

ENTER AT YOUR PERIL

LIVES PUT AT RISK AT
THE GATE OF EUROPE

AMNESTY
INTERNATIONAL



On 15 December 2012, a boat capsized after leaving Canakkale, Turkey, on its way to the Greek island of Lesbos, and 27 people died. The only survivor was a 16-year-old boy from Afghanistan:

“When I woke up in the hospital, I asked to go to the morgue. I just wanted to know if they have found the bodies of my friends. I saw them there. It was very difficult. I couldn’t sleep or eat for days afterwards.”



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above: A document belonging to a Somali woman, found on Fergaia beach on the Greek island of Lesbos in the Aegean Sea, August 2008.

cover: A night patrol of the Greek Coastguard spots a boat carrying migrants from Afghanistan, Somalia and Palestine, attempting to cross the sea border from Turkey to Greece, June 2009.
© Angelos Tzortzinis

One of the main entry routes for migrants and refugees trying to find safety or a better life in the European Union (EU) is the border between Turkey and Greece: on land in the Evros region in the north and across the Aegean Sea in the south. In 2012, more people crossed this border irregularly than any of the EU's other external borders. Many of them came from conflict-torn countries like Afghanistan and Syria.

In the last few years, Greece, with backing from the EU, has invested millions of euros to keep migrants out. In 2012, it completed a 10.5km fence along the most transited part of its land border with Turkey and deployed almost 2,000 additional border guards. Detention – often in appalling conditions – is the routine fate of those who arrive in Greece irregularly.

However, not everyone who sets out for Greece will arrive there. Since August 2012, at least 101 men, women and children, mostly Syrians and Afghans, have died attempting to cross the sea to reach the Greek islands. Reports of push-backs (the unlawful and often dangerous practice of

returning intercepted migrants to Turkey) are frequent.

The Greek government has the prerogative to control the entry into and stay of non-nationals in Greek territory, and the EU can support member states in carrying out legitimate border control activities. But the methods used on Greece's border with Turkey have led to serious human rights violations.

Other EU member states appear only too happy for Greece to act as their gatekeeper. But the policies and practices along the Greek border do not just shame Greece. They shame the European Union as a whole. They expose the bitter irony of European countries pressing for peace abroad while denying asylum to and risking the lives of those who seek refuge in Europe from conflicts in their homelands.

Migrants and refugees interviewed by Amnesty International described at least 39 separate instances of push-backs from Greece to Turkey, which they claimed to have experienced themselves between

August 2012 and May 2013. They reported that they were never given an opportunity to explain their situation or challenge their deportation. These people had already travelled a long way to reach the border: from Syria, Sudan, Afghanistan, Palestine, Eritrea, Iran, Iraq, Somalia and Cameroon.

The alarming number of testimonies collected by Amnesty International concerning push-backs suggests that these practices are regularly employed by the Greek border and coastguards and that many refugees and asylum-seekers are being indiscriminately denied entry to Greece and access to protection. In April 2013, UNHCR, the UN Refugee Agency, also reported that "[s]ome testimonies of Syrians received by UNHCR, make reference to informal forced returns (push-backs) or attempted informal returns to Turkey."

PUSH-BACKS AND INTERNATIONAL LAW

Refoulement is the forcible return of an individual to a country where they would be at risk of serious human rights violations. It is prohibited by international and European law to return refugees and asylum-seekers to the country they fled or to push them back at the border. States have an obligation to identify those at risk of *refoulement* and thus in need of international protection through fair and effective procedures.

Collective expulsions are specifically prohibited by EU law. A collective expulsion is the deportation of a group of people without looking at each case individually and considering the individual circumstances of each person separately. Protection from collective expulsion applies to everyone, including irregular migrants.

Push-back operations carried out by Greece deny people the right to explain their individual circumstances and raise any protection or other concerns. As such, they are in breach of Greece's international obligations and EU law.





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PUSH-BACKS PUT LIVES AT RISK

Amnesty International spoke to people who claimed that their lives have been put at risk because of the actions of the Greek border police and coastguard.

Some of the refugees and migrants navigating the Aegean Sea on overloaded small rubber boats described how at first they were relieved to see Greek coastguard boats. But they soon discovered that what they believed to be a rescue was in fact an operation to send them back to where they had departed from. In some cases people recounted how they deliberately damaged their boats once they spotted the Greek coastguard, hoping they would be rescued and taken to Greece.

left: Greek Coastguard near the island of Samos apprehending a boat with 25 migrants, November 2009.

centre: Footprints left by migrants on the banks of the River Evros at Lagyna, Evros region, Greece, February, 2011.

right: A group of migrants walk towards Nea Vissa village, Evros region Greece. October 2010.

THE STORY OF B. AND HIS FAMILY

In March 2013, B., a 17-year-old boy from Afghanistan, was being held at removal centre in Turkey, close to the Aegean coast. He was held in the centre with his two sisters, aged 15 and 16, as well as the children of his late sister – two boys, aged seven and three, and a girl of five.

He explained that his parents and older sister died in a bomb blast in Ghazni, Afghanistan. Fearing for his life and the lives of the five children placed in his charge, B. left Afghanistan in September 2012 with his sisters, nephews and niece. He stayed in Iran for five months and then came to Turkey. He went to the large coastal city of Izmir, where most refugees and migrants start their journey across the Aegean Sea. There he negotiated with smugglers to take him and his family to Greece. They were put on board a rubber dinghy with 36 others from Syria, Sudan and Iran. The smugglers told them to aim towards the lights in the distance, which they said was a Greek island.

“We left at 11.15pm. This was in late February 2013. But we couldn’t reach the island. We were at sea for three and a half hours. Then the Greek boat with Greek police found us. They took us onto their boat. They beat us very badly. They took all our money, our mobile phones, our clothes. Everything we had. They beat my sister so badly she has bruises all over her now ... So, we were on [the] Greek boat for three hours. At around 6am they took us back to Turkish waters; they put us back on our own boat, they scratched one side of our boat with their knife, they damaged our boat and they took away the motor and left us in the middle of the sea. We were 42 people altogether. There were three small children with us: my niece and nephews. There were also other children, but they were older... We were left in the middle of the sea, with nothing but a damaged boat.”

B. said that the Turkish coastguard rescued him and his fellow travellers. They were then detained at a removal centre for irregular migrants awaiting deportation.



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B.'s story and the testimonies of other refugees and migrants point to the blatant disregard shown by the Greek coastguard for human life during push-back operations carried out in the Aegean Sea. Amnesty International interviewed other people who said that their inflatable boats were rammed or knifed. Some nearly capsized while they were being circled by a Greek coastguard boat, or being towed. Some had their engines disabled, their oars removed, and were left in the middle of the sea on unseaworthy vessels.

Similar dangerous practices are reported by people crossing the Evros River. N. from Darfur said he was unlawfully sent back to Turkey across the Evros River in late December 2012.

"At around 9pm the Greek police tied our hands behind our backs with plastic. I saw them throw our bags into the garbage and then they took us in a small bus back to the river. There were two boats waiting in the river. They untied the hands of one of the Nigerian women; she looked sick. Then they forced us onto the boats. I was scared of falling off into the river with tied

hands. They told us to get off on a small island in the middle of the river; and then they left. They didn't even untie our hands but left us like that in the middle of the river. After about 40 minutes, the Turkish police found us on the island."

ILL-TREATMENT DURING PUSH-BACK OPERATIONS

Almost all who claimed to have been pushed back, whether on land or at sea, said that they either experienced or witnessed violence or other ill-treatment. People described being slapped, beaten and manhandled. Almost all those interviewed described being searched, and their mobile phones, money, jewellery, bags with clothes and family photographs being taken away or thrown into the sea. In one incident two people described being stripped naked.

U., an 18-year-old Afghan asylum-seeker, had been in the Edirne Removal Centre in Turkey for three months after he was illegally sent back to Turkey by Greek police in late November 2012.

"We crossed the river at night-time and walked for almost a day. Near a Greek town, the police caught us. They called a van and this van took us back to the river. There were already around 20 people in the van when they picked us up. They were all Afghans. When we arrived at the river, the police kept us there in the van for three hours. It was very difficult as the van was very crowded and it smelled horrible. While we were in the van, my friend called the UN and some other organizations to ask for their help. Shortly after this call, the police opened the van and asked who called the organizations. They took us out one by one and asked this. I guess one of us told them who had made the call because they then took my friend and beat him up with batons. Then they took our phones and our belts and deported us back to Turkey."

X., from Palestine, said he was on the Aegean near a Greek island in a boat with 11 others from Palestine and Syria, including a two-month-old baby on 6 March 2013. He said that the Greek coastguard towed them back to Turkish waters. "We asked for water from the Greek police, but they laughed at us and said 'you are like dogs'."



INDISCRIMINATE SWEEPS LEADING TO PUSH-BACKS

Being pushed back to Turkey does not only happen to people who have just crossed the border, but also to those who have been in Greece for years and have established family ties there. In addition to tightening border controls in the



above: Police officers stop migrants in order to see their residence permits in central Athens, Greece. Large scale sweep operations by the police from August 2012 resulted in many migrants being detained.

Evros region in August 2012, the Greek authorities also intensified operations in urban areas to round up and detain irregular migrants.

D., who had lived in Greece since 2008, described how he was picked up by police at the car wash where he was working in August 2012. He told Amnesty International that he was registered as an asylum-seeker in Greece, but had left his asylum-seeker card at home on the day he was apprehended: "I told the police I had this red card at home (asylum-seeker card) and that I had a wife and child here but they didn't listen to me; they punched me in the stomach and pushed me into a bus. There were about 25 others in the bus – from Sudan, Senegal, Bangladesh... We drove for about eight hours. Then they held us in a very bad place. Then at 1am, they took us in small cars to the river at the border with Turkey. I begged them not to send me to Turkey; I told them about my document, my wife and child; I asked them to check their computers. But they told me to shut up."

DETENTION

"What kind of a law can keep us here for a year? I am not a murderer, not a criminal. I am just a migrant. I just came here for a good life."

A young man from Afghanistan detained in Fylakio Immigration Detention Centre.

Extensive and indiscriminate use of detention is a major plank in Greece's migration policy. Greek law allows for the detention of irregular migrants and asylum-seekers for up to 18 months.

A man from Guinea in one of the large detention facilities in the Evros region said: "I have been here nine months, they say they can keep me another nine. Then they will give me a paper to leave Greece in seven days. How can I arrange to leave Greece in seven days? I cannot even make a phone call here. They will just arrest me again."



POOR CONDITIONS IN DETENTION

In April 2013, Amnesty International visited some of the facilities in Greece where irregular migrants and asylum-seekers are being detained: eight near the land border with Turkey and one on Lesbos.

Although the detainees – mostly young men, but also some women and even unaccompanied children – are often held for months, some facilities lacked any outside space for fresh air and exercise. In other facilities with outside space, detainees claimed that they were not regularly allowed outside.

Communication with the outside world is severely restricted. Mobile phones are banned at almost all facilities and public phones charge high rates for international calls. Many detainees have not been able to speak to their families for months since their money ran out.

Some facilities were visibly dirty and detainees complained that there was a lack of basic hygiene products like soap and shampoo and that they had to sleep

on bedding that was not washed for months. In two facilities, detainees complained that they had to call the guards whenever they needed to relieve themselves, as there were no toilets in their cells. They claimed that as their calls sometimes went unanswered for hours, they had to urinate in bottles.

CHILDREN DETAINED

Children are not spared the harsh conditions in Greece. Three unaccompanied boys from Afghanistan had been held in the Soufli Border Guard Station for more than three months at the time of Amnesty International's visit. One was confirmed as a minor after medical tests and the other two were waiting for their age test results. They shared a small cell without much space to walk around. Although the facility had a fenced yard, the boys said that they were not able to go out daily to get fresh air or exercise because the weather had been cold.

Amnesty International also spoke to two unaccompanied boys aged 16 and 17 in

the Iasmos police station. The two boys were being held in adjoining cells in the police station, sleeping on mattresses on the cement floor. H., from Afghanistan, had been detained in Komotini with adults for eight months until he was finally documented as a minor and transferred to Iasmos. The facility had no outside space or indoor exercise or leisure area. H. had already been there for about a month; the second boy, from Côte d'Ivoire, had been there a few weeks. Neither had any information about how much longer they might be held until space opened up in a shelter for children. They were visibly distressed and appeared in need of psychological support.

above left: Migrants inside a detention facility on the island of Samos, June 2009.

above: Fylakio immigration detention centre in the Evros region, Greece. (CC BY-SA 3.0)



CONCLUSION

Greece, at the external frontier of the EU, has had to manage the large flow of migrants and refugees, most of whom wish to go further west to other EU countries rather than stay in Greece. This responsibility is particularly difficult for Greece as the EU member state most affected by the economic crisis.

The EU and its Member States should support the Greek government in ensuring the rights of all migrants and refugees regardless of their legal status and find new ways to share responsibility with Greece for managing migration flows. EU policy should shift its emphasis from sealing off the EU's external borders to enhancing reception capacity and reception conditions for asylum-seekers, refugees and other vulnerable migrants. It should also enhance capacity for the identification of those in need of international protection at Greece's borders.

TAKE ACTION

These are difficult times in Greece, and for millions across Europe. But there can be no excuse for what is happening on the EU's south-eastern borders. Add your voice to those calling for migration and asylum policies that respect human rights and human dignity.

Call on the Greek Minister of Public Order and Citizen Protection to:

- Immediately halt the unlawful push-back of migrants and refugees on Greece's borders with Turkey, investigate allegations of indiscriminate expulsions and ill-treatment, and prosecute those involved.

- Ensure that all those intercepted in the Aegean or apprehended at the land border with Turkey have access to individualized procedures to seek international protection and to effective means of challenging any deportation decision.
- End the indiscriminate and prolonged detention of irregular migrants and asylum-seekers; and use alternatives to detention.

Join our campaign. Visit our website (www.whenyoudontexist.eu) to take action.

above: A boat arrives at the European Parliament in Brussels, Belgium, April 2013. Activists delivered over 70,000 signatures to ask the Parliament to protect the rights of migrants, asylum-seekers and refugees at Europe's borders.

**AMNESTY
INTERNATIONAL**



Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

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Amnesty International
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom

amnesty.org