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# **Statement on the ECHR rulings pertaining to Greece's systematic pushbacks of asylum seekers**



**Border Violence  
Monitoring Network**



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For eight years, the Border Violence Monitoring Network has been documenting pushbacks, the unlawful and often violent and deadly crossborder expulsion of an individual without due process, as well as related forms of violence. Based on the thousands of testimonies collected by BVMN and its members, we have demonstrated that pushbacks are a systematic practice and *de facto* policy at European borders.

In the two most recent rulings related to pushback incidents (G.R.J. v. Greece and A.R.E. v. Greece), the European Court of Human Rights has confirmed that Greece systematically pushes people back at its borders and that a form of temporary forced disappearance formed part of the modus operandi of pushbacks. Despite this recognition, the court failed to draw actionable consequences from it.

Evidence collected by BVMN and its members has been presented in various EU and UN forums, in order to work for the recognition of pushbacks as a defined human rights issue and a form of enforced disappearance. In part, these rulings are a success for all those who have been documenting and denouncing illegal pushbacks for years.

The ruling in the case of G.R.J. vs. Greece, however, also represents a setback, as it establishes a troubling precedent for future legal challenges to pushback cases. The Court deemed the case inadmissible, citing a lack of sufficient evidence to substantiate that the applicant, who was a child at the time, had been pushed back. This is despite the applicant providing detailed testimony of his arrival to Samos and subsequent pushback, multiple eyewitness testimonies that he had been on Samos as well as photos that supported his claim. By design, pushbacks deny people on the move access to justice and prevent victims from being able to document the violence against them. In more than 80% of cases, people on the move were beaten with either batons, hands or other objects, and had their personal belongings, such as phone or money, stolen or destroyed by the Greek authorities. When individuals are stripped of their belongings, including their mobile phones, this limits any form of evidence collection beyond verbal testimony. We are therefore highly concerned that the

G.R.J. ruling establishes an unattainable evidentiary threshold for pushback survivors to be able to seek justice before the Court. A standard that the vast majority of survivors will simply be unable to meet, and is not applied to other victims of gross and systemic human rights violations seeking recourse before the Court.

Alongside other organizations and experts, we submitted a third-party intervention (TPI), offering detailed contextual evidence to the Court on the issue of illegal pushbacks in Greece. Our years of research and testimony collection prove the exceptional circumstances in which pushbacks take place. Around the period that this case is concerned with, in more than 95% of cases, people on the move reported that violence was used during at least one stage of the pushback. Thus, this blocks the way for accountability and justice, that is urgently needed for the thousands who have survived the violent European border regime.

*Please see the official [G.R.J. case page](#) for more information on the case and a statement by de:border, official representatives in the case.*

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