

SUBMISSION TO SPECIAL RAPPOREUR ON FREEDOM OF RELIGION OR BELIEF

**REPORT ON “COMBATING INTOLERANCE,
NEGATIVE STEREOTYPING,
STIGMATIZATION, DISCRIMINATION,
INCITEMENT TO VIOLENCE AND VIOLENCE
AGAINST PERSONS, BASED ON RELIGION
OR BELIEF”**

SUBMITTED 22 SEPTEMBER 2021

BORDER VIOLENCE MONITORING NETWORK





EXECUTIVE SUMMARY

BVMN is deeply concerned that Islamophobia continues to underpin violent and illegal border enforcement in Greece and the Balkan region. At the time of writing, BVMN has recorded 1,212 pushback testimonies many of which reveal a pattern of verbal, physical and psychological religious abuse and discrimination at the hands of law enforcement.¹ Attacks on peoples' bodies and faith, desecration of religious objects, and removal of religious dress, are all part of the profiling and abuse of Muslim transit-groups by state officials during pushbacks.² Notably, people subject to such treatment also recounted their pushbacks as acts of torture, because of their demeaning nature and the use of physical violence.³

In May 2021, BVMN wrote about Islamophobic violence during pushbacks, concluding that the level of Islamophobic violence during pushbacks:

[...] sheds light on the way perpetrators frame their oppression of others. Racialised-Islamophobia can present as both a driving force for abuse, but also as a skewed psychological tool used to detach perpetrators from the heinous bodily violence they are active in. Such detachment is also seen in the dehumanisation of people-on-the-move by attacking officers, who regularly refer to transit groups as "animals" underscoring the direct racism they employ and also their perceived licence to carry out torture.⁴

The following sections will present examples of testimonies from Croatia, Slovenia, Greece, Hungary, Romania, Bulgaria and North Macedonia, which attest to the violent and cruel Islamophobia of both national police forces and Frontex, who routinely conduct pushbacks.

CROATIA

A pushback testimony from 2018 detailed how when Croatian police discovered a transit-group was Muslim, they attacked them with batons and electric discharge weapons. The respondent explained:

*They [...] started beating us, bump, bump, bump. They had electric shock. I said why do that because this place is Europe and you don't do that. Understand, I am a man like you, I am not an animal. He [police officer] said to me than I am an animal. He used the electricity and also baton.*⁵

Also, in a 2018 testimony, two boys aged 16 and 18 recount how they were verbally and physically attacked by the police:

*They were just saying to us: "Fuck you Muslim, fuck your brother, fuck your mother" just shouting at us and after beating us.*⁶

In the same year, another respondent informed BVMN how the Croatian police:

*[...] told us to lay in the ground, all of us, also my baby. They did not speak nicely to my baby. My friend, a man from Iraq, was telling the police: 'I am a Muslim, please help me.' And the police said 'The Muslims killed my father during the war, I don't want to help you.' I told that the man who killed his father was not my friend and asked why they didn't speak good to me. He [one officer] said to me 'Shut up' and kept speaking to me very badly, called me 'picko matre' [mother fucker].*⁷

Similarly, a 2019 testimony details how the police shouted "Motherfucker" and "Fuck to Muslim" while beating a transit-group. The police also forced one man to totally undress himself. Standing there naked, he was kicked in his genitals and hit with wooden sticks.⁸

CROATIA

This year, a respondent informed BVMN that the first question the Croatian police asked the group he was travelling with was if they were Muslims. Once the respondent confirmed his faith, an officer told him, “we don’t like Muslims” and then struck him. After that, the authorities ordered the respondent and the rest of the transit-group to wait in a line and undress. The police then stole the group’s belongings and proceeded to beat them, breaking the respondent’s nose and another group member’s arm, before pushing them back to Bosnia.⁹ In another incident from this year, a man was struck across the face for refusing a cigarette during Ramadan. He fell to the floor while the officers continued to beat him while shouting “fucking Muslims”.¹⁰

Testimonies from Croatia also suggest that police officers act on the belief that Croatia is not a place for Muslims. For example, a pushback testimony from this year reveals that, after beating the group, Croatian officers reportedly said, “If you are Muslim you should go to Arabic countries, why are you coming here?”¹¹ Similarly, in another testimony from 2018, despite the respondent claiming asylum, the police said:

*You are a Muslim. Living in a good country. There is no asylum here. You aren’t a Catholic, you’re a Muslim. Go back to your country. What are you doing here? You are not regular, this is the big problem here.*¹²

Testimonies from Croatia also detail the police burning the Quran while mocking the group’s faith¹³ and Muslim women being forced to remove their head coverings and having their bodies searched by male police officers.¹⁴

SLOVENIA

A 2018 testimony details how the Slovenian authorities forced everyone in the transit-group to strip naked, including women and children. The female respondent explained to BVMN that:

I said to the police that I was a Muslim and refused to take off my clothes. But they said, 'No problem' and took off all my clothes. They forced me to take all my clothes off, and kept repeating to me: 'Picko Matre, Picko Matre'. The children were crying too much. After, the police told me and other women maybe five times or six times to take off our scarfs, but I did not want to. My son was scared and told me: 'Mum, please, remove your scarf because otherwise maybe they hit you'. I was crying. And the police removed the scarf from my head and threw it on the ground. It was very difficult for me.

The policeman told me: 'This is the last time that you wore your scarf, here is not Afghanistan, here is Slovenia, here is no Islam!'¹⁵

A testimony from 2019 details how a Slovenian officer said to the group, "our politicians don't want you to stay in Slovenia". When they pushed the group back, an officer said "Go back Bosnia, you are Muslim and you need to stay over there!"¹⁶ Another 2019 testimony details how the "Croatian officer told them that they were now in a Christian country and that there was no place for Muslim people in Europe; he also allegedly said, "Go to Muslim places like Bosnia or Abu Dhabi".¹⁷

A testimony from 2021 details how the police beat the respondent while he lay on the floor. The authorities then told the group that it is their country and they do not want Muslims in Slovenia and that they would "shoot them next time if they showed up here again".¹⁸

GREECE

As with Croatia, there is a pattern of discriminatory and Islamophobic violence during pushbacks at the hands of State agents. For example, one respondent informed BVMN:

*[...]we took our clothes off then they ordered us to take off our boxers. He [a police officer] looked at me and asked me, "are you Muslim?" I said yes, and suddenly he tried to hit me in my sensitive place and slap my face.*¹⁹

Another respondent detailed how Greek officers asked if the group was Muslim before beating them and stealing their belongings.²⁰ Similarly, another testimony alleges that the police said:

*You are Muslim [...] and we are Christian, so why are you coming to our country, we don't need you here because you are Muslim.*²¹

HUNGARY

In 2017, a BVMN respondent described the humiliating violence they experienced at the hands of the Hungarian police who laughed while beating the group and said things like "Muslims are animals".²²

A pushback testimony from 2018 also details Hungarian officers beating a transit group; they then denied them the right to seek asylum and said, "Muslims were not welcome in Hungary".²³

Similarly, a 2020 testimony details how three Hungarian policemen and one policewoman beat a transit-group during a pushback while shouting, "You are Muslim, we are Christian. We don't like you [...] If you come back, I will beat you".²⁴

ROMANIA

In January of this year, BVMN recorded how Romanian police officers violently beat members of a transit-group, including jumping on the chest of each member. The respondent explained:

A little guy started shouting, so two police officers started jumping on his legs. We all felt pain, but we couldn't shout, if we shouted, if we cried, they started torturing us more [...] They (the Romanian officers) forced five or six guys to eat pork. They were also making jokes of our religion.²⁵

BULGARIA

A female respondent informed BVMN how she and other women had been touched by male Bulgarian officers who then stole her shoes, her jacket, and the Muslim dress that she was wearing over her clothes.²⁶ Likewise, another testimony details how women were searched by male officers that “checked every body part” and forced the women to take off their headscarves while the officer said, “no Islam, no headscarf”.²⁷

In another testimony, the respondent detailed how the police forced the group to undress:

When we were undressing, the officers saw that one of us had a Christian cross on him, so they told him to not take off his clothes and let him go to Turkey. But all of the other ones, including me, had to undress.²⁸

NORTH MACEDONIA

FRONTEX

A 2021 pushback testimony from North Macedonia states that an officer said:

“Why you don’t go to America, why you don’t go there! You are all Taliban, if you go to America, they will fuck you!”

The respondent then said that the officer made a gun sign with his hand and said,

“I will kill you [...] Don’t come again, if you come again, I will kill you!”²⁹

Testimonies also suggest that Frontex officers may be involved in Islamophobic abuse during pushbacks; they have been identified by respondents describing Frontex’s uniform and/or weapons. For example, a respondent in 2019 informed BVMN of officers that he believed to be from Germany, saying they were “asking about everything, about Islam, about which one country your are relative, [...] [they asked us] you are Muslim, Sunni, Shia? You believe Allah, God?” The officers then confiscated the belongings of the group before pushing them back.³⁰

A 2021 pushback testimony from Greece details two officers involved in the pushback who “were not carrying the Greek flag on their black uniforms but had blue armbands on their shoulders, describing the uniforms of Frontex officers deployed in the region”. The respondent went on to say:

They told me ‘you are a terrorist’ and hit me every now and then. I told them I do not want to stay in Greece, I want to go to Europe, and they beat me more.

When BVMN showed the respondent a picture of the Frontex armbands after he gave the description, the respondent was certain it was the same uniform of the men who had been involved in the pushback.³¹



CONCLUSIONS

The Human Rights Council has called on States to speak “out against intolerance”³², adopt “measures to criminalize incitement to imminent violence on the basis of religion or belief”³³ and “take effective measures to ensure that public functionaries, in the conduct of their public duties, do not discriminate against individuals on the basis of religion or belief”.³⁴ Despite this, the States included in this report have yet to condemn the use of pushbacks generally, as well as religious intolerance during pushbacks. Nor have they undertaken effective investigations into human rights abuses and religious discrimination at the hands of State officials, including holding perpetrators accountable for their criminal acts. Finally they have not set up proper measures to ensure police, Frontex and other public functionaries do not discriminate against individuals on the basis of religion or belief when crossing the border.

Potential follow-up measures

1. States must immediately cease the practice of pushbacks.
2. Perpetrators of pushbacks and violence on the basis of religion must be identified and held accountable. States must investigate all cases of pushbacks at the hands of State authorities and Frontex personnel.
3. State authorities must provide access to remedy and compensation for those who have been discriminated against on the basis of religion and have experienced Islamophobic violence, in particular during pushbacks.
4. We urge the Special Rapporteur to build upon previous reports and establish a new thematic report on the situation of persons in vulnerable situations, including but not limited to migrants, refugees and people on the move.
5. In line with the Special Rapporteurs mandate, we respectfully urge the Rapporteur to undertake a country visit to the States featured in this report.
6. We call upon all States to uphold paragraph 80 of the outcome document of the Durban Review Conference ensuring that response and policies are not to be guided by any form of discrimination prohibited by international law.

REFERENCES

1. BVMN. 2021. Balkan Region Report May 2021. Available at: <https://www.borderviolence.eu/balkan-region-report-may-2021/> [Accessed 20/09/2021].
2. *ibid.*
3. *ibid.*
4. *ibid.*
5. BVMN. 2018. The Respondent Person Had Cut on His Hand Caused By Electric Shock. Available at: <https://www.borderviolence.eu/violence-reports/september-21-2018-0300-the-group-was-caught-in-the-croatian-inner-land-and-deported-to-a-forest-close-to-the-official-border-check-point-in-velika-kladusa/> [Accessed 20/09/2021].
6. BVMN. 2018. They Were Just Saying to Us. “Fuck You Muslim, Fuck Your Brother, Fuck Your Mother. Available at: <https://www.borderviolence.eu/violence-reports/october-21-2018-1900-near-sturlic-croatia/> [Accessed 20/09/2021].
7. BVMN. 2018. You Know They [Male Officers] Were Touching My Wife Everywhere. Available at: <https://www.borderviolence.eu/violence-reports/october-1-2018-0000-croatian-inner-land-10-15-km-away-from-the-border-close-to-bihac-bosnia/> [Accessed 20/09/2021].
8. BVMN. 2019. They Forced One Guy of The Group to Totally Undress Himself. Available at: <https://www.borderviolence.eu/violence-reports/february-16-2019-0000-buhaca-hr/> [Accessed 20/09/2021].
9. BVMN. 2021. I Was Bleeding So Much From My Nose and Mouth. Available at: <https://www.borderviolence.eu/violence-reports/march-10-2021-1930-kestenje-croatia/> [Accessed 20/09/2021].
10. BVMN. 2021. The Policeman Said “Moroccan Come Here I Give You Cigarette”. Available at: <https://www.borderviolence.eu/violence-reports/may-12-2021-0000-samobor-croatia/> [Accessed 20/09/2021].
11. BVMN. 2021. We Were All Looking As He Touched Every Part Of Her Body. Available at: <https://www.borderviolence.eu/violence-reports/february-13-2021-0000-near-bordercrossing-between-sturlic-and-bogovolja/> [Accessed 20/09/2021].
12. BVMN. 2018. There Is No Asylum Here. You Aren’t a Catholic You Are a Muslim. Available at: <https://www.borderviolence.eu/violence-reports/october-7-2018-0000-near-susak-sovienien/> [Accessed 20/09/2021].
13. See for example: BVMN. 2021. We Sent A Message to IOM Asking for Asylum. Instead the Police Came. Available at: <https://www.borderviolence.eu/violence-reports/february-26-2021-0400-10km-from-bosanska-bojna-approx-saseva-croatia/> [Accessed 20/09/2021]; and BVMN. 2021. We Were Begging Them To At Least Keep The Kids Clothes and the Quran. Available at: <https://www.borderviolence.eu/violence-reports/march-2-2021-1000-near-buzeta/> [Accessed 20/09/2021].
14. See: “I said them: ‘Please brother, don’t touch my wife and daughter, please, don’t touch them.’ [...] But they told me ‘Shut up’ and kicked into my legs [covering his eyes with his hands]. I asked them why that happened, because I am not a terrorist, I am a refugee. This is not good behavior to us” BVMN. 2018. You Know They Were Touching My Wife Everywhere. Available at: <https://www.borderviolence.eu/violence-reports/october-1-2018-0000-croatian-inner-land-10-15-km-away-from-the-border-close-to-bihac-bosnia/> [Accessed 20/09/2021]; BVMN. 2019. I Tell Him No I Am Muslim and He Said No This Is Not My Problem. Available at: <https://www.borderviolence.eu/violence-reports/may-13-2019-0500-near-sisak-croatia/> [Accessed 20/09/2021].
15. BVMN. 2018. I Said To The Police That I Was A Muslim And Refused To Take Off My Clothes. But They Said, ‘No Problem’ And Took Off All My Clothes. Available at: <https://www.borderviolence.eu/violence-reports/august-5-2018-0000-slovenian-inner-land-forest-close-to-ilirska-bistrica/> [Accessed 20/09/2021].

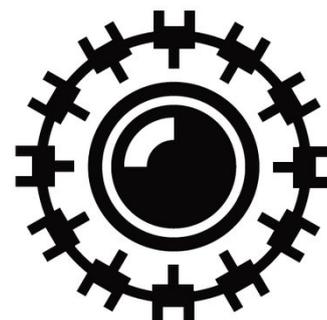
REFERENCES

16. BVMN. 2019. Our Politics Don't Want You To Stay In Slovenia. Available at: <https://www.borderviolence.eu/violence-reports/august-24-2019-0000-mrazovac-croatia/> [Accessed 20/09/2021].
17. BVMN. 2019. Go To Muslim Places Like Bosnia or Abu Dhabi. Available at: <https://www.borderviolence.eu/violence-reports/april-8-2019-1000-sredisce-ob-dravi-slovenia/> [Accessed 20/09/2021].
18. BVMN. 2021. No Mafia, No Boss, No Ali Baba. Available at: <https://www.borderviolence.eu/violence-reports/june-29-2021-0000-bistrica-near-road-217/> [Accessed 20/09/2021].
19. BVMN. 2021. We Took Our Clothes Off And Then They Ordered Us To Take Off Our Boxers. He Looked At Me And Asked Me, 'Are You Muslim?' I Said Yes, And Suddenly He Tried To Hit Me In My Sensitive Place And Slap My Face. Available at: <https://www.borderviolence.eu/violence-reports/march-6-2021-0000-nei-psathades-serem/> [Accessed 20/09/2021].
20. BVMN. 2021. More Than 50 Officers Using 13 Vehicles And Two Boats In Pushback Of More Than 250 People. Available at: <https://www.borderviolence.eu/violence-reports/march-3-2021-0000-ispala/> [Accessed 20/09/2021].
21. BVMN. 2020. You Are Muslim [...] And We Are Christian, So Why Are You Coming To Our Country, We Don't Need You Here Because You Are Muslim. Available at: <https://www.borderviolence.eu/violence-reports/september-10-2020-1030-feres-greece/> [Accessed 20/09/2021].
22. BVMN. 2017 They Grabbed Him And Smashed His Head Against The Ground, Breaking His Teeth. Available at: <https://www.borderviolence.eu/violence-reports/february-22-2017-0000-border-near-backi-breg/> [Accessed 20/09/2021]
23. BVMN. 2018. He Police Officers Said That Because The Men Were From Pakistan, They Could Not Get Asylum, And That Muslims Were Not Welcome In Hungary. Available at: <https://www.borderviolence.eu/violence-reports/february-14-2018-0000-close-to-kisszallas-hungary/> [Accessed 20/09/2021].
24. BVMN. 2020. You Are Muslim, We Are Christian. We Don't Like You. Available at: <https://www.borderviolence.eu/violence-reports/november-16-2020-0000-rozke-border-crossing/> [Accessed 20/09/2021].
25. BVMN. 2021. They (The Romanian Officers) Forced Five Or Six Guys To Eat Pork. They Were Also Making Jokes Of Our Religion. Available at: <https://www.borderviolence.eu/violence-reports/january-5-2021-0200-near-secaseni-romania/> [Accessed 20/09/2021].
26. BVMN. 2021. Fourteen Male Officers, Including Alleged Frontex Officers, With 4 Dogs And Brass Knuckles, Beat And Stripped A Group Of 12 Men And 2 Women. Available at: <https://www.borderviolence.eu/violence-reports/may-7-2021-0000-malko-tarnovo-to-sukrupasa/> [Accessed 20/09/2021].
27. BVMN. 2021. We Wished For Rain So That We Could At Least Drink Something. We Were So Thirsty. Available at: <https://www.borderviolence.eu/violence-reports/july-18-2021-0000-elhovo-kucunlu/> [Accessed 20/09/2021].
28. BVMN. 2021. The Dog Bit My Legs And The Officers Were Saying "Bravo Bravo" To Encourage The Dog. Available at: <https://www.borderviolence.eu/violence-reports/may-6-2021-0014-goylam-kucukogunlu/> [Accessed 20/09/2021].

REFERENCES

29. BVMN. 2021. If You Come Again I Will Kill You. Available at: <https://www.borderviolence.eu/violence-reports/january-11-2021-0500-idomeni-greece/> [Accessed 20/09/2021].
30. BVMN. 2019. They Are Giving Torture To Us. After [so] The Guys Not Come Back Again. Available at: <https://www.borderviolence.eu/violence-reports/august-6-2019-2100-staro-selo-topusko-cro-poljana-bih/> [Accessed 20/09/2021].
31. BVMN. 2021. The Respondent Could Not Take The Beating Anymore And Tried To Get Up, But Another Officer Shot A Second Can Of Tear Gas At Him, This Time On His Face. Available at: <https://www.borderviolence.eu/violence-reports/july-13-2021-1100-tychero-balabancik/> [Accessed 20/09/2021].
32. Human Rights Council. 2021. Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief. 7(e). Available at: <https://undocs.org/A/HRC/RES/46/27> [Accessed 20/09/2021]. Paragraph 7(e).
33. *ibid.* 7(f).
34. *ibid.* 8(a).

Reporting Organisation



Border Violence Monitoring Network (BVMN) is a coalition of organisations working to document pushbacks, internal violence and other human rights violations along the EU's external borders in the Western Balkans, Greece and Turkey since the formal closure of the route in 2016. The collection of data on pushbacks and internal violence is done by a consortium of independent field volunteers who are part of or cooperate with humanitarian support groups united through the Border Violence Monitoring Network.

