, July 14th



15-year-old boy with makeshift sling, injury resulting from police violence, July 14th.



Video of beds broken during an eviction, when police was physically violence to people in the rooms, July 14th.

Source: Collective Aid

Alongside frequently violent evictions, it is also known that police regularly visit informal living sites without taking anyone, but instead harassing, intimidating, and abusing the people staying there. A testimony taken on July 31st at an informal camp near Bački Vinogradi outlined an instance of this kind of internal violence. Police came at around 10pm at night shining torches into people's eyes and forcing them to sit down while kicking them. They proceeded to verbally abuse the victims with racial slurs and take bets on where in Europe the people wanted to travel. They stole cigarettes and left. Multiple families with children as young as 7 were present.



Increased publicity and visibility of police control

Following on from June and into July there has been increased pressure on the police and authorities from local populations in the region. This pressure stems from residents' concerns over their safety in relation to the activities of smuggling organisations who facilitate border crossings for displaced people. From multiple citizens assemblies it is clear that the anger of residents is aimed at the authorities deemed to not be doing enough, and taxi drivers who are seen to assist these organisations. In response, the police and authorities announced their campaign of near daily evictions of informal living sites – a tactic which disproportionately affects people on the move. The campaign has been widely publicised by police in local media – a means to publicly assure residents that police are doing more.

In July, as the topic of 'border management' has become more prominent in the public sphere through media and citizens assemblies focusing on the 'issue'. We have witnessed a rise in the publicity of police controls of people on the move. Which are essentially public evictions, whereby people are forcibly removed from public spaces and taken to the state camps.

On multiple occasions police vans have been seen waiting at the Subotica bus station to collect people making the journey north to the border. An instance on July 11th saw police holding seven people on the move in seated positions in the public square outside the Subotica city hall. Those held were yelled at by police to be silent when they spoke. One van came to collect all seven. There have also been sightings of police collecting people at food places, supermarkets, and bus stops. On July 26th police were seen to collect people in two vans from the Subotica Lidl and the adjacent takeaway 'Food to Go'. It appeared that police collected phones off of people once they were in the vans.



Pictures of police controls in public spaces, July 2023. Source: Collective Aid

Taxi controls

In July we have seen a rise in the frequency of police taxi controls. Taxis transporting people on the move are often stopped and searched by police. These controls happen at state run camps, and at junctions entering towns and cities along the northern border – such as Subotica and Sombor. We believe the increase seen in July is a response to pressure from residents voiced in multiple citizens assemblies that authorities do more to address the role of taxis. These blatant and frequent taxi controls are likely to be part of the police's effort to publicise their work as an attempt to appease citizens.

Members of the BVMN in the region have heard reports that people on the move are being robbed by police during these controls. A group of Syrian men described a situation where they were travelling in a convoy of four taxis near Sombor when they were stopped by armed police. The men were searched then told they would be taken to the Preševo camp in the south of Serbia if they did not pay the police. Around 300 euros were taken from this particular car. All the cars in the convoy were robbed. Field reporters were told that this sort of robbery by police during taxi controls is common – these men had been the victims of police robbery in this fashion multiple times.

Greek authorities under increasing pressure to facilitate impartial investigations into the Pylos shipwreck

The Greek authorities are under continued scrutiny from the international community regarding their role in the Pylos shipwreck of June 14th 2023, which led to an estimated 600 preventable deaths. Divergent testimonies of the events leading to the capsizing of the Adriana shipping vessel from shipwreck survivors and the Hellenic Coast Guard, compounded by evidence from an open-source investigation which concluded that the Coast Guard likely bears “crucial responsibility” for the shipwreck, have led to urgent calls from international organisations and the Council of Europe for effective and impartial investigations into the events of the shipwreck. Concerns about impartiality are heightened by survivor testimonies documented by NGOs and investigative journalists indicating a high likelihood that the Coast Guard attempted to actively distort the narrative around the shipwreck, for instance through confiscating phones containing videos which may shed light on the events leading up to the capsizing.

Greece has a history of failing to carry out thorough investigations into the involvement of its Coast Guard in fatal shipwrecks. In 2022, the European Court of Human Rights condemned Greek authorities for shortcomings in the investigation of the 2014 “Farmakonisi” shipwreck, in which survivors testified that their boat had capsized due to dangerous manoeuvres performed by the Hellenic Coast Guard.

Amygdaleza PRDC: Protests following the reported death of a detainee who did not receive adequate medical care

At 10pm on July 25th, the Hellenic Police reported that a 26-year-old Indian national detained in Amygdaleza Pre-Removal Detention Centre (PRDC) fell unconscious, after which an Emergency Response Service (EKAV) ambulance was called. Upon arrival at the facility, ambulance staff found the detainee had already died, as a result of long standing medical issues. At around 2am on July 26th, after the announcement of his death, fellow detainees responded with riots, protesting the conditions of detention by setting mattresses and containers on fire, claiming that the death was “state murder” as the Indian national had serious health conditions and had requested medical treatment which was never provided to him. By 3am on July 26th, police units and seven fire engines had entered the facility and made ten arrests of detainees from Pakistan, Iraq and India, who are facing misdemeanour charges including damage to property as well as charges for arson with intent to cause significant damage to public facilities. The Georgian Embassy also issued a statement reporting that Georgian detainees held in Amygdaleza were in contact with them regarding the situation, and particularly that detainees were tear-gassed by police in response to protests.

Critical gaps in medical care in Greek PRDCs have been long reported; as of April 2023 there was no doctor present in Amygdaleza, Xanthi or Corinth PRDCs, accounting for nearly 1800 asylum seekers and third country nationals subject to return orders detained in Greece. In BVMN's member organisation Mobile Info Team's recent report which analysed 50 testimonies from respondents detained in PRDCs between 2020-2022, severe issues of access to medical care were also reported, including gaps in translation services and virtually non-existent psycho-social support. Respondents explained that health care was only provided in urgent cases, leaving detainees with long term medical conditions untreated. In BVMN's recent report on violence in Greek PRDCs, several testimonies describe that in order to receive health care, detainees would resort to self-harm, including swallowing razors or cutting themselves with glass. In addition, respondents in the past have highlighted specific incidents of police violence in PRDCs being followed by isolation and denial of medical care. This period of isolation frequently followed riots by detainees, who reported intense and violent practices of "punishment" and brutal repression for engaging in protests. Considering that there are virtually no mechanisms for redress in detention, engaging in protest is one of the only means of detainees exercising their voice to claim their rights. It is alarming that police repression continues in detention centres, silencing people from reporting on the situation out of fear of criminal charges and violent responses. We urge for there to be a full investigation into the recent death of the Indian national in Amygdaleza, and an urgent assessment of medical needs to implement efficient access to healthcare.

Heatwave effects on Lesbos and Samos

Throughout the month of July, Greece faced its longest heatwave on record. The second half of July temperatures were constantly rising above 40 C throughout several hours of the day, reaching a maximum of 46 C in some areas.

On Lesbos, the temperature oscillated around 40 C for the entire heat wave causing major disruptions to the lives of the people living in the infamous Mavrovouni Camp. The people in the camp reported that they tried to stay inside of their accommodation as the lack of shade in the camp did not allow them to be outside. Those accommodated in iso boxes had air conditioning. However the majority, including the new arrivals, are hosted in tents that vary in size some of which host over a hundred people inside. The tents, due to the plastic material they are made of, elevated the temperature and created an oven-like atmosphere inside. The residents of the camp reported that "you can not even breathe inside the tent". Nevertheless, the lack of shade and appropriate fresh spaces in the camps did not leave the residents with another choice.

The conditions in the camp throughout the heatwave had a grave impact on the health of the residents. Many reported having suffered from strong headaches and feeling sick. Children were among the most affected populations. Parents reported it was difficult to keep the children inside the tent all day and that they ended up getting sick because of the heat. Medical actors and humanitarian organisations had to reduce their operations throughout this time in order to protect their staff's health. However, this left the residents of the camp with limited medical care for their heat-related afflictions, as well as more limited shade spaces outside of the camp.

The mental health of the residents was also affected. Residents of the camp explained that “people were getting angry very fast because they did not want to wait in the foodline, so there were fights in the line to get food faster”. Reportedly, on one occasion this led to the distribution car leaving the area and several residents being left without food or water that day. Due to a recent announcement that the water from the toilets is safe to drink, the distribution of water was also reduced. Every resident would receive one bottle of water a day. The residents reported that the water “was not enough for one day and was very hot”.

On Samos, it is worth mentioning that nothing was implemented within the Closed Controlled Access Centre (CCAC) to make this period less difficult. Since no shade is available inside the facility, residents had no choice but to stay in their containers, where the heat is extremely strong. Bus tickets are still unaffordable for the vast majority of residents, thus preventing them from reaching the seafront or other cooler places. As for the provision of water, the same amount of bottles is provided every morning despite increased needs, and problems of a lack of access to regular running water in the CCAC are ongoing.

Eviction of the Lavrio Camp

On July 5th 2023, during a dawn raid, Greek state forces violently evicted residents of the Lavrio camp, approximately 60 km from Athens, a self-organised camp accommodating Turkish and Kurdish political exiles and displaced individuals.

According to a statement by Riseup4Rojava Gr, without prior warning, the Ministry of Asylum and Migration dispatched over 250 police officers, including riot police (MAT) and heavily armed special police forces (EKAM) to carry out the eviction, despite the camp housing 57 people. During the eviction, Greek authorities forcibly entered the camp by breaking the gate, intruding into people's homes, and aiming guns and lasers at the residents, including families and children, before forcefully dragging them outside. Furthermore, the residents were granted half an hour to collect their essential belongings before the police took over the camp, strictly prohibiting any further entry. Residents of the camp were abruptly moved to the Oinofyta Refugee Camp, an abandoned factory in an isolated and segregated area. Oinofyta camp was closed in 2017 due to its appalling conditions, yet was reopened in 2018 to accommodate new arrivals, despite continued reports that it lacked basic facilities. In stark contrast to the Lavrio camp, private security guards monitor the entrance to Oinofyta, resembling that of a prison.

For over 40 years, the Lavrio camp has served not only as a site of refuge but also as a vital hub for protecting oppressed Kurdish culture, language, and way of life. Following the withdrawal of the Red Cross ten years ago, the camp was self-managed and sustained through support and donations from local and foreign charities, NGOs and solidarity groups.

The Turkish State has persistently pressured the Greek State, branding the camp as a "terrorist" site, accusing it of harbouring PKK (The Kurdistan Workers' Party) members and other outlawed left-wing groups from Turkey. Under Turkish pressure, Greek authorities attempted to close the camp in the past, but residents refused to leave without proper alternative housing. Their requests for suitable and secure housing were disregarded highlighting the broader mistreatment of asylum seekers and people on the move in Greece. Greece's Migration and Asylum Ministry opting to close the Lavrio refugee camp, coincides with the reported attempt of Greece to improve its relations with Turkey, despite their citing the unsuitability of Lavrio for hosting refugees as the reason. Protests across Greece condemned the eviction, the heavy use of police and the long term impact this will have on Kurdish communities in Greece.

Ongoing protests inside the Closed Controlled Access Centre

Last month, we reported on protests of residents inside the Closed Controlled Access Centre (CCAC) to denounce the living conditions. More protests took place this month, this time focusing on delays in the asylum procedure and people's geographical restriction to Samos. One woman who took part in a peaceful protest explained that she had been in the CCAC for 8 months, and reported being tired. The protestors ask to be allowed to leave the island, and especially the prison-like environment of the CCAC. From the last day of July onwards, a group of people organised a peaceful protest, sleeping outside of their containers in front of the main gate of the camp, with the demand to receive open cards, which would legally allow them to leave Samos and reside in the rest of Greece.



Picture taken by a resident of the CCAC.



ECtHR decision refuses to protect children and vulnerable individuals in detention in Turkey

This month saw a further deterioration in the European Court of Human Rights' (ECtHR) political will to protect the rights of vulnerable people on the move when, despite overwhelming evidence of Article 3 violations, the Court rejected an application for interim measures on behalf of a group detained in Edirne Immigration Centre.

In a case that has been going on since May of this year, over 100 members of a persecuted religious minority group sought to follow safe and legal pathways to enter the EU and apply for international protection. After having applications for humanitarian visas rejected by Bulgaria, and receiving no support from the State Agency for Refugees, UNHCR or affiliated partners in the country, they approached the official border crossing point of Kapikule, between Turkey and Bulgaria. There, they report being met with extreme violence, including threats with firearms and beatings with batons, before being forced into buses. The group were transferred to Edirne Provincial Gendarmeria Command and, two days later, to the Edirne Migration Centre where they are still currently detained. The two Turkish members of the group have been released and the rest have been issued with deportation decisions that are currently under appeal.

Since then, the group report having been exposed to continuous and ongoing violations of Article 3 of the European Convention on Human Rights (ECHR) - the right to freedom from torture or inhuman or degrading treatment or punishment. The group, which contains 22 children between the ages of 1 and 17 and 27 elderly or sick adults, report being held in cramped conditions, not given access to the bathroom when necessary and a critical lack of hygiene supplies. Some of the children have been forced to sleep on the floor and outside, with one child even wetting themselves and being left to wear the same clothes. The latest reports attest to one of the children being taken to hospital after vomiting green liquid, indicative of kidney problems.

In light of these conditions, a request for interim measures was lodged at the European Court of Human Rights (ECtHR) with the aim of ending the ongoing violations, inter alia by obtaining an independent medical examination of the group and an independent monitoring of their conditions. On July 21st the Court communicated their decision not to indicate to the Government of Turkey, with no reasoning for the rejection provided. The decision comes at a time when the rights of vulnerable individuals in Turkey are increasingly at threat, and indicates a lack of will on behalf of the Court to protect those rights. A statement, co-signed by eleven civil society organisations, has been released calling for an urgent re-examination of the case.

Pushbacks, Detention, and Deportation Statistics

Recent statistics reveal once again the extent of violence faced by people on the move attempting to cross borders in search of safety and prosperity. One example comes from Greece in the Aegean, where at least 1,019 people were subjected to pushbacks just over the last month, as reported by the Turkish authorities who documented 43 pushback cases. Pushbacks, often executed with high levels of violence, cause physical and emotional harm to people on the move, leaving them in a greater state of vulnerability and despair. Moreover, on July 27th President Erdoğan announced that 36,000 irregular migrants had been detained in the past two months, of which 16,000 were deported.

Despite the well-documented danger of people being returned to countries where they might face persecution or life-threatening circumstances, the UK's Home Secretary, Suella Braverman, is seeking a special agreement with Turkey to expedite the deportation of irregular migrants, following a significant increase in the number of people arriving by boats to the UK from Turkey. Since the beginning of the year, over 1,000 people on the move have reached the UK via the English Channel, indicating a notable rise compared to previous years. Increasing border and migration agreements that externalise EU's migration policies to countries like Turkey, but also Libya and Tunisia should raise concerns because of widespread evidence of cases of inhumane and degrading treatment.

Lastly, these deadly migration policies became apparent again this month in the news about the bodies of two people on the move found in a truck at the Kapıkule Border Gate, which constitute unfortunately just one example of the perils faced by those attempting to cross borders clandestinely in the absence of safe and legal pathways.

Police raids and violence within cities

The plight of people on the move is not limited to borders alone; very often, they also face risks within cities. In Thessaloniki, members of the BVMN have repeatedly denounced the constant police operations targeting and harassing people on the move in specific areas of the city. In July, we also witnessed an increase of police sweeps and raids by authorities in Istanbul, where hundreds of people were apprehended in just one day. These operations can lead to detention and deportation, thus perpetuating a cycle of fear and insecurity within migrant communities. The human rights of migrants are blatantly disregarded during these sweeps. Moreover, people on the move are also made more vulnerable to exploitation and abuse by unscrupulous actors who take advantage of their undocumented status. Work-related accidents are another aspect of border violence that is often overlooked. People on the move are the most vulnerable and exploitable section of the labour pool in Turkey, where working conditions are already severely unregulated, resulting in fatal consequences. The case of the 13-year-old Syrian child worker who lost his life in a furniture joinery workshop in Ankara is a tragic reminder of the risks faced by young migrants. Creating a more welcoming and inclusive environment for people on the move in urban areas is imperative to protect vulnerable people from further exploitation.

Emigration from Turkey

According to the 2022 International Migration Statistics released by the [Turkish Statistical Institute \(TUIK\)](#) in 2023, the number of people emigrating from Turkey increased by 62.3 percent compared to the previous year, reaching a total of 466,914 individuals. Among this emigrant population, 55.7 percent were males, and 44.3 percent were females. The data also showed that 139,531 emigrants were Turkish citizens, while 327,383 were foreign nationals.

#Pridecantbedetained

Istanbul's Pride March took place on Sunday June 25th, as the culmination of a month of events in which there were severe crackdowns involving a litany of [rights violations](#) against the organisers and participants at events across Turkey. Following the Istanbul Pride parade, police violently intervened and arbitrarily arrested a total [113 people](#), five of whom were non-nationals.

The five non-nationals detained in Istanbul were of Iranian, Libyan, Russian, Australian and dual Portuguese & South African citizenship respectively. Following their arrest, they were swiftly served with deportation orders and sent to different EU-funded Removal Centres (GGM) in Turkey. All of those detained have faced forms of brutal treatment by the Turkish state including [physical abuse, denial of medical care and other rights violations](#), while any degree of accountability in terms of bureaucratic procedures was further stunted with the excuse of the incidents coinciding with Eid and the public holiday period.

The Russian, Australian and dual Portuguese-South African friends have recently returned to their countries of citizenship through the "voluntary" repatriation process – a mechanism well known to be [voluntary by name only](#).

Elyas Torabibaeskendari, the Iranian national arrested on June 25th, was issued a deportation order despite having international protection status and risks possible execution if deported to Iran. Elyas is now in Urfa Removal Centre and has already experienced an [assault](#) by another detainee his lawyers believe to be from ISIS. An appeal against the administrative detention decision for Elyas was rejected and so, unless the Provincial Directorate of Migration Management intervenes, Elyas will remain detained in the Removal Centre.

The Libyan detainee was moved from Tuzla to Selimpaşa Removal Centre, in Silivri, Istanbul, and has been in need of urgent medical care. They remain at Selimpaşa, after an appeal against the administrative detention was also rejected.

The Istanbul Pride Committee and its wider network continue to follow the cases and offer support, while having to balance wanting to inform the public and spread the word on the detained and at the same time weighing up issues of privacy and security.

Members of the BVMN published an [interview](#) with one person active within the LGBTIQ+ and feminist movements in Turkey, where further updates about the detainees' situation, the solidarity struggle with them, as well as around the situation in the Removal Centres in general can be found.

ADVOCACY

The European Commission's 2023 Rule of Law Report: Fit for purpose or the EU marking its own homework?

In July, the European Commission released its annual Rule of Law Report - the purpose of which is to take stock of the state of play of Member States' governments' adherence to law along four pillars: justice, anti-corruption, media freedom and pluralism, and broader institutional issues related to checks and balances. In theory, if severe breaches of the rule of law are discovered the Commission may start infringement proceedings against the Member State concerned or trigger the rule of law framework to assess the situation in the country, issue recommendations, and monitor their implementation. However, BVMN asserts that the mechanism is not fit for the purpose of reviewing the situation of the rule of law in Member States and acting against breaches in reality.

The Rule of Law report ought to be written by independent experts, with standards applied evenly across all Member States, but the language used throughout belies a diplomatic undertone typical of the Commission and the report itself shies away from condemning the practices of Member States where there are political considerations at play. Tellingly, the report barely touches on the issue of pushbacks and a chronic lack of access to asylum in a number of Member States. The topic is only mentioned through the lens of independent border monitoring mechanisms where it praises Greece and Croatia for their progress in developing such mechanisms, going as far as to say Greece's National Transparency Authority is 'progressing well'. Not only has the body appointed by Greece failed to find any wrongdoing on the part of the state in regards to pushbacks, they also published an improperly redacted report which gave away the personal information of respondents and further revealed that they had only interviewed one member of civil society as a part of their investigation. Furthermore, in the reporting period the BVMN collected 120 pushback testimonies from Croatia, affecting 1,088 people, and 35 testimonies from Greece, affecting 2,006 people - yet the practice, clearly a rule of law problem, is barely addressed in the Commission's report.

On top of this, there is no inter-institutional coherence over how findings ought to be followed up - the Council, the Commission and the Parliament are each following their own line. The consequences of non-compliance with the rule of law and recommendations given the previous year are unclear. If the Commission does not launch infringement proceedings against Member States that are in breach then the mechanism, divorced from enforcement, has little to no effect on actual compliance with the rule of law in the EU. BVMN, therefore, firmly holds that rule of law assessments must be carried out independently, objectively, comprehensively and coherently, which requires considering the information given by independent sources and impartial reports from civil society. Legal mechanisms, as prescribed by EU law, must be triggered where necessary to address violations. As it stands, the mechanism is rife with shortcomings and is little more than the Commission marking its own homework and giving itself a pat on the back where progress has been made. It requires a more robust and rigorous approach to ensure adherence to international obligations and fundamental rights provisions.

JULY PUSHBACK TESTIMONIES

Link	Incident	Recorded	Demographic	Group size	Organisation
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Hungary to Serbia					
1.1	15/07/2023	19/07/2023	Afghanistan	12	Anonymous
Bulgaria to Turkey					
2.1.	12/07/2023	01/05/2023	Syria	10	Collective Aid



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