



**Border Violence
Monitoring Network**

ILLEGAL PUSH-BACKS AND BORDER VIOLENCE REPORTS



JANUARY 2021

BALKAN REGION

EXECUTIVE SUMMARY

In January, the Border Violence Monitoring Network* (BVMN) reported on 21 illegal pushbacks, affecting 684 people in total. This report summarises the latest trends in border policing and provides updates from across the Balkans on violence being perpetrated against people-on-the-move. Specifically, patterns in pushback practice are examined alongside several important court rulings and EU level developments.

With the onset of the harsher winter months, reporters noted a slight downturn in pushbacks and mobility, with people travelling and being removed in smaller groups. But within this context, policing of borders has remained persistently cruel along the breadth of EU external borders. This publication leads with an analysis on practices of the Romanian police, revealing brutal and torturous techniques being used against transit groups. Meanwhile additional pushbacks from both Hungary and Croatia are examined, showing the way border geography is being utilised in lateral returns. Alongside this comes an update on the Constitutional Court Ruling from Serbia, condemning illegal expulsions to Bulgaria.

Following the western transit route, the landmark ruling from Italy on an illegal chain pushback is another of the most critical developments in January. Further cases from the Trieste area are described here, and seen in conjunction with analysis of Slovenia's role in chain pushbacks. Focus is also given to the consistently deteriorating conditions for people stuck in the Una Sana Canton, and the revealingly low number of official readmissions registered from Croatia to Bosnia-Herzegovina in 2020.

In Greece, the use of the river border with Turkey as a staging ground for pushbacks is analysed alongside BVMNs data from January. Across the mainland, the report also looks at pre-removal facilities and urban policing, unpacking the way that detention is weaponised as a tool within asylum and pushback systems. Meanwhile on the Aegean islands, attention is given to the suppressed living conditions for those in existing or newly opened camps, highlighted particularly in the example of lead poisoning in Kara Tepe.

Additional to the evidence presented here on the conduct of national authorities, a featured section covers the machinations of Frontex in Hungary in the wake of the European Court of Justice ruling. The report also elaborates on the transit situation in Serbia, with an update on squat dispersals and a preview of BVMN's new internal violence report. When combined, these updates from across the Balkans represent a crude and inhumane start to 2021, but one that is consistent with the violent border regimes that have defined recent years.

**BVMN is a network of watchdog organisations active in Greece and the Western Balkans including No Name Kitchen, Rigardu, Are You Syrious, Mobile Info Team, Disinfo Collective, Josoor, [re:]ports Sarajevo, InfoKolpa, Centre for Peace Studies, Mare Liberum, Collective Aid and Fresh Response.*



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GENERAL

REPORTING NETWORK

BVMN 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 members have a common website [database](#), used as a platform to collate testimonies of illegal pushbacks which are gathered through interviews.

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. Push-back 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. Push-backs have become an important, if unofficial, part of the migration regime of EU countries and elsewhere.

METHODOLOGY

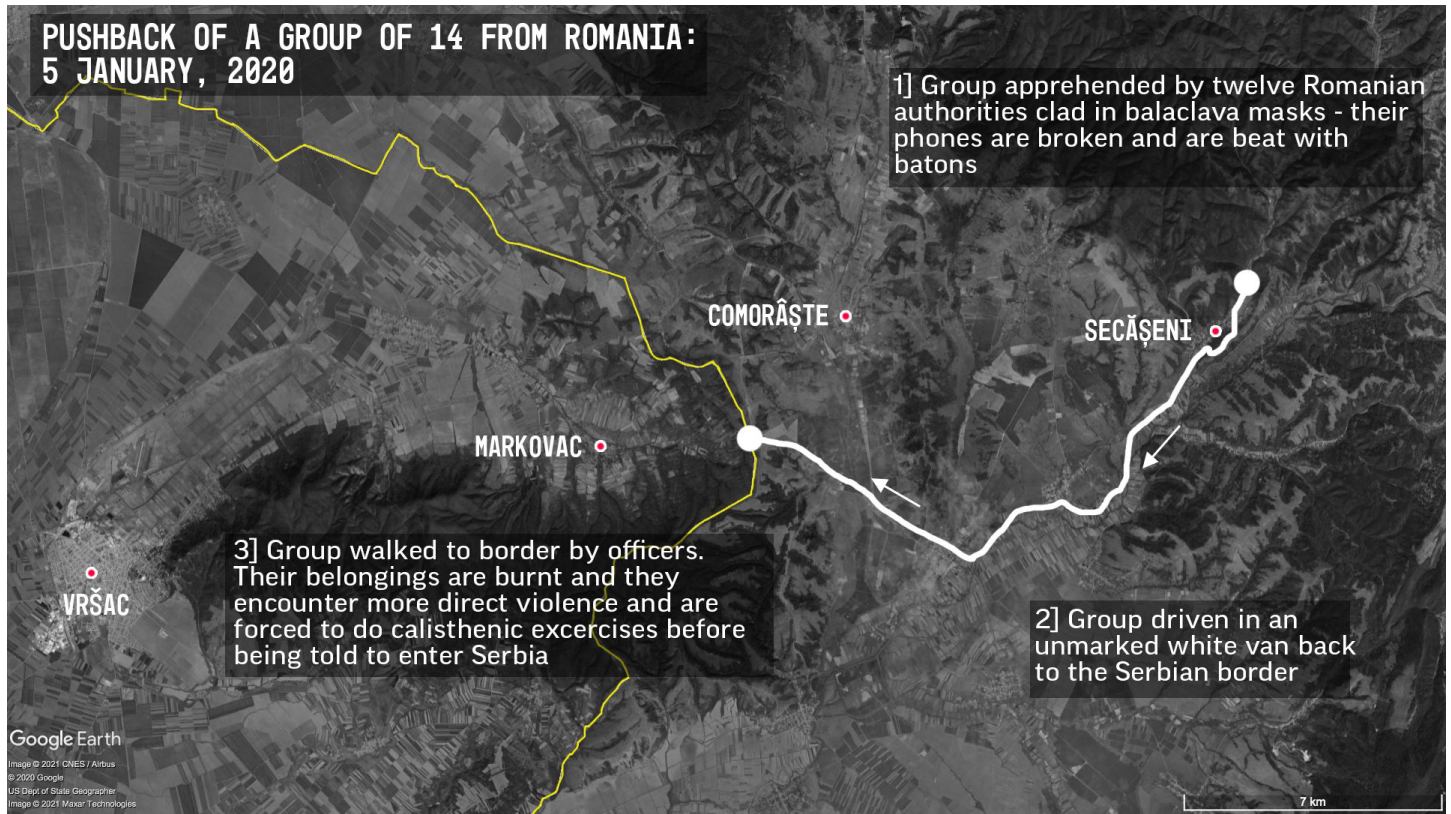
The methodological process for these interviews leverages the close social contact that we have as independent volunteers with refugees and migrants to monitor pushbacks at multiple borders. When individuals return with significant injuries or stories of abuse, one of our violence reporting volunteers 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 be as large as 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.

ABBREVIATIONS

BiH	–	Bosnia and Herzegovina
HR	–	Croatia
SRB	–	Serbia
SLO	–	Slovenia
ROM	–	Romania
HUN	–	Hungary
ITA	–	Italy
BGR	–	Bulgaria
MNK	–	North Macedonia
GRK	–	Greece
TUR	–	Turkey
EU	–	European Union

TRENDS IN BORDER VIOLENCE

PRACTICES AT THE ROMANIAN BORDER



Map of a pushback from January (Source: [BVMN](#))

As described in previous publications, many people-on-the-move are now choosing to take the route through Romania from Serbia (and sometimes Bulgaria). With the continuous [securitisation of the Hungarian border](#) and reports of excessive use of force by Croatian border officials, this development on the easterly route is far from surprising. But this shift has also been matched with increased pushbacks, and [UNHCR](#) reported on an uptick in expulsions from Romania after the end of the first COVID-19 lockdown.

Since the beginning of 2020, BVMN has documented 16 pushbacks from Romania, affecting a total of 223 people-on-the-move, mostly directly into Serbia. All but one of these testimonies involved reports of violence inflicted by Romanian border officials. Most of the pushbacks from Romania to Serbia seem to follow a similar

pattern. Transit groups, once apprehended, are usually subjected to theft or destruction of their personal belongings, such as power banks, phones and money. Several testimonies include reports of Romanian officials burning personal belongings. Additionally, physical aggression at the hands of Romanian police is frequently reported, especially beatings with batons and kicking.

But the violations do not end at physical assault. A report from [December](#) even saw Romanian officers forcing people-on-the-move to do physical exercise while standing on their backs. This new form of abuse was repeated in an incident from January (see [2.1](#)), which included a horrific level of abuse. Alongside the push-up exercises, members of the transit group were forced to eat pork, while officers mocked them for their religious beliefs. This, among other cases, points to a

deeply concerning trend in torture, cruel, inhuman or degrading treatment at the Romanian border.

"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."

One other notable trend that can be seen throughout several testimonies is alleged cooperation between Romanian and Serbian

authorities. Out of the 16 testimonies gathered, 12 include reports of Romanian border officials notifying Serbian authorities and handing over apprehended transit groups to them at the border. One [report](#) from June 2020, even involves Romanian border guards entering Serbian territory ordering people-on-the-move to enter Romania to then push them back. Other groups have repeatedly shared similar stories, suggesting that this may not be an isolated event.

LATERAL PUSHBACKS TO THIRD COUNTRIES

"Pushbacks", as suggested by the term, involve the replacement of transit groups back into the territory (or territories) from which they entered. Recent reports from Hungary (see [1.2](#) & [1.3](#)) illustrate this clearly, showing that police generally catch groups within 10–20km of the border fence, and effect a return to Serbia within 24 hours of apprehension. This pattern propels people in reverse along their transit route, and is the prevailing mode of border management in the Balkans – as seen in [chain pushbacks from Italy to BiH](#).

Yet there are also a small number of cases that subvert this trend, and alter the traditional geography of pushbacks. Most recently a pushback from Hungary to Serbia was carried out against a person who had entered the country from Romania (see [1.1](#)). Instead of following the process of returning the individual to Romania, the police created a circuit, pushing the person back sideways into Serbia. While direct pushbacks are inherently illegal, this case presents an additional level of abuse.

"I showed them my papers but they pushed me back."

The respondent, who had been registered in a camp in Romania, ended up being removed to Serbia – where he had no registered access to accommodation or active asylum claim, and was once again outside of the EU. This

was the second time he had been removed from Hungary, with the first leading to a direct return to Romania. In the later case though, officers decided to remove the individual southwards across the Serbian border, half-naked and with his valuables stolen. Whether through force of habit, an intention to disrupt transit, or as retribution for multiple border crossings, this case represents a level of spatial displacement that exceeds most cases.

Within the global context of pushbacks, the displacement of a person to a different location from which they departed has been referred to by monitoring groups as a "lateral repatriation". [No Más Muertes](#), who document collective expulsions at the US–Mexico border, note how border authorities take lengths to remove people at a vast distance from where they crossed the border, and that the process is a "*form of cruel and unusual punishment*". In the context of the Balkans, pushbacks often result in people walking for days in order to return to their departure point, causing physical and mental exhaustion. But the keenest examples of this "lateral" process might be best attributed to cases in which persons are removed to countries from which they had not entered from, as seen in this latest case.

Alternate examples of this removal practice can also be seen with arrivals by plane. BVMN previously reported on a family who had

[entered Hungary from UAE by flight](#), but were driven from Budapest airport to the Serbian border and pushed back. This process has also happened in Croatia, most notably with the removal of [two Nigerians students](#) to BiH who had flown in on visas to attend a sports tournament and were the subject to crude racial profiling.

In terms of land pushbacks that match this third country model, BVMN has also

documented the [removal of a group to Serbia](#), despite the fact that they initially travelled into Croatia from BiH. While these incidents remain outliers when compared to the level of direct pushbacks carried out at borders, they do pose insights into the possible tactics used by authorities to disrupt transit and/or carry out faster returns, irrespective of the destination.



Nigerian students pushed back from Croatia (Source: [Guardian](#))

PUSHBACKS NEAR ŠID

Winter has come to Šid, Serbia. But despite the cold, people-on-the-move are still trying to cross into the relative safety of the European Union. While Šid lies at the Serbian border to Croatia, individuals and groups also travel from Šid to various other parts of the EU external border. These alternative routes often lead them by train via Belgrade and then on to Subotica (Hungarian border) or Kikinda (Romanian border).

As described in other sections of this report, violence is experienced at all of these borders, with pushbacks from Croatia being no different. In January a testimony illustrated the continued practice of forcibly expelling people from the country via the train tracks that link Belgrade with Zagreb (see [3.1](#)). Other [reports](#) from the last months show that this pushback site at Tovarnik has

been consistently active – with police targeting both trucking, rail and foot crossings.

Recently people returning to Šid have also reported that some individuals and groups are being kept in detention for two or more weeks in Croatia prior to their pushback. While this is so far based on anecdotal evidence gathered by volunteers in the field, there is some indication that transit groups see this as being connected to their possession of Serbian camp cards and that officers suspect them of smuggling activity. Upon return to Serbia, detention is also a growing risk, with one transit group also reporting that they had been kept in prison after being apprehended on the train tracks leading to Tovarnik.



Visual route of a recent pushback at Tovarnik (Source:[BVMN](#))

GEOGRAPHY OF EVROS/MERIÇ RIVER PUSHBACKS

Across January, BVMN collected testimonies documenting pushbacks over the Evros/Meriç river on the Greek-Turkish border, impacting over 500 people-on-the-move. These incidents validate a pattern identified by [BVMN](#) of Greek authorities using small islands in the river to stage pushbacks, often leaving groups stranded there for indefinite periods. Beyond inhumane treatment – [pregnant women](#) have been left without food, water or shelter – several reports indicate that people are placed at direct risk of drowning (see [8.4](#)) in the river.

Ironically, Greece has cited [flooding](#) as a reason not to mount rescue operations or recover the bodies of those who have drowned, while using the river's water level and challenging geomorphology to [refute the possibility of pushbacks](#).

One testimony (see [8.5](#)) offers a compelling example of the dangers associated with this practice. It describes how eight North African

men were driven into the middle of the Evros river and ordered to jump in. With “*water reaching their chests*”, the men were forced to wade to an island from where they could swim to Turkish shores. While attempting the crossing, however, one man was swept away by the overwhelming current, only managing to survive by grabbing onto a fallen tree.

Witnessing this scene, the remaining men on the island feared to cross as they could not swim. With soaking wet clothes, they were stuck there for three days in sub-zero temperatures, until they were eventually retrieved by Greek police and pushed back to Turkey.

Perhaps most unsettling is that the officers allegedly watched this scene unfold and took over 72 hours to intervene. Hypothermia is the [second highest](#) killer of transit groups in the Evros region. Reminiscent of the [tri-border area](#) between Bulgaria, Greece and

Turkey, which is being used to stage indirect chain pushbacks, this phenomenon represents a weaponization of geography, or as one [commentator](#) eloquently wrote, ‘a

form of hybrid border violence that explicitly incorporates the river ecology itself’.



Ardas River where it converges with the Evros/Meriç
(Source: [Ifor Duncan and Stefanos Levidis](#))

PRE-REMOVAL DETENTION CENTRES

Pre-removal detention centres (PDC or PROKEKA as they are known in Greece) have long been a cause of concern for BVMN due to their conditions and link to illegal expulsions. Since April 2020, BVMN identified an emerging pattern of people-on-the-move being detained in PDCs across Greece – often for years on end – before ultimate transfer and pushback over the Greek-Turkish border. Located primarily on the mainland, the key PDCs are [Petrrou Ralli](#), [Corinth](#), [Paranesti](#), [Xanthi](#), [Amygdaleza](#) and [Fylakio](#), although the catastrophic system of detention on the islands must also not be [forgotten](#).

In 2019, it was estimated that [23,300 asylum-seekers](#) were detained in Greece. This shift towards mass incarceration has been underpinned by changes in Greek

asylum law implemented by the far-right New Democracy Party, which extended the maximum amount of time an asylum-seeker can be detained from three to 18 months. Even before it was implemented, the law was labelled a ‘[continuous trap](#)’.

Yet it is not only the law that has changed. Until 2019, the poor state of the Greek economy was used to justify detention, with the costs of properly integrating arrivals seen as too high. However, with Greece’s fortunes improving, [racist narratives](#) have served as a replacement. The comments of one officer in [Petrrou Ralli](#) are indicative: ‘they just come to Greece and become slaves ... so, in a way, [in] here they have a better life, because we feed them and provide them with accommodation.’

Paranesti is emblematic of the issues plaguing PDCs. In a [litany of offences](#) that is as long as it is shocking, hygiene concerns, broken sanitation systems, interning children, inaccessible medical services and extensive delays with asylum procedures have all been documented at the site. Set against indeterminate periods of detention, such dire conditions have unsurprisingly led to [outbreaks of dissent](#) among inmates. Or as [an open letter by protestors](#) put it, ‘*demands to be free and [treated] as human beings*’.

Yet, rather than improving the facility, Greek authorities have devised a simple solution: mass pushbacks. Currently subject to a BVMN investigation, in March 2020 over 300 people-on-the-move were [violently pushed back](#) from Paranesti to Turkey after a [series of hunger strikes](#).

More broadly, BVMN has flagged a number of cases (see [8.7](#)) that show how PDCs are

increasingly used to stage pushbacks. In [one testimony](#), the respondent reported that staff in Xanthi told detainees that they are free and will be allowed to continue their journeys, only to be crammed inside a van and pushed back to Turkey. These examples lead to the conclusion that PDCs have become a fundamental part of the pushback apparatus in Greece.

With thousands languishing in a state of ‘permanent impermanence’, suicide and self-harm are also now endemic in PDCs. In cases dating back to [2012](#), detainees have attempted suicide by [drinking detergent](#) and [jumping off buildings](#), while one person also [swallowed razor blades](#). There are some rays of light, however. At present, [international observers](#) are still granted access to PDCs where they can bring attention to, and hopefully check, these abuses. The question is: how long will it last?



Detainees in Amygdaleza (Source: [Ekathimerini](#))

UPDATE ON THE SITUATION

ITALY

ARRIVALS IN FRIULI-VENEZIA GIULIA

The past month saw very few people reaching Trieste, Italy. According to volunteers assisting people on their arrival, the few people that were able to cross via the Western Balkan Route were mostly families. The low number of arrivals can be attributed to both the weather and the continuation of chain pushbacks from the Friuli-Venezia Giulia region. In January, reporting teams gathered two testimonies of chain refoulement, via Slovenia and Croatia, to Bosnia-Herzegovina (see [4.1](#) & [4.2](#)), illustrating that the new year is but yet a continuation of the systemic violence that rose to prominence in 2020.

Locally, further incidents in the border area have contributed to the growing level of suspicion and anti-migrant sentiment. One [prominent case](#) included a bus driver that called the police after seeing a group of five people entering a bus in an area close to the border (near Mattonaia). Police arrived on the scene and admitted four people to the asylum procedure and the quarantine camp, while

the other person was arrested on charges of smuggling and aiding illegal immigration.

At a governmental level, personnel changes at the turn of the new year also spelled further pressure to curb migration from the border with Slovenia. On 30th December [Irene Tittioni](#) took over as Chief of Questura of Trieste. Having previously worked in developing the cross border patrols with both Austria and Slovenia, Tittioni's appointment compliments an already hard-line stance on migration, reflected at both regional and national level in Italy.

Against these forces however, local groups continue to act in solidarity with people making this perilous journey. On 8th January 2021, activists from No Cpr – No Frontiere, Linea d'Ombra and Strada Sicura organized a demonstration in front of the Croatian consulate, to protest against the ongoing chain pushbacks from Italy and the extreme conditions of transit communities in Bosnia-Herzegovina. The groups

brought testimonies of activists in Bihać and Zagreb, denouncing the violence carried out by the Croatian police and the increased sum of [European funds turned towards border control](#).



Treating wounds of arrivals in Trieste (Source: [Strada SiCura](#))

RULING ON PUSHBACK FROM TRIESTE

The Court of Rome issued a ruling in January on the illegal chain pushback of a Pakistani person from Italy, via Slovenia and Croatia, to Bosnia–Herzegovina. The applicant, whose case was [documented by BVMN](#), was represented by lawyers from the [Italian legal network ASGI](#), who provided conclusive evidence that Italian police officers had violated multiple domestic and international laws when carrying out the return.

The applicant was apprehended by Italian police on the Piazza della Libertà in Trieste, taken into detention, fingerprinted, and forced to sign papers. These procedures were carried out under the false pretence that he would be taken to a camp, but despite making clear and repeated requests for asylum, the applicant was forcibly driven to the border and expelled into Slovenia. From there, he was removed to Croatia, and finally ejected in a violent manner by masked Croatian officers to Bosnia–Herzegovina.

The court found that the pushback initiated by Italian authorities breached laws on asylum, detention, access to effective remedies and non-refoulement. Crucially,

under Article 10 (3) of the Italian Constitution, the court acknowledged the applicant's right to enter Italy immediately, and to full and proper access to the asylum system. The decision also has a direct bearing on the bilateral agreement between Italy and Slovenia which has been extensively used since Spring 2020 in order to carry out similar pushbacks. As [ASGI stated](#), the ruling given by the court directly implies:

“the illegality of the readmission procedure implemented on the Italian eastern border on the basis of an agreement signed between Italy and Slovenia in 1996 , never ratified by the Italian Parliament.”

Hopes are that this new court ruling will assist in the struggle of ending such practices and forging safe and legalised routes to the EU. Yet despite the court's decision, BVMN has continued to record pushbacks initiated by Italian authorities (see [4.1](#) & [4.2](#)), who are persistently mobilising the readmissions procedure, which generally marks the first step in a process of violent chain refoulement.



Bridge on the HR/BiH border (Source:[ASGI](#))

SLOVENIA

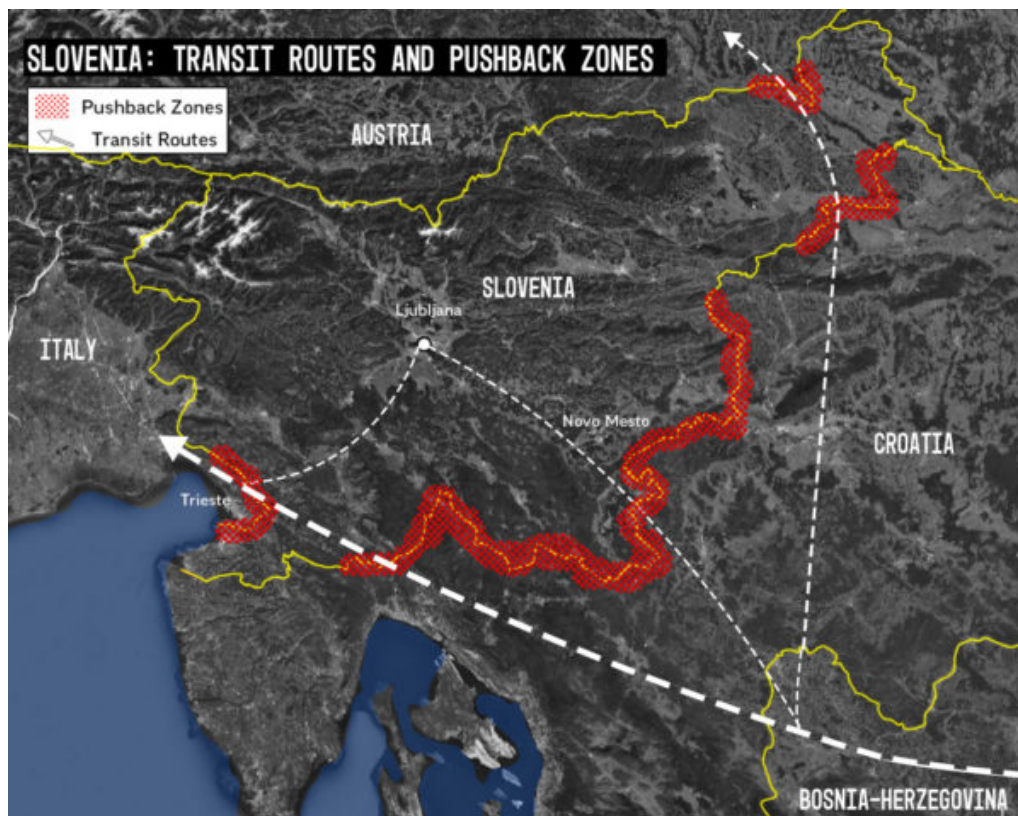
CHAIN PUSHBACKS RULING FROM SLOVENIA

In its judgment from 7th December, 2020, the [Administrative Court](#) in Ljubljana stated that, by following the abbreviated procedure on the basis of the Readmission Agreement with Croatia, Slovenia had violated the prohibition of collective expulsions, the prohibition of torture, and the right to access an asylum procedure of a person pushed back in August 2019. The applicant, a man from Cameroon currently still stuck in BiH, had been handed over to the Croatian authorities without being afforded due process, such as a proper interview and the right to lodge an asylum claim.

The Court outlined that Slovenia has not transposed the provisions of the [EU's Asylum Procedures Directive](#), which requires that authorities responsible for border controls are “adequately informed and trained to identify and process an application for international protection.” In this [specific case](#):

“[t]he applicant's request for international protection was overheard and was not recorded in the police file and he was not considered as an asylum seeker.”

The finding, which in itself is a crucial step in accountability for illegal border procedures, also draws an interesting parallel to the Court of Rome ruling issued in January. The decisions of national courts in member states could have a knock-on effect at an EU level, where similar expulsion procedures have been ignored or implicitly sanctioned for too long. Both the Italian and Slovenian court challenged the legal basis of readmissions agreements which are being implemented without respect of fundamental rights and in contravention of the principle of non-refoulement. This represents an important turn in the official acknowledgement of degrading and inhumane treatment in Croatia, but also the complicity of neighbouring EU states who are sanctioning chain removals through its territory.



Cartography of Slovenian chain pushbacks (Source: [BVMN](#))

CROATIA

READMISSIONS STATISTICS FROM 2020

According to a report by [news portal Istraga](#), as little as 208 people were processed under the bilateral return agreement from Croatia to Bosnia-Herzegovina last year. This figure sits in stark comparison to the 15,000 persons that Una Sana Canton police forces suggest were illegally ejected from Croatia during 2020.

The [readmissions agreement](#) signed in 2002, requires that neighbouring states formally exchange third country nationals and provide prior notification of these removals to the recipient (in this case the BiH Service for Foreign Affairs). Yet years of flagrant violations on the part of Croatian border police show that this agreement is not observed, and in the overwhelming majority of cases people are violently removed across the green border with no prior agreement of BiH authorities. BVMN itself recorded the pushback of at least 1,812 people last year, none of whom report being processed under

the readmissions agreement. Examples collected in January echo this fact, showing pushbacks at remote stretches of the border (see [6.1](#)), far away from official crossings where an exchange with BiH officers could occur.

The article in Istraga compared findings from BiH with the [official readmission data](#) from Slovenia in order to obtain an estimated number of chain pushbacks possibly being finalised by Croatia. When combined, 9,950 people were removed in chain processes from either Italy or Slovenia to Croatia in 2020. Add to this the number of people caught and directly pushed back from Croatia, and the figure rises significantly further. The systematic cover up being run by the Croatian Ministry of Interior only allows for estimates of this final figure, but it is likely to have challenged the estimated total of 25,000 people pushed back in 2019.

BOSNIA-HERZEGOVINA

DEVELOPMENTS IN LIPA

Numerous reports, including those from monitoring bodies such as [Human Rights Watch](#), have denounced the degrading situation for the transit community forced to live in the Lipa camp, in Bosnia's Una Sana Canton (USC). After much international scrutiny, and requests by BVMN and other human rights organisations to find an accommodation solution for the thousand people living in the temporary site, an impasse still remains at cantonal level over the reopening of Temporary Reception Centre Bira as an interim solution.

At the beginning of January, the European Union announced that it would provide another [€3.5 million in humanitarian aid](#) to support refugees and migrants facing a humanitarian catastrophe. Yet the concentration of local authorities on the

reconstruction of the camp in Lipa throws into serious doubt whether any of this money will make a negligible difference for people stuck in USC. Since the outbreak of fire on 23rd December last year, the site in Lipa has come under the management of the BiH Service of Foreigners' Affairs. While the shift in agency has beckoned in a new configuration of camp management, the SFA have recently proceeded to re-hire much of the former International Organisation for Migration (IOM) staff to work in the camp.

Organisations that had been previously present in Lipa must now make a specific request to the SFA to access the camp. The [Danish Refugee Council](#) who were providing a health referral system have already distanced themselves from the site on the grounds of "unethical" conditions. The [SFA](#)

[have a different interpretation](#) though, and state that all basic amenities are provided, courtesy of the “synchronisation of all the relevant bodies”. But the fact that this “synchronisation” includes a more active

constellation of police, special forces and national military on-site during the construction and maintenance of Lipa is also indicative of the way it is now being run.

HUNGARY

FRONTEX MAKE A HASTY RETREAT

Impacts of the ruling by the [European Court of Justice \(ECJ\)](#) in December 2020, which struck down key parts of Hungary’s asylum law, have continued to reverberate at international level. In particular, the Court’s recognition that Hungary’s pushback practices are in violation of the non-refoulement principle has elicited reactions, from civil society and EU institutions alike.

So far, the ruling has not caused the Hungarian government to change course. Data published by the Hungarian police clearly show that pushbacks have continued unabated since the ECJ’s ruling – a little less than [5000 pushbacks](#) have been carried out between the ruling and the end of January. In response, [the Commission voiced its concern](#), saying it would “*promptly send a letter to Hungary to enquire about the actions taken or planned for it to follow-up on the court's ruling*”. Hungary has [justified the continuation of its pushback practice](#)

with concerns over the pandemic. Whether or not such justifications would hold up in court is almost besides the point – either way, they allow Hungary to continue acting with impunity.

In contrast, Frontex, the European Border and Coast Guard Agency, has [responded](#) and “*made up it’s mind and will suspend all activities in Hungary*”. While this move is clearly welcome, it deserves contextualization. In a [statement](#), the Hungarian Helsinki Committee (HHC) summarised [internal Frontex documents](#) which clearly show that Frontex had been aware of severe human rights violations at the Hungarian–Serbian border since 2016. In fact, the Agency’s Fundamental Rights Officer recommended Frontex end its cooperation. Similarly, complaints by the HHC have led to investigations which implicated Frontex in severe human rights violations for several years.



It is disconcerting that Frontex has not responded to these well-supported concerns earlier, because the same legal pressure – demonstrated violations of an ECJ ruling by the Hungarian state – is unlikely to be achieved in other border contexts. The common threads connecting Hungary’s and Frontex’ responses to the ruling are: drawn out processes and no clear enforcement powers which lead to an expectation of impunity and a near-complete lack of accountability.

The border fence in Southern Hungary
([Source: Rigardu](#))

SERBIA

DISPERSALS FROM THE NORTH

Beyond the 5,665 shelter places available in government-run accommodation in Serbia, many more people face winter in improvised shelter or on the street. The official camps with capacity to shelter higher numbers of people are [located mostly in Southern Serbia](#), leaving large numbers of people-on-the-move sleeping rough in the Northern Serbian border area. With only 490 places available in the three Northern KIRS-run camps (Subotica RTC, Sombor RTC and Kikinda RTC), NGOs present in Northern Serbia estimate that the transit population sleeping rough is currently at around 700–1000 with little to no access to services provided by state actors.

While most of this population is located in abandoned houses or train wagons, there is also a growing number of people-on-the-move sleeping rough in close proximity to official camps. Around Sombor camp for example, there are currently around 70–80 people sleeping in makeshift tents in the adjacent forest. With temperatures dropping below zero frequently and regular snowfall during January, this population is especially vulnerable to the cold and at high risk of hypothermia and frostbite. People staying there reported that they are not receiving any material support from camp actors to shelter from the harsh conditions. Meanwhile, even those inside the camp suffer degrading conditions, with many sleeping on the floor.

While people-on-the-move sleeping in abandoned houses or train wagons have slightly better means to shelter from the cold, they still live in a precarious situation with a lack of access to hygiene facilities, medical care, or food support. Moreover there was another swathe of large-scale squat evictions in January, affecting locations in Subotica (close to the Hungarian border), as well as Majdan (close to Romania). Around 200 people on the move were forcefully transported to the South of Serbia. As seen in previous evictions, authorities came in the



People sleeping on the floor in Sombor
(Source: [Asylum Protection Serbia](#))

early morning hours, surprising people while asleep, and leaving them unable to gather their belongings before being put on busses and driven to Preševo RTC on Serbia's border with North Macedonia.

There are reports by people-on-the-move of local police authorities using excessive force and reports of violence ranging from kicking to beatings with fists and batons, including violence inflicted on unaccompanied minors. These evictions to the South are especially concerning as there have been reported cases of push-backs from Serbia to North Macedonia and even to chain-pushbacks to Greece following these incidents of forceful removal that have been [documented by BVMN](#).

NEW INTERNAL VIOLENCE REPORT

In January BVMN releases its second report in a special series that focuses on violence against people-on-the-move within state borders. The violence, as documented in this thematic report on Serbia, refers to direct physical aggression, either against transit communities or against their immediate necessities such as shelter, food or other essential possessions; or threats to their safety and physical integrity. The report is being released together with an [interactive timeline](#) of the history of Serbia as a transit country.

Analysing quantitative and qualitative data collected in the period of May–December 2020, the publication sheds light on the systematic violence people-on-the-move in Serbia are facing, perpetuated by different state and non-state actors.

Among other findings, this report shows that apart from the physical violence regularly inflicted by state authorities during pushbacks, transit communities are also often targets of bodily violence within Serbian borders. Though most reports on this topic point at police as the main perpetrators, camp personnel and local populations are also known to have been involved in multiple incidents, including violent attacks where injuries were sustained.

The involvement of local people in these actions links to the rise of hate speech and fascist violence targeting those who transit Serbia. As discussed in the report, this increase can be observed both in the influx of interactions on right-wing social media pages spreading hate speech against people-on-the-move during the past year, as well as [street demonstrations](#) and the creation of local patrol groups in different parts of the country.

Furthermore, the use of [evictions and sudden relocations of transit sites](#) by state authorities – commonly during the night or early hours of the day – is also analysed. The spike in these incidents has been coupled with a high degree of physical violence, as well as the theft and destruction of shelters, blankets and other personal belongings. These case studies also allow a more holistic understanding of the way [right wing groups and state organs](#), such as the police, function in unison to effect wide-spread repression.

The report also touches on the institutional obstacles faced in accessing different services, one of them being access to the asylum system. Another form of structural violence explored is the lack of access to medical care, which endangers the physical health of people-on-the-move, especially those sleeping rough.

CONSTITUTIONAL COURT RULING ON PUSHBACKS TO BULGARIA

A [Serbian Constitutional Court ruling](#) issued in January has found in favour of a group of Afghan asylum seekers who were illegally expelled from the territory into Bulgaria. The case, which dates back to 2017, centres on the experience of a group of 25 people apprehended in Serbia near the Bulgarian border. After entering vehicles driven by two members of the public, the group were stopped en route to central Serbia. The police arrested the drivers for trafficking, meanwhile the transit group were taken and held in detention in Gradina. The cell in the police station was described as in poor condition, and they were left without access to water.

The following day, the group were taken to a local court and stood before a judge for “administrative offences”. The court found that the Serbian authorities were obliged to treat the people as potential asylum seekers, and that upon release should “*issue documents for [their] accommodation in shelters*”. But despite this, [testimony](#) submitted to the court stated how the police then forced them into a van, drove them to a wooded area of the border with Bulgaria, and collectively expelled them from Serbian territory.

"They did not beat us but they did take away our papers for the Serbian asylum-seeker shelter"

This process of incommunicado removal at the green border, while in direct contravention of national and international law, is an all too common feature of pushbacks across South Eastern Europe. The lawyer who led the case, Nikola Kovacevic stated that this was “*hard to overestimate the impact of the ruling*”, and that the development was a “*warning to the Interior and Defense Ministries*” who are carrying out these pushbacks.

Notable present day examples of this practice include pushbacks from Serbia to North Macedonia. Cases of this, which peaked during the initial outbreak of COVID-19, affected people similarly registered within accommodation centres ([Tutin](#) and [Preševo](#)). Like the Afghani applicants favoured by the recent Constitutional Court Ruling, the groups were removed by Serbian authorities in a van, and in these cases subject to excessive force. Within this context of ongoing violations, the new ruling has particular relevance, and marks one step towards justice for those subject to illegal cross-border removals.



Photo of conditions in Gradina Police Station, Serbia (Source: [DW](#))

GREECE

LEAD POISONING IN KARA TEPE CAMP

Conditions continue to degrade in the Lesvos Reception and Identification Centre, also known as “Moria 2.0”, where there remains an overall lack of safe and adequate sanitation facilities for over 7,000 people in the middle of a pandemic, sub-standard food, and reduced access to legal, medical, and psychosocial services. Moreover, the canvas summer tents offer little protection from the cold, flooding and strong winds which are a particular feature of Kara Tepe, given its location on a small peninsula facing eastward towards the Turkish coast.

Yet in spite of these inhospitable conditions, the risk of [lead poisoning](#) in the camp (due to the site’s former use as a shooting range) has perhaps been one of the most pressing causes for concern. No lead testing or soil remediation was done before people were moved into the camp in September 2020. In October, [toxicology experts already warned](#) that the site could pose a serious health risk, even if all the bullets were removed due to the presence of lead dust and fragments. In December, Human Rights Watch (HRW) released a [report](#) describing the potential risks of lead poisoning in the camp, and [calling on the authorities to act](#). Additionally, [Evidence collected by people-on-the-move](#) also indicated that authorities failed to clear all unexploded mortar projectiles and live small arms ammunition, which could injure or kill if handled incorrectly.

On a visit to the new camp, [Greek Prime Minister Mitsotakis](#) had said that Kara Tepe was “a clean facility, and a site with order and safety,” while also stating that “we have completed the surveys and studies with the relevant authorities to ensure soil quality, and flood protection projects are being completed for winter protection.” In response to letters from HRW, Asylum Minister Notis Mitarachi [stated](#) in a letter on 19th November that the camp had “no lead contamination,” but provided no evidence for that assertion. He said the government has agreed to

conduct soil testing with the European Commission within one month, but has not revealed the nature of the testing, the areas to be tested, or the methodology.

It is unclear if any further steps have been taken by the Greek authorities to ensure the safety and wellbeing of those living in Moria 2.0, and as winter weather continues to pound the camp, [the situation grows only more dire](#). Symptoms of lead poisoning are often difficult to diagnose, but the adverse health effects can be irreversible, including (but not limited to) brain and nerve damage, which is particularly severe for children while their bodies are in developmental states. The severity of symptoms increases with prolonged exposure. The right to health, encompassing protection from harmful substances/environmental conditions is recognized under international law and the Greek Constitution. Steps must be taken that this right be secured for people-on-the-move on Lesbos.



Moria 2.0, Lesbos (Source: [AYS](#))

SEVERE WINTER CONDITIONS ACROSS THE AEGEAN ISLANDS

Winter conditions across Greece have taken a high toll on the tens of thousands of people living in overcrowded ‘hotspots’ across the Aegean islands. Parallel to the deteriorating situation in Kara Tepe, other sites are also bearing the brunt of the inhospitable weather and a chronic lack of support.

In Samos, about 3,500 people live [on the slopes of the mountain above Vathy](#) in tents and makeshift shelters, which offer little protection against the cold. Over 500 fall within at least one of the ‘vulnerable categories’ i.e. newborns, pregnant women, people with disabilities and chronic illnesses, elderly people, SGBV survivors, single women, single parents and separated children. In January, [grassroots NGOs on Samos](#) stepped in once again to cover immediate needs, such as accommodating 50 of the camp’s most vulnerable residents, [providing hot meals](#) and distributing essential [winter NFIs](#). Additionally, Samos experienced severe rainfall after the bitter spell, producing [dangerous conditions](#) for camp residents due to the large quantities of water flowing down the mountain and through people’s shelters.

Similarly in Chios, where [over 2000 people](#) live in Vial camp, the temperatures dropped to -5°C. The bitterness is felt harshly by Vial camp’s residents as the structures are



Vathy Camp, Samos (Source: [AYS](#))

located in an elevated and exposed position. Vial Camp floods regularly, carrying with it uncollected trash and further attracting pests to people’s shelters. This was coupled with electricity and water shortages throughout January; those living in Vial camp have had to cope with a severe lack of [access to heating and running water](#) during this harsh weather. The past months have been increasingly difficult for the 500–800 people who have been notified of the decision or second rejection of their asylum application. These applicants, as analysed in a recent [AYS article](#), are “no longer entitled to material support from the RIC, including space to shelter, cash assistance and food”, which has “resulted in forced evictions and mass clearances of sections of the camp”.



Vial Camp, Chios (Source: [Refugee Biryani and Bananas](#))

DETENTION, EVICTIONS AND RACIAL PROFILING IN ATHENS

In urban Athens, the COVID-19 pandemic continues to be used to justify increased police presence in the streets. Under the current lockdown, there are six official reasons, such as shopping, for which people are allowed to be outside. Additionally, a curfew has been imposed from 18:00 to 05:00 in most areas. The penalty fine, if you are found to be in violation of these new regulations, is 300 euros -- more than double what most asylum seekers receive as monthly support from the state, and nearly equivalent to one month's wages for those working minimum wage jobs.

Police presence in Athens has largely followed existing socio-economic and political divisions by neighborhoods: in wealthy neighborhoods, police presence is

minimal, and largely non-aggressive. In inner-city, diverse or "leftist" neighborhoods such as Viktoria, Kypseli, and Exarchia police presence has increased drastically. [Reports](#) of police brutality have risen, while human rights groups and opposition parties are now warning that under the pretext of fighting the pandemic, the conservative government of Prime Minister Kyriakos Mitsotakis is [cracking down](#) on protests. Commonly, police stop people-on-the-move, checking their compliance with COVID-19 regulations, and their legal status. [Police sweeps](#) in central Athens disproportionately target people of color, and have [led to increased anxiety and precarity](#) among migrant and transit communities over arbitrary stops and the potential for either heavy economic consequences, or detention.

GLOSSARY OF REPORTS, JANUARY 2021

In January BVMN published 21 reports, impacting 684 people-on-the-move. The people in these cases included men, women, children with guardians and unaccompanied children. They also represent a wide demographic, including people from Syria, Iraq, Kurdistan, Palestine, Afghanistan, Pakistan, Bangladesh, Algeria, Morocco, Tunisia, Sudan and DR Congo.

-5 pushbacks to Serbia (3 from Hungary, 1 from Romania, 1 from Croatia)
-5 pushbacks to Bosnia-Herzegovina (2 from Italy, 1 from Slovenia, 2 from Croatia)
-1 pushback from North Macedonia to Greece
-10 pushbacks from Greece to Turkey

LINK	INCIDENT	RECORDED	GROUP	DEMOGRAPHIC
HUNGARY TO SERBIA				
1.1	5 th December	31 st December	5	Palestine, Morocco, Algeria, Tunisia
1.2	31 st December	20 th January	5	Afghanistanv
1.3	18 th January	20 th January	5	Afghanistan
ROMANIA TO SERBIA				
2.1	5 th January	12 th January	13	Afghanistan
CROATIA TO SERBIA				
3.1	18 th December	20 th December	14	Afghanistan

LINK	INCIDENT	RECORDED	GROUP	DEMOGRAPHIC
ITALY TO BOSNIA-HERZEGOVINA				
4.1	5 th January	24 th January	6	Bangladesh, Pakistan
4.2	16 nd January	24 th January	10	Afghanistan
SLOVENIA TO BOSNIA-HERZEGOVINA				
5.1	13 th January	28 th January	25	Pakistan
CROATIA TO BOSNIA-HERZEGOVINA				
6.1	26 th December	9 th January	3	Morocco, Algeria
6.2	18 th January	27 th January	4	Morocco
NORTH MACEDONIA TO GREECE				
7.1	11 th January	15 th January	9	Afghanistan, DR Congo
GREECE TO TURKEY				
8.1	31 st December	2 nd January	40	Syria, Iraq, Algeria, Tunisia
8.2	2 nd January	2 nd January	80	Pakistan, Palestine, Syria, Kurdistan
8.3	2 nd January	3 rd January	40	Palestine, Syria, Morocco, Algeria, Tunisia
8.4	3 rd January	3 rd January	40	Palestine, Syria, Morocco
8.5	8 th January	9 th January	20	Afghanistan, Pakistan, Syria, Morocco, Algeria, Sudan
8.6	10 th January	11 th January	80	Palestine, Syria, Morocco
8.7	11 th January	12 th January	85	Syria, Morocco, Algeria
8.8	16 th January	17 th January	1	Tunisia
8.9	18 th January	28 th January	30	Afghanistan, Pakistan, Bangladesh, Palestine, Syria, Morocco, Algeria
8.10	21 st January	24 th January	85	Afghanistan, Pakistan, Syria, Morocco, Algeria
FIND ALL REPORTS ON THE DATABASE HERE .				

NETWORK STRUCTURE AND CONTACT

B	O	R	D	E	R
V	I	O	L	E	N
M	O	N	I	T	O
N	E	T	W	O	R
K					

BVMN is a volunteer led endeavor, acting as an alliance of organisations in the Western Balkans and Greece. BVMN is based on the efforts of participant 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 for volunteers in the field and four paid positions.

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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