

ILLEGAL PUSHBACKS AND BORDER VIOLENCE REPORTS

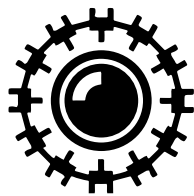


**Border Violence
Monitoring Network**

**Monthly report
March 2024**

March 2024

ILLEGAL PUSHBACKS AND BORDER VIOLENCE REPORTS



Border Violence Monitoring Network





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EXECUTIVE SUMMARY

In March, the Border Violence Monitoring Network (BVMN) shared 5 testimonies of pushbacks impacting more than 40 people on the move (POM) across the Balkans and Greece. This report gathers updates from March 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. Updates come from the different Member Organisations of BVMN, as well as Human Rights Observers (France). It also includes general insights from advocacy actions taken by members of the network and other allied organisations.

March marks the anniversary of the notorious EU-Turkey Deal, which greatly eroded asylum rights in the EU while endangering the lives of thousands of POM and leaving many others in a legal limbo. One of its basic foundations, the designation of Turkey as a “Safe Third Country,” has been put into question this month before the Court of Justice of the European Union, and several Dutch organisations have sued the Dutch state over responsibilities on the deal. As shown by many sections of this report, 8 years from the signing of the agreement, the securitisation of EU borders has only increased.

Despite the unofficial end of the Special Military Operation in Northern Serbia – which resulted in the effective erasure of all informal settlements of POM in the region – the state’s resolve to close its position in the Balkan Route continues. In March, this goal was played out through the transformation of several Transit Reception Centres in the south of Serbia into closed camps and the ongoing transfer of people apprehended in the public space to those facilities. This further restricts the movement of POM in the country. Though the number of people registered in Serbia has decreased in the past weeks – pointing to a shift of the route to Bosnia-Herzegovina – conversations with Swiss and Belgian authorities about strengthened collaboration in migration controls in the Balkan country signals continued efforts to further externalise European migration policies.

The violence resulting from these policies is illustrated by the testimonies BVMN member organisations shared this month, which describe beatings, thefts, psychological violence and other types of abuse perpetrated by the authorities. Organisations on the field reported that violence used during pushbacks at the Bosnian-Croatian border seems to have increased over the past months, with many POM showing signs of contusions, broken bones and dog bites.

Beyond pushback violence, the hostile European migration regime keeps displaying itself in similar ways within the borders of states, particularly within official accommodation facilities and detention centres. In March, hunger strikes motivated by police repression and lack of access to basic services and asylum continued at the Corinth Pre-Removal Detention Centre, in Greece. Meanwhile, at



EXECUTIVE SUMMARY

the Lesvos CCAC, people continue to face enormous pressure to leave the centre once they receive a positive decision on their asylum claim, despite the lack of accommodation alternatives and financial resources. Moreover, residents of the Samos CCAC reported a lack of running water during the month of March, which has contributed to the worsening of hygiene conditions and the ongoing spread of otherwise preventable skin diseases. In Turkey, the news of a 17-year old minor from Syria who was kidnapped in the transfer from prison to a Removal Centre and is currently held and tortured by an anonymous group of masked men highlights the extreme vulnerability that many POM face while in custody of authorities that were meant to guarantee their safety.

This month, some of the abuses committed in these centres have been brought to justice through the arrest of several guards working at the Amydaleza Pre-Removal Detention Centre, in Greece, on torture-related charges. This is an unprecedented move in a structure that constantly weaponises the judicial system against POM, as we have been reminded of in March during the latest stage of the Moria 6 trial, where several of the defendants have already been convicted to years imprisonment in a process that has been characterised by a sheer lack of evidence.

The last part of this report focuses again on the deadliest consequences of this increasingly hostile migration regime that forces people to embark in perilous journeys everyday due to a lack of legal pathways for migration. We share the news of another shipwreck in the Aegean, off the coast of Çanakkale, in Turkey, resulting in 22 deaths and an unknown number of disappearances. In France, the death of a 7-year old girl after falling in a river in Northern France elevates the number of fatalities at the border between France and the UK to 9 in 2024, compared to 12 in the whole of 2023.



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.

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 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**

Changes in Bujanovac Transit Reception Centre

This month, the Bujanovac Transit Reception Centre (TRC) – a family camp near Serbia's southern borders with North Macedonia and Kosovo with a capacity of 320 – has reportedly been “adapted” and already begun to receive and accommodate unaccompanied minors. This practice has however been deemed illegitimate, as it is reported that the centre does not currently have the adequate social welfare capacities and services to receive and cater for unaccompanied minors.

This decision follows months of closures of accommodation facilities for people on the move by the Serbian government in the northern part of the country and constant relocations of hundreds of people to facilities in the south, in an attempt to keep people on the move away from Serbia's northern borders with Hungary, Croatia and Romania.

Continued pushbacks and internal violence

The visible number of people on the move transiting through Serbia has massively decreased in past weeks following the government's Special Military Operation in the north of the country that started at the end of October, 2023. However, the apprehension and forced removal and relocation of people from different locations across the country continues. On March 7th, Asylum & Refugee Centre Preševo (ARC) reported seeing a family taken to the Bujanovac TRC, after being apprehended on their journey to Belgrade. These actions are understood as a continued effort to keep people on the move in the south of the country and below Belgrade.

Moreover, Serbian NGO Asylum Protection Centre (APC) – who work outside of the Šid TRC for unaccompanied minors, as well as in other locations – reported on the continuation of violent pushbacks of minors from Croatia to Serbia during the month of March. On March 14th, they denounced an instance of a pushback during which a group of 10 people were stopped and forced back to Serbia in a place near the town of Tovarnik. Some of the people in the group reported that their phones were destroyed by Croatian police and that they were beaten with batons during the process.



Phones reportedly broken by Croatian police during the pushback on March 14th. ©Asylum Protection Centre

Widespread camp closures

On March 23rd, an NGO active in the area reported that the Tutin & Sjenica Asylum Centres (AC) - near Serbia's border with Montenegro - had been turned into closed camps, meaning that the estimated populations of 250 people in each centre are no longer able to travel freely in and out of the facilities, and new arrivals are currently not being registered. Since then, it has been reported that the only movement allowed outside of the camps is in groups of 10-15 people, who are escorted by the Commissariat - Serbia's authority responsible for the management of asylum and reception facilities - to the shops.

In the following week, similar camp closures have been enacted as a widespread trend across the country. Between March 23rd and 27th, the centres of Preševo, Pirot, Dimitrovgrad & Šid have followed the same policy. Thus, residents of these centres have now been effectively put on *de facto* detention without a reason. In the past few days, reports have been shared by an organisation working in the area close to the Preševo TRC that those leaving the closed centre are picked up by the authorities and pushed back to North Macedonia. This illegal practice reached the news last month with the release of a video of a violent pushback by Serbian authorities to North Macedonia, in which people appeared to have been stripped of their clothes and other belongings and forced to walk for several kilometres overnight in temperatures below 0°.

As mentioned above, these actions seem to be part of a concerted effort by Serbian authorities to increasingly restrict the movement of people on the move within the country and block Serbia's position as a transit country on the Balkan route. A day prior to the first known camp closures, Minister of Interior Bratislav Gašić announced that the activities of Serbian police had "almost completely stopped the migratory route" towards Hungary. He also stated, in reference to the European Union, that they "expect the support of [their] partners in the future as well, bearing in mind that facing such a challenge will yield tangible results in the synergy of all relevant factors in Europe". This move by the Serbian state, alongside their recent hardline approach to movement within the country, is in line with recent conversations between Serbia and EU representatives regarding future funding and the implementation of the EU Action Plan for the Western Balkans in the country, outlined in BVMN's February monthly report.

As of April 1st, there is yet to be an announcement from the Government or the Commissariat regarding the reasons and decisions behind these camp closures. For those confined in the camps, this has entailed 9 days - and counting - of *de facto* detention without a given cause, in centres with well-documented inadequacies of facilities and amenities.



Tutin (L) and Sjenica (R) AC's.
©Collective Aid (January 2024)

Commissariat for Refugees and Migration meet with Swiss & Belgian representatives

In March, Serbia's Commissariat for Refugees and Migration met with representatives from both Switzerland and Belgium. The Swiss State Secretariat for Migration (SEM) met with Serbia's Commissariat to conduct training exercises as part of their project for "strengthening capacities and partnerships for migration management in Serbia" in partnership with the International Organisation of Migration (IOM). Whilst in meetings with Belgian representatives, the Belgian ambassador pledged to continue their "cooperation in the fight against irregular migration". By upholding and growing these relations, the SEM, IOM, and EU-member state Belgium are complicit in supporting the Commissariat's systematic role in the violation of human rights carried out by Serbian authorities. This role was exemplified by the reported pushback carried out from the government's centre Obrenovac - controlled by the Commissariat - to Bulgaria on February 14th, included in our last monthly report.

Population statistics for official centres and hidden transit population

At the beginning of March, the Serbian Commissariat for Refugees and Migration published data on the populations currently staying in state-run centres. According to those numbers, there were 1,059 people across all centres, and 4,536 people had been registered, in total, since the beginning of 2024 - a 43% decrease compared to the same period of 2023. Despite the low numbers and the efforts of the Serbian state to effectively block its position as part of the Balkan route, people on the move are still trying to cross the border to Hungary and the Hungarian authorities continue to violate people's rights through the practice of pushbacks, which they report on their official website. According to their own pushback data, 88 people were illegally returned to Serbia in the month of March.

The actions of the Serbian government to restrict the movement of people on the move and the extended securitisation of border areas has increasingly isolated transit populations. People on the move in Serbia can hardly ever access services from NGOs and other collectives at the moment, as they have to remain hidden and travel at night. By forcing people on the move to remain completely invisible, Serbia - influenced by pressures from the EU - is increasing their vulnerability even more, while leaving them at the whim of smuggling groups. Moreover, instances of violence against people on the move within Serbia, pushbacks and other abuses by state actors are now almost impossible to document by civil society organisations, thus increasing the impunity of the authorities.



Zebra task force

According to the news outlet [ANSA](#), in March, a joint operational police task force, named Zebra, was launched by Croatia and Slovenia. The stated goal of the operation is to enhance the effectiveness of anti-people smuggling strategies along the Balkan route. As reported by the Slovenian news agency [Sta](#), Zebra will be co-led by Croatia and Slovenia, with its headquarters situated in Croatia and operations coordinated by Europol.

Updates from Una-Sana Canton

According to data from the International Organisation for Migration, there are 2,000 people on the move officially registered in Bosnia-Herzegovina, and residing inside the official Transit Reception Centres - which have a total capacity of around 4,500. The number of people on the move in Una-Sana Canton seems to be relatively small and stable at the moment.

Organisations present in the region reported that, though the transit of people seems to have slowed down over this month partly due to Ramadan, violence at the border between Bosnia-Herzegovina and Croatia hasn't. An increasing number of people on the move - frequently including unaccompanied minors - have reported severe physical violence by the Croatian authorities during pushbacks. Signs of these violence such as contusions, broken bones and dog bites are often visible in the respondents, days after the incident.

Intensification of police raids at street markets in Thessaloniki

Since the start of 2024, the Greek police have intensified raids at markets in Thessaloniki where predominantly Roma and migrant communities trade in clothes, household items, and other goods they have often salvaged from waste bins around the city. People on the move, including those resident in camps close to Thessaloniki, also attend the market for trading activities. Police operations have targeted open markets in the districts of Harilaou, Toumba, and Xirokrini, confiscating items and reportedly inflicting violence against traders. In an environment in which the options for many migrants to make money to sustain themselves are non-existent or limited to the irregular economy, these operations might contribute to the endangerment of the scarce and perilous livelihoods of vulnerable populations. The new mayor of Thessaloniki has spoken publicly about his office's ambition to crack down on so-called 'illegal trade' in the city, and there has been an apparent increase in the intensity and frequency of raids since his appointment. Across the city, police continue to carry out routine sweep operations to check documents and detain people on the grounds of illegal stay. According to press releases issued by the Greek police, 1,847 people had their documents checked during December-January, leading to 63 arrests for so-called illegal stay or transportation.

Hunger strikes at Corinth PRDC

During March, there were multiple reports of hunger strikes at Corinth Pre-Removal Detention Centre (PRDC) in response to poor living conditions, police repression and lack of access to asylum - adding to a long history of protests at the facility stretching back to 2012. In late February, a group of people detained at Corinth PRDC went on hunger strike while being held in appalling conditions, with no prospect of release or access to urgent medical care. Among them were 36 Egyptian men who had been rescued at sea outside Kalamata last December, were separated from children and families arriving on the same boat and immediately transferred to Corinth PRDC, with no access to asylum procedures for more than two months. Despite the intervention of the Greek Ombudsperson, police officers raided their cells straight after this, throwing their personal belongings on the floor, taking off mattresses and doing strip searches.

Additionally, during March, BVMN-partner organisation Mobile Info Team released a statement after receiving harrowing messages from people held in Corinth PRDC, who expressed the severe deterioration of their mental health, including having suicidal thoughts. Among the people detained in the centre are survivors of torture who

arrived in Greece after traumatic experiences of detention in Libya. One person stated: *"I arrived in Greece and was immediately imprisoned."* Another detainee reported that he was informed by the doctor at Corinth that he needs urgent surgery, but the detention officers reportedly refused to escort him to a hospital. The respondent stated: *"The police say: 'we can't help, we can't do anything'. They close the door on us."*

Solidarity with Migrants has reported that the situation has worsened in recent times, with multiple reports by detainees of infested and filthy cells - which increases their risk of contracting illnesses -, as well as of spoiled food served at the facilities. Detainees also mention being locked in cells. Moreover, in a video shared recently, riot police units are shown to make use of batons against detainees. This is unfortunately not a new or unique situation, since similar testimonies have also been highlighted in BVMN's recent report on violence within Greece's state borders.

Detention officers at Amygdaleza Pre-Removal Detention Centre arrested on torture-related charges

On March 15th, the Greek media reported the arrest of four detention officers working at Amygdaleza PRDC. Multiple reports have previously been published on police brutality, lack of medical care and poor conditions at Amygdaleza. Among those, BVMN and Mobile Info Team published research in 2023 revealing poor living standards and a lack of access to asylum procedures and medical care, as well as widespread violence perpetrated by detention officers against detainees, in the centre.

According to Greek media, the charges brought against the officers were related to treatment amounting to torture, following a complaint by a foreign national detained at Amygdaleza PRDC, who reported that he had experienced severe physical abuse by the officers. Police investigations into the incident reportedly revealed that following an argument between the complainant and two other persons detained in Amygdaleza, two of the accused officers hit the complainant on the face and various parts of their body, and were subsequently charged with torture. Two additional officers were found to be present at the time but failed to prevent or stop the incident and have therefore been charged with complicity in torture. It was reported that after the assault, the complainant was transferred to a hospital where he was found to have a fractured rib.

The investigation additionally found that the violence was inflicted in response to a conflict between detainees. BVMN has documented how physical violence is frequently used within pre-removal detention as a form of punishment for perceived 'bad behaviour,' such as fighting with other detainees.

In an environment characterised by the impunity surrounding the violations of the rights of people on the move, it is extremely rare for detention officers to face charges for violence inflicted against detainees despite the widespread documentation of this practice. In recent years, several Greek border guards in the Evros region have been arrested for bribery and collaborating with people smugglers.

Moria 6 trial

Between March 4th and 8th 2024, four of the defendants that were accused of burning the infamous Moria refugee camp in 2020, appeared in front of the court in Mytilini for an appeal of their case. The appeal came after a postponement of one year, during which the defendants remained in prison. The remaining two minors, who had been arrested at the same time as the other four defendants, were convicted back in 2021, following a trial that was described as "a gross miscarriage of justice".

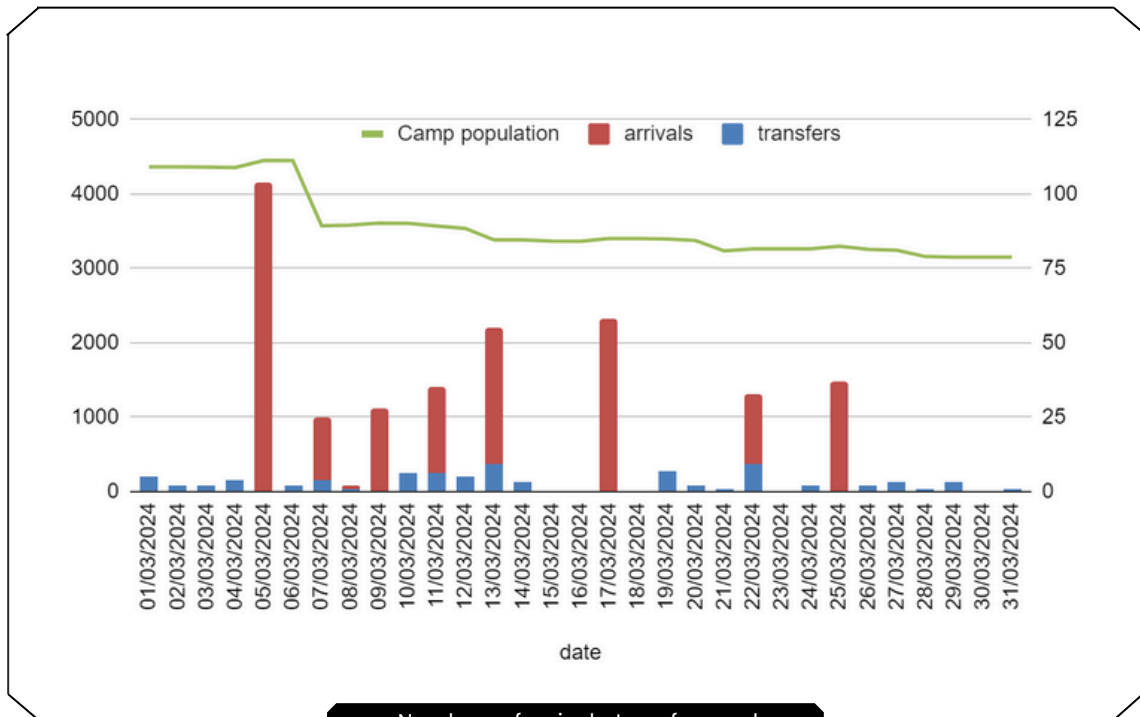
According to the lawyers in Legal Center Lesvos, who were among others representing the defendants in court, the trial was "tainted throughout by willfully ignorant and discriminatory statements against migrants and the flagrant dismissal of relevant and exculpatory evidence". The fast deterioration of the rule of law in Greece has clearly manifested in cases such as this one, in which people on the move are systematically criminalised and imprisoned based on sheer or non-existent evidence.

Three of the defendants had been tried as adults and convicted in the first trial in Chios in 2021. While the appeal of these defendants, arguing that they were minors at the time of the fire, was accepted and their case got transferred to the juvenile court, the jury found the fourth defendant guilty with a sentence of 8 years. The lawyers of the latter have made an application for his release under parole.

Meanwhile, the other three who are awaiting their new trial in juvenile court, are obliged to present themselves at the police station regularly. Moreover, even though the previous conviction was overthrown in this appeal, the three defendants have already spent three and a half years in prison.

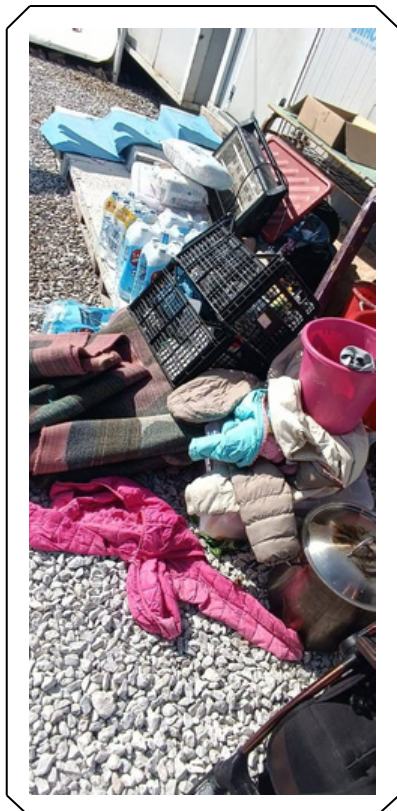
It is important to highlight that there was very little evidence presented during the trial, and that the whole case against the 6 was based on a pre-trial testimony by only one other resident of Moria. This person was not present for questioning at the date of the trial.

Situation in Mavrovouni CCAC



Numbers of arrivals, transfers and population in the camp extracted from migration.gob.gr.

In March, the population at the Mavrovouni Closed-Controlled Access Centre (CCAC), on Lesbos, significantly decreased. This is due to the fact that, during the past months, a lot of residents received their passports and have been able to leave the island recently. As of March 31st, there were 3,150 people living in the Lesbos CCAC, according to data from the Greek Ministry of Migration.



Even though the population in the centre has become smaller, it has been reported that the pressure faced by people on the move to leave the CCAC hasn't decreased. This pressure starts as soon as a person receives their positive decision, when they are told to leave the camp, even when some of their family members haven't received a decision at all. The urgency from the authorities is even higher for people who already have travel documents, despite many of them not having the necessary financial resources to move.

Eviction of a family from a shelter in the CCAC. Half of the family was told to leave the centre after they received their passports, while the rest were able to stay and look for a place to sleep within the big tents (March 6th 2024).

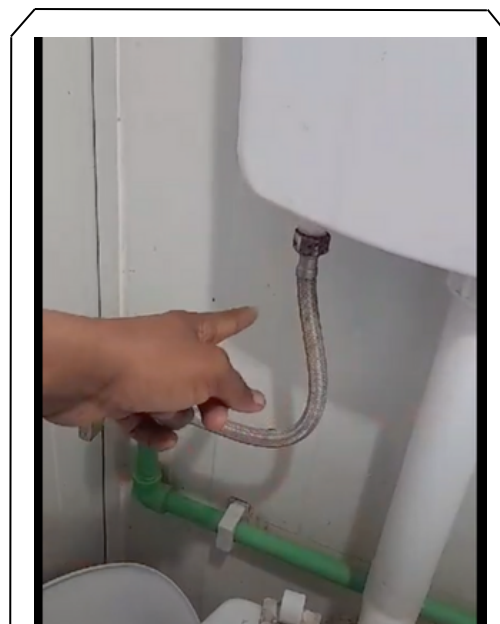
Situation in the Samos CCAC

In March, I Have Rights received multiple reports from clients that the Samos Closed Controlled Access Centre (CCAC) was without running water. Water cuts have been a frequent issue in the Samos CCAC since it was built, however the lack of water has become more severe over time. Since September 2023, there have been near-daily water cuts and no long-term solutions implemented.

The EU Commission Representative's weekly reports on the situation in the Samos CCAC, obtained by I Have Rights through a FOIA, detail the lack of running water and short-term contracts to supply trucks of water to the isolated CCAC, which often expire before they are renewed.

I Have Rights' clients reported that from March 14th to 21st 2024, there was less than one hour of running water a day, if at all. One client explained that they were disconnecting the pipe from the toilet tank and collecting the last remaining water from the pipe to use to cook food.

The water shortage has meant that people have limited access to drinking water. They are also unable to flush toilets or shower which has raised significant concerns about hygiene. The laundry facilities have been closed since September 2023, however, the EU Commission Representative's weekly reports only began to mention that the laundry facilities were closed from January 2024. The closure of the laundry facilities has led to ongoing scabies, flea and bed bug infestation in the CCAC as well as rapid spread of preventable skin infections.



I Have Rights' client explaining how they disconnect the pipe from the toilet tank to collect water. © I Have Rights

At the start of the year, the Samos CCAC was severely over capacity at over 3,900 people. People were forced to sleep on the floor in dining rooms and forced to share overcrowded containers. Over the past two months, more than a thousand people have left the Samos CCAC. Most of these people have left through signing a form that waives their right to be accommodated in state facilities and to financial assistance. I Have Rights clients reported that the poor and overcrowded living conditions of the facility led them to sign these forms, since they were desperate to leave the CCAC. Many of these clients are now homeless on the Greek mainland.

The latest UNHCR statistics show that there are now 2,595 people in the CCAC which is below the "official capacity". Yet, I Have Rights continues to receive reports from clients stating they are forced to sleep in non-accommodation containers such as dining areas and class rooms. This raises serious questions as to how the authorities calculated the official capacity figure which was increased by 1,619 spaces overnight to 3,695.

Local Elections

On March 31st, local elections were held across Turkey. The opposition Republican People's Party (CHP) achieved a surprising victory, retaining most of its metropolitan mayoralties and gaining three more, despite economic challenges and high inflation, thus marking a serious blow to the 20-year-plus rule of Tayip Erdoğan's Justice and Development (AK) Party.

The local elections seemed to have less focus on immigration and anti-migrant rhetoric than the national ones held in 2023, and the CHP's campaign in Istanbul especially brought it closer to Kurdish voters. Moreover, there was a significant defeat for two recently emerged right-wing and explicitly anti-migrant parties, the İyi Party and the Victory Party. It's important to note that the CHP had aligned itself with both parties in last year's national elections, particularly adopting the vitriol and misinformation tactics of the more far-right Victory Party.

Despite such anti-migrant sentiment not being at the general forefront of the CHP's campaigns for these elections, the CHP mayor of the small Aegean city of Uşak, Özkan Yalım - whose votes surged from 10% to 40% - was recently filmed post-election stating that he would not give a business licence to any Afghan or Syrian and that he "[does] not want refugees anymore."

A more thorough assessment of the elections will be given in April's Monthly Report.

"Irregular Migration" Statistics

According to the statistics published by the Presidency of Migration Management, there were 14,816 "irregular migrants" apprehended by the security forces in March, and the top three nationalities involved in such incidents were Afghanistan, Syria and Turkmenistan. For citizens of Turkmenistan living in Turkey, the increased restrictions on residency and work visas of the past years, the government operations on the neighbourhood, street and workplace level, as well as the obstacles posed by the government of Turkmenistan regarding passport renewal, have forced many to remain undocumented, and greater numbers are now being detained and deported from Turkey.

Kurdish-Syrian youth Ali Veli held by anonymous group and tortured after disappearance between prison and deportation

On March 12th, Ali Veli (17), from Qamishlo in the Kurdish area of North-Eastern Syria, was released from Erzincan L-Type Closed Prison and handed over to the Turkish Gendarmerie to be transferred to a Removal Center (GGM) for deportation to Syria. A few days later, his family in Qamishlo received video footage from a Turkish phone number of their son, in detention while tortured by masked men. In a call that followed, the family was threatened by a man speaking Arabic, who said that Ali and others in the family would be killed if their father did not surrender to the unidentified group. These threats were later repeated in Turkish.

The family contacted the Mardin branch of the Human Rights Association, who were assisting the family in their search to bring their son to safety. Meanwhile, Sezai Temelli of the pro-Kurdish People's Equality and Democracy party (DEM) posed questions on the incident to Minister of Internal Affairs Ali Yerlikaya in the Parliament. As of April 3rd, the whereabouts of Ali are still unknown to his family.

Iranian Academic Dr. Shiva Kaviani stuck in Istanbul Airport

In mid-March, a story emerged about Iranian academic Dr. Shiva Kaviani, who found herself stranded at Istanbul Airport for two months. Dr. Kaviani, originally from Iran but based in Toronto, Canada, had been visiting Iran when she faced a political ban. As a result, she attempted to return to Canada via Turkey but encountered difficulties as her residence permit in the north American country had expired. Despite efforts to obtain a new visa, she was unable to leave Turkey or return to Iran. Dr. Kaviani, faced challenges meeting her basic needs, including food and hygiene. Upon authorities' intervention, she was transferred to the Deportation Center in Silivri. Her deportation poses significant risks, especially considering her political ban in Iran.

In a world where citizenship and passports serve as crucial elements of arbitrary privilege, Iranian citizens face limited legal mobility options. Iranian women, in particular, but also women in many other contexts, may encounter additional barriers to their independent travel rights due to state regulations permitting husbands to prohibit their wives from travelling internationally. In viewing this, it is important to acknowledge the historical pattern - beyond the Iranian context - where citizenship benefits have predominantly favoured white, cisgender men.

Women on the Move

The specific dangers faced by women on the move are often rendered invisible in most accounts and analysis of the human rights violations faced by people on the move, which tend to reflect more closely the experience and abuses encountered by male migrants. An article from Middle East Eye published on February 11th - [Women Asylum Seekers in Europe caught between pushbacks and smuggler abuse](#) - aims to shed light on the particular vulnerabilities and challenges faced by women who migrate. The article focuses on the experiences of two Iranian women, given the pseudonyms Shirin and Maryam.

Shirin, now based in Germany, describes having to flee Iran in 2020, due to fear of gender-based violence from her family. Feeling unprotected by the state, she left for Turkey, applied for international protection there and was accepted. Her status, however, was only temporary and was later revoked by Turkish authorities in a reassessment of UNHCR protection decisions, as Turkey does not recognise gender-based violence as [grounds for asylum](#). The article goes on to describe her experience of multiple pushbacks from Greece to Turkey and sexual assault while forcibly confined in the accommodation provided by a smuggler.

Maryam arrived in Greece in early 2020 amid the Covid-19 pandemic. Fleeing persecution and feeling unsafe due to an unwanted pregnancy and social stigma, she had embarked on a journey to seek asylum, leaving her son behind in Iran. Her journey from Turkey to Greece was marked by harrowing experiences, including navigating treacherous landscapes and enduring mistreatment by smugglers. Upon reaching Athens, her ordeal continued as she faced sexual and physical abuse from her smuggler in a "luxury house" where she was held captive. Despite the challenges, Maryam was eventually able to escape and seek assistance from local organizations.

It is important to notice that, while the individual perpetrators might be smugglers, traffickers, border guards or other agents, the real structuring factor in the violence scenarios outlined is the EU border regime and the risks it corners people into taking in order to move.

Challenges and resilience of Migrant Women: "Göçmen Kadınlar Anlatıyor"

"Göçmen Kadınlar Anlatıyor" (Migrant Women Speak) is a platform which presents the migration stories of women living in Turkey. The platform aims to portray the experiences of migrant women in their own languages, shedding light on the challenges they faced, as well as their resilience. Journalist Şenol Bali, the platform's director, explains that the initiative emerged from the need to counter misinformation and the goal of promoting empathy and understanding among the audience by allowing individuals to share their stories. The platform features 21 stories up to now, reflecting the diverse and often traumatic experiences of migrant women.

Karabük: "Foreign Student Trade", racist scapegoating and Dina's case

The city of Karabük has been in focus nationally with the ongoing trial for the death of Gabonese student Dina, a year ago. Now, the university is on the media for a related scandal involving a "diploma trade", as well as incidents of racist scapegoating and discrimination. Following Dina's suspicious death, concerns arose with regards to various types of criminal exploitation she referred to in distressed messages, though the court committee in the investigation over her death denied all allegations of racism and sexual harassment put forward. The trial over Dina's death is ongoing, with one person facing charges including intentional homicide and sexual abuse. Many journalists, human rights defenders and Dina's family, however, point to a far wider network of complicity. Relatedly, questions have recently arisen regarding the situation of Karabük's large international student population, mostly from African countries. Illegal practices in the university's enrollment procedures and unauthorized income generation on the part of various competing local actors have been denounced. Moreover, articles point at a "mafia power-struggle" emerging in the city, as intermediary companies and individuals come into conflict over the "student business."

Adding to the precarious position of mainly Black students in Karabük, on March 22nd, it was claimed on social media that a lot of students in the city had gone to hospitals with HIV and HPV symptoms. A "Karabük University Confessions" Instagram page went viral with posts of some Turkish students blaming the spread of sexually transmitted diseases on the African students. The university administration eventually rejected the claims and took legal action against those responsible for spreading disinformation. However, one critical Twitter post on March 27th later highlighted that the university administration had introduced a new policy in February demanding Health Commission reports from foreign students. Perhaps most concerning, the Presidency of Migration Management deployed mobile units to Black student neighbourhoods, reportedly to verify legal documentation. All of these actions point to serious issues in terms of racial profiling.

Evictions continue

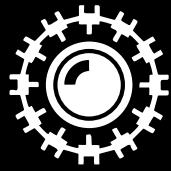
In Northern France, evictions of living sites continue to take place every 48 hours, in line with France's zero point of fixation policy. During the evictions, people are forced to move all their belongings about fifty metres away from their living sites, only to return to them once the police have left. These operations result in harassment, loss of belongings - including tents and personal documents - and arrests. They constantly exacerbate the trauma experienced by people on the move, many of whom are fleeing war and persecution. These evictions are just one of many approaches the authorities use to create a hostile environment for people on the move, and showcase a state determined to display its capacity to "control migration".

During the month of March, 71 evictions of 10 informal living sites were reported by Human Rights Observers in Calais. These evictions were consistently carried out by heavily armed police officers - equipped with rubber bullets, automatic weapons, tear gas, etc. During these operations, a cleaning company is also appointed by the state to seize the belongings left behind by people on the move, often essential shelter materials, thus making their living conditions more precarious and complicating any new settlements. Following this practice, at least 108 tents were stolen in March, 9 of which were full of personal belongings. It's important to highlight that even though the state opened a place to retrieve the belongings seized during eviction operations, numerous testimonies attest to the impossibility for individuals to retrieve theirs. Thus, these seizures can effectively be understood as thefts, playing an important role in these deterrence policies.

The state's deterrence strategy does not stop there - it also aims to dissuade associations from monitoring abuses and making them visible. Various intimidation attempts recorded by Human Rights Observers attest to this desire to limit the action of supporters working with people on the move. Among the 26 intimidation attempts towards the Human Rights Observers team recorded in Calais and Dunkirk over the month of March, the members had their identity checked 9 times. In Dunkirk, one of the checks was carried out by a particularly violent CRS (Republican Security Corps - French riot police) officer who took from the hands of an observer. This motivated a report to the Prosecutor as well as to the Defender of Rights. The state, aware of its violations, works to make the suffering it induces at the border invisible by limiting the work of associations.

New footage of October pullback in the English Channel

Newly-obtained footage of a pullback in the Channel, reportedly from October 2023, was released on March 23rd 2024. The footage shows the Maritime Gendarmerie employing aggressive tactics similar to those used by the Greek and Libyan coastguards in the Aegean and Central Mediterranean. These tactics include circling a small boat at great speed, creating waves that would flood it, and puncturing boats that are at sea, forcing people to swim back to shore. A Lighthouse Reports article states that a number of maritime experts, UK Border Force Officers, and French coast guard assessed the footage and determined that the tactics employed by the police would have presented a threat to the life of the people on board, and appeared to be illegal. This footage proves the veracity of the testimonies and stories regularly reported by people on the move in Calais. Moreover, this pullback brings to the forefront the complicity of the British government in these dangerous deterrent methods. According to The Observer, sources have confirmed that the vessel used by the French police in the footage was bought using funding provided by the British government as a part of the Sandhurst Treaty, a bilateral border security deal that was signed at the Royal Military Academy Sandhurst in 2018.



**Border Violence
Monitoring Network**

ADVOCACY

The European Data Protection Supervisor Calls for Overhaul of Frontex Photo Practices

"When they caught us they took a picture of us with their smartphone. They took pictures of the whole group then one of each of us."

- Testimony, Greek-Turkish land border, 2021

From 2019 to 2021, BVMN has documented numerous instances where individuals reported being photographed by Frontex officers using personal mobile devices when apprehended. These actions are not in line with the General Data Protection Regulation. The only time a person can be photographed according to the law is within an identification procedure. Consequently, the matter was promptly brought to the attention of the Frontex Data Protection Officer and the European Data Protection Supervisor (EDPS). This month, the EDPS found that Frontex must make changes in their internal structure to ensure these practices are prohibited.

BVMN initially submitted information to the Frontex Data Protection Officer (DPO) which initiated an investigation. However, progress was hindered by resource constraints, which the DPO explicitly mentioned in her reply to BVMN. Though the DPO eventually narrowed her focus to a specific case involving two potential individuals, by the time the issue was raised, the officers in question were no longer serving with Frontex. Thus, the DPO's ability to address the matter was limited, as she lacked the authority to interview them. Nevertheless, she expressed her intention to provide recommendations to the unit overseeing joint operations, though her limited mandate prevented her from producing a comprehensive report on the matter.

Subsequently, BVMN escalated the issue to the EDPS, prompting a preliminary inquiry. BVMN highlighted concerns not only about the actions of Frontex officers but also about the DPO's restricted mandate and insufficient resources to investigate GDPR violations effectively.

Following the pre-investigation phase, the EDPS determined that there was insufficient evidence to proceed with a full investigation at that point. However, the EDPS identified potential risks stemming from a lack of coherent policies and a clear prohibition within Frontex against photographing individuals outside of formal

identification procedures. Consequently, the EDPS issued a series of recommendations to Frontex. These included the development and implementation of a clear policy prohibiting such practices, as well as a review of procedures governing investigations conducted by the Frontex DPO. The recommendations emphasised the need for internal support and adequate resources to enable the DPO to fulfil her mandate effectively. BVMN published the response from the EDPS as well as a list of testimonies collected [here](#).

EU-Turkey Deal 8 years on

March also marked 8 years since the signing of the EU-Turkey Deal, which outlined that, in exchange for billions of euros to improve their own humanitarian situation for people on the move in Turkey and visa-free EU travel rights for Turkish nationals, Turkey would agree to prevent people from travelling irregularly to the EU - namely Greece. It also agreed that, in the event some individuals did travel to the EU irregularly, they could be returned to Turkey and accepted back into the State. Legal Centre Lesvos, together with other rights organisations, released a detailed [critique](#) of the deal to mark this outrageous anniversary.

The EU-Turkey Deal, despite legal challenges, has resulted in the imposition of geographic restrictions on people on the move arriving on Greek islands, leading to inhumane conditions and violations of Greek and EU law. Transit populations are trapped, surveilled, and subject to pushbacks, despite halted deportations to Turkey. Turkey, declared a 'safe third country,' has seen worsening conditions for people on the move, with documented abuses and growing anti-immigrant sentiment. The deal's impact is echoed in the forthcoming EU Pact on Migration and Asylum, which legalizes and expands similar policies across the EU, paving the way for pushbacks and derogation of human rights obligations. Additionally, similar agreements with countries like Egypt may further undermine human rights regarding refugees and people on the move.

CJEU on Turkey's Safe Third Country Status

On March 14th, the CJEU heard questions referred by the Greek Plenary of the Council of State regarding its decision JMD 42799/2021 designating Turkey's status as a 'safe third country'. The referral from the Council of State, stemming from the case [C-134/23 *Elliniko Symvoulío gia tous Prosfyges*](#), was preceded by a joint request from Greek Council for Refugees (GCR) and Refugee Support Aegean (RSA) for the annulment of

this JMD. The Council of State put forward the opinion to the Court that Turkey's refusal to readmit refugees means that it should not be classified in this manner. The purpose of the hearing was for the CJEU to give a preliminary ruling on the questions, clarifying its decision on why Turkey, a Non-EU country, can be labelled as safe despite this refusal to readmit asylum seekers and stating when an assessment pursuant to Article 38 of the Asylum Procedures Directive on the safety of a third country should be made.

This hearing came eight years after the signing of the EU-Turkey deal, which represents the EU's refusal to address its responsibility to adhere to "basic principles of the rule of law" and aid those seeking protection within its borders, as representatives from RSA and PRO ASYL present at the hearing commented. Greece's asylum application policy includes a procedure which assesses if Turkey would be a safe country for the asylum seeker to return to. With Turkey's status as a safe country, this means it is often deemed safe for asylum seekers and refugees to be returned there. However, as the Council of State brought up in their questioning, Turkey has been refusing readmissions. This places asylum seekers in a legal limbo without documentation, under the threat of homelessness and lack of access to basic services, and leaves them at risk of prolonged detention in Greece, as they are placed between two countries, neither of which will process their claims.

Dutch Aid Organisations sue Dutch State over EU-Turkey Deal

Relatedly, on April 8th, news emerged that three Dutch aid organizations - Amnesty International, Stichting Bootvluchteling, and Defense for Children - are suing the Dutch State over the EU-Turkey Deal. The three NGOs want the Netherlands to take responsibility for violating "Dutch, international, and EU law and for the years of inhumane conditions on the Greek islands," as well as for the designation of Turkey as a "Safe Third Country".

Facilitation Directive: Feedback provided to the EU Commission by BMVN

In April 2024, BVMN provided feedback to the European Commission concerning the legislative proposal of the Facilitation Directive in 2023. After conducting thorough analysis, BVMN demonstrated that the proposed Directive defeats its purpose, by providing Member States with tools to further criminalise people on the move and actors supporting them.

The 2002 Directive has been heavily criticised for encouraging States to adopt sanctions for facilitation, not linking the offences with a financial motive, not specifying the sanctions for the offence of facilitation, and leading to possible criminalisation of people on the move and humanitarian assistance. The 2023 proposal, issued without an impact assessment, maintains this ambiguity, reflecting the augmenting trend of governments to enact hostile migration policies instead of safeguarding those seeking safety. Its nature as a criminal law instrument diverges significantly from International and EU standards, such as the UN Protocol Against the Smuggling of Migrants and the Anti-SLAPP Directive.

While the Directive seeks to exclude humanitarian assistance and guarantee the non-criminalisation of individuals who have been subjected to facilitation, such provisions are only found in the Recitals of the Directive and lack a corresponding article. Additionally, despite linking facilitation with a profit motive, the Directive does not require the financial gain to be unlawful, thus risking the criminalisation of individuals and service providers.

The absence of a financial gain criterion in cases involving a "high likelihood of causing serious harm" raises significant concerns by overlooking situations where people engage in operational tasks to reach safety without a profit motive. The impact of this absence can be easily identified in the frequent cases when boat or car drivers face facilitation charges, leading to lengthy legal proceedings and imprisonment.

The proposed Directive also introduces the broad term of public instigation as a criminal offence, thus raising concerns regarding further criminalisation of solidarity and possible violations of the right to information and freedom of expression. Furthermore, the concept of instrumentalisation is introduced as an aggravating circumstance related to criminal offences provided in the Proposal. Lastly, Member States are given the possibility to employ all the investigative tools at their disposal to combat organised crime, including facilitation, thus allowing for the use of heavily intrusive technologies and sparking severe worries around possible violations of the right to privacy.

The Directive aims at halting criminal networks from facilitating unauthorised entry in the EU, imposing high penalties while also providing Member States with more resources to persecute people on the move and those supporting them. It therefore aligns closely with the spirit of the New Pact, and emphasises the EU's commitment to 'combat smuggling', while eroding the rights of people on the move. In light of these concerns, BVMN advocates for the complete repeal of the proposed Directive.

Deaths and Disappearances

In an [aforementioned article](#) by the Middle East Eye published last month, human rights lawyer Nikola Kovačević, from Serbia, emphasises that both asylum-seeker disappearances and deaths during pushbacks have increased since 2020, a period in which €819 million of EU funding has been allocated solely to Greece to expand border controls.

Speaking of the increased risks that pushbacks mean for people on the move, he states, "Pushbacks will not decrease smuggling or illegal migration [...] They just increase the prices of smuggling and the risks to which asylum seekers are willing to expose themselves to get to the place where they will be able to enjoy the human rights they have been deprived of back home."

Maritime pushbacks and death in the Aegean Coast

According to [data](#) shared by the Turkish Coast Guard Command, 3,058 people involved in "irregular migration incidents" were found in March and 23 migrants lost their lives at the Turkey-Greece sea border. According to the same statistics, both the number of "irregular migration incidents" and the number of fatalities have increased compared to last year.

Of those 23 recorded deaths, 22 were a result of a rubber boat carrying a group of people [capsizing and sinking](#) off the coast of Çanakkale. Seven of the people who lost their lives were children. According to [the Turkish Coast Guard](#) (TCG) on March 15th, they received an emergency call informing them that 2 people had arrived at the coast of Büyükkemikli in Çanakkale's Eceabat district. They informed the TCG that they had been on board an inflatable dinghy with many other people that sank off Cape Büyükkemikli, and had managed to arrive at shore on their own. In the following operation, two people were found alive and 22 bodies were recovered from the sea, but more people are thought to be missing.



Rubber boat that capsized and sank off the coast of Çanakkale © CNN Turk

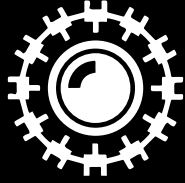
Violence and deaths in the English Channel

Despite the utilisation of illegal methods to deter people from crossing the English Channel - as described in the above section regarding the newly-obtained footage of a pullback -, people on the move are still making the dangerous journey across the water. New statistics published by the Home Office show that as of March 31st 5,435 people have been detected by UK authorities and subsequently brought to the UK. The average number of people per dinghy has over tripled since 2020, with an average of 13 per dinghy in 2020 compared to 49 in 2023. Alarm Phone has linked intensified police violence on the beaches, resulting in unsafe overcrowding in vessels, to the increase in deaths. The police, armed with tear gas, often create panic and fear during their efforts to prevent boats leaving the shore, resulting in chaotic attempts to board the boats in perilous conditions. In only three months, 2024 has seen a significant increase in the number of deaths in the Channel, with at least 9 people having died so far compared to 12 in the whole of 2023. These deaths include a 7-year old girl named Rula, who tragically lost her life after falling into the River Aa, 20 miles inland from Calais in Northern France. Despite this increase in fatalities, the aggressive policing tactics remain just as aggressive, if not more, leading to constant violations of the rights of people on the move.

TESTIMONIES PUBLISHED IN MARCH

Link	Incident	Recorded	Demographic	Group size	Organisation
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Croatia to Bosnia-Herzegovina					
<u>1.1.</u>	9th January	1st February	Morocco	1	Anonymous
<u>1.2.</u>	6th February	20th February	Morocco	4	Anonymous
<u>1.3.</u>	22nd February	14th March	Chose not to say	3	Collective Aid
<u>1.4.</u>	20th March	26th March	Cameroon Sierra Leone	5	Collective Aid
Bulgaria to Turkey					
<u>2.1</u>	3rd January	2nd February	Afghanistan	27	Collective Aid



Border Violence Monitoring Network

NETWORK STRUCTURE AND CONTACT

BVMN is a volunteer led endeavor, acting as an alliance of organisations in the 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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