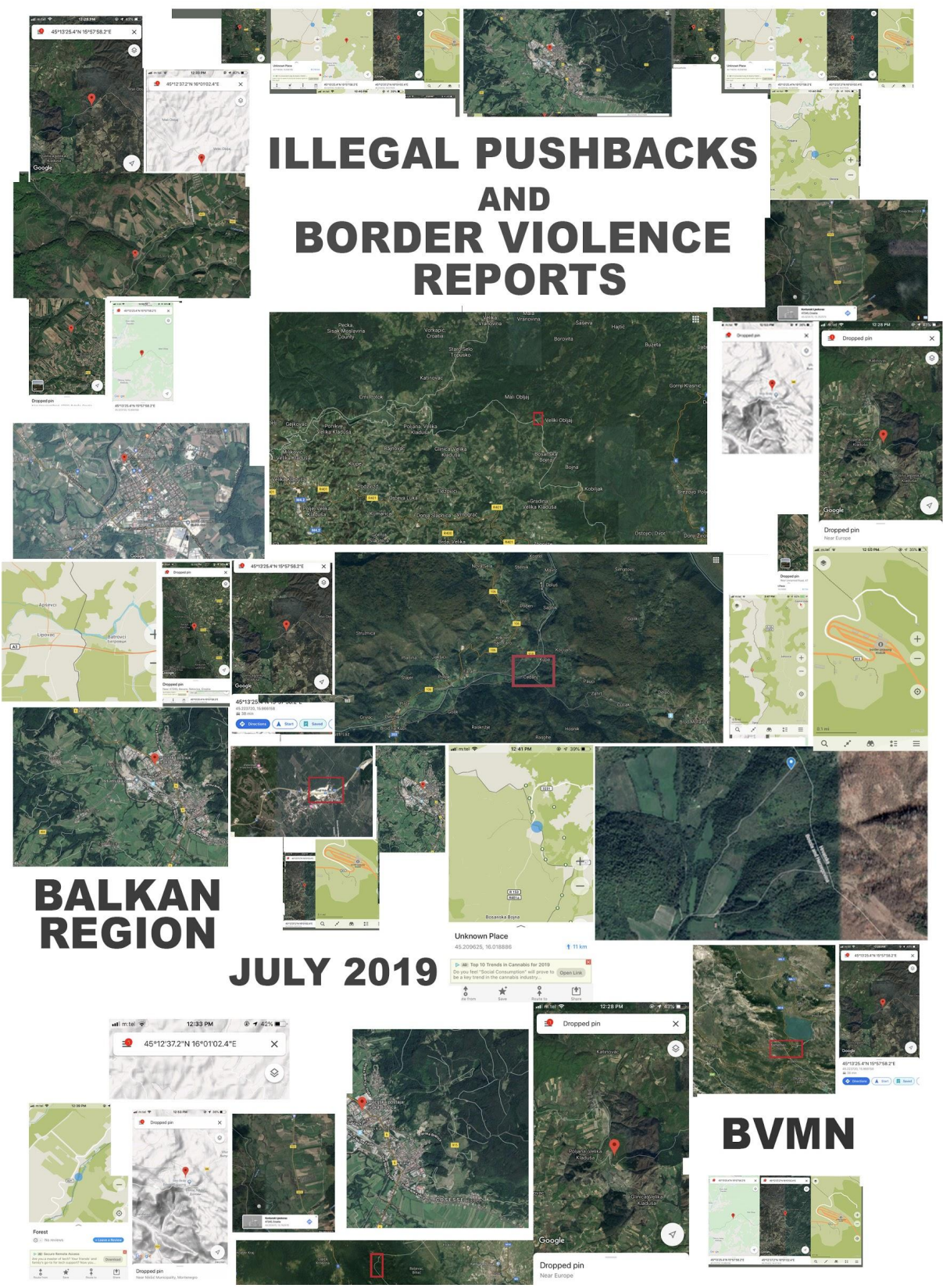


# ILLEGAL PUSHBACKS AND BORDER VIOLENCE REPORTS



**BALKAN  
REGION**

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**BVMN**

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### *Executive Summary*

In July, illegal cross-border pushbacks continued at an increasingly institutionalized level along the EU's external borders throughout the Balkans. Politicians, encouraged by unclear signals from the EU, have made clear that pushbacks operations are organized from the highest level of government. Varying levels of violence are employed by police officers during the apprehension, detention and return operations, creating a deterrence effect.

This month, the Border Violence Monitoring Network conducted 40 reports of pushbacks in total, involving 579 people-in-transit. 20 of these were incidents of pushbacks to BiH (12 directly from Croatia and 8 chain-pushbacks from Slovenia), 13 of these were incidents of pushbacks to Serbia (7 from Croatia, 4 from Hungary and 2 chain-pushbacks from Slovenia), 4 of these were incidents of pushbacks to Montenegro from BiH, 2 of these were incidents of pushbacks from North Macedonia to Greece and 1 of these incidents was a pushback from Greece to Turkey. The reports were conducted with a wide demographic variety of respondents including families, single men and unaccompanied minors. These respondents in these reports also originate from a wide variety of places, including Turkish Kurdistan, Palestine, India, Burundi, Senegal and many other countries.

Competing narratives around the legality of pushbacks have emerged, muddying the waters. This has become especially clear as Croatian president Grabar-Kitarovic admitted that pushbacks were carried out legally, which is contradictory to begin with, and that "of course [...] a little violence is used." Croatia's tactic of de facto condoning illegal pushbacks is similar to Hungary's strategy to legalize these operations domestically, even though they violate international and EU law. On the other side of the debate, a whistleblower from the Croatian police described a culture of secrecy and institutional hurdles, which prevent legal and organizational challenges to the practice. The role of the EU in this debate remains critical. However, despite paying lip service to the EU's value, Brussels' continues to shoulder the bill for a substantial part of the frontier states' border operations.

National police forces use these resources to conduct their return operations. The concrete tactics of police officers vary depending on the permeability of the border, the surrounding terrain, and changes in migratory movements. Common tactics include the destruction of personal property, especially communication equipment, exposure to extreme heat, and push-backs in ever-more remote locations. All this serves to physically and financially exhaust the people-in-transit, making it harder for them to attempt another crossing.

## **General**

### **Methodology**

The methodological process for these reports leverages the close social contact that we have as independent volunteers with refugees and migrants to monitor push-backs in the Western Balkans. When individuals return with significant injuries or stories of abuse, one of our violence reporting volunteers will sit down with the individuals to collect their testimonies. 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 65 persons. We have a standardized 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. 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.

### **Border Violence Monitoring Network**

The Border Violence Monitoring Network is a joint-project collectively guided by individuals from a variety of organizations, rather than an NGO of its own. Independent individuals and volunteers of No Name Kitchen, Escuela con Alma, Mobile Info Team (among others) collect the testimonies of affected transit groups and individuals using a shared methodology and editing structure. In solidarity with the people suffering these abuses, we aim to bring their often forgotten stories to public attention and demand that these practices stop immediately.

### **Abbreviations**

*BiH - Bosnia and Herzegovina*

*HR - Croatia*

*SRB - Serbia*

*SLO - Slovenia*

*EU - European Union*

## Update on the situation

### Croatia

#### *Grabar-Kitarović admits to push-backs and use of violence*

The debate around pushbacks was sparked again this month by a controversial interview conducted by Swiss media outlet SRF with the Croatian President, Kolinda Grabar-Kitarović. On the 9th of July, Grabar-Kitarović spoke with unusual candor, attempting to legitimize Croatia's routine "pushbacks" of transit groups from Croatian territory into BiH. While the President's support for the tightening of controls on migration are familiar, the adoption of "pushbacks" as a term for state-run deportations is wholly unique, and prompted a response from human rights groups and media outlets. An excerpt from the interview runs as follows:

*Reporter: "My colleagues filmed illegal push backs of the Croatian police. How do you react to this report?"*

*Kolinda Grabar-Kitarović: "Illegal push backs? Why do you think they are illegal? We are talking about illegal migration, people trying to cross into Croatia illegally and the police pushing them back into Bosnia-Herzegovina. Because there are actually border crossing[s] that are open for anyone who wants to cross into Croatia and ask for asylum."*

*Reporter: "What about the injuries of the refugees, we see in reports by international organisations, when they come back they are talking about violence by the Croatian police, is this wrong?"*

*Kolinda Grabar-Kitarović: "I have made inquiries and I am being reassured time and time [again] by the Minister of the Interior, by the Chief of Police and by the police on the ground whom I've seen, that they do not use force that would be too much. Of course when you are pushing people back there is a little force."*

For the first time, crimes put to the Croatian authorities regarding pushbacks seem to have reared their head not in terms of denial but in a faltering tone of self defence, engaging in the field of contestation around what is more (un)lawful: illegal pushbacks or illegal migration? The ensuing media response quickly picked up on what was, in its essence, the admission of highly illegal border practices. After years of denials and rebuttals, this admission on the part of the Croatian state by its highest representative represents an interesting turn in the projection of border politics on the Western Balkan route.



*Kolinda Grabar-Kitarović in the SRF interview*

The Guardian ran an [article](#) highlighting Grabar-Kitarović's paradoxical stance that pushbacks are not illegal. Her retort to the interviewer argued "We are talking about illegal migration?", relegating the unlawful (and violent) removal mechanisms of a pushback to the status of a legitimate resource drawn on to stop irregular border crossings. Though in some ways this has been a default position for Croatian authorities regarding forced removals of migrants, importantly these comments are the first to break the tightly choreographed narrative around legality and openly adopt "pushbacks" as both a term and as a recognised tool of the Croatian state. But was this just "wordplay" on the part of the media, as the Presidents' Office later asserted, or a sign of a redefining political discourse in Croatia?

The response from Human Rights Watch (HRW) was quite strongly in favour of the latter interpretation, their [open letter](#) published in the press on 15th July stating:

"The summary return of migrants by an EU member state to a non-EU member state without first considering protection needs and with the use of force violates multiple EU laws and the UN Refugee Convention."

HRW highlighted the contradiction in the President's new stance after a year of whitewashing at domestic and EU level. In a hastily prepared statement, the President's Office offered a mottled [rebuttal](#), reasserting that the President stood by all her assertions and that no amount of "wrong translations or extracted parts of statements" would cause Grabar-Kitarović to back down on what she held to be Croatian police officers acting "legally, professionally and humanely in the conduct of border control activities". Certainly this seems to be a climb down from her initially

contentious use of the word “pushback” to describe the obligations of her border authorities.

However, her response retained a defiant attitude towards the issue of legality, reasserting that it is the “lawbreakers” (people-in-transit) making the dangerous crossing into Croatia that should be held in contempt of legitimate border practices. The statement recentred her original comments to within the framework of EU legislation (namely Article 8, Point 4 of [Directive 2008/115/EC](#)), claiming the violence used in the pushbacks was proportionate and, in her words, kept at a “minimum necessary to protect the security of police officers”.

To speak of the litany of broken bones, tissue contortions and concussions suffered by transit groups as merely the result of “a little force” is obtuse and quite flagrantly indifferent to the various levels of documentation on pushbacks from Croatia. Some readers might then deduce these remarks as less a slip of the tongue and more accurately the entrenchment of a supralegal border dynamic, whereby members of the executive (who should uphold due process) begin to suffuse technical procedures with parallel (and quite patently illegal) structures of border management. Though doubling back on the question of legality, the Croatian President may have gained political breathing space in her support for “pushbacks” and by introducing the idea of tackling illegal migration as superseding obligations to uphold international law, the comments also serve a purpose in the ongoing efforts to protect reactionary border controls. Whether the wider audience consider this to be the case, or afford the President the benefit of the doubt in her lexical choices, the exchange certainly elevated once again the profile of “push-backs” on the Balkan Route and the reflexive weaponization of legality in their justification.

### ***Whistleblowers increase pressure on Croatian authorities***

There have been multiple reports in July regarding Croatian police involvement in the illegal practice of push-backs from Croatia to Bosnia and Herzegovina and Serbia, which confirm the documentation that NGOs and human rights organizations have recorded about this illegal practice.

In July, an anonymous [letter](#) from a Croatian police officer to Croatian Ombudswoman Lora Vidović was published. The letter was written by a Croatian police officer involved in border enforcement who explained that he had pushed back at least 1000 persons and being ordered by superiors to target the material belongings and legal papers of transit groups before forcefully pushing them back to Bosnia-Herzegovina.

Furthermore, the officer mentioned the routine use of weapons as a scare tactic during these procedures alongside violence. Interestingly, the officer also alluded to the allocation of extra resource units from other police stations for short term deployments which he described as often being more physically violent towards transit groups. These orders and these strategies, he wrote, came from above.

In an interview with [TRT](#), Croatian Ombudswoman Lora Vidović stated that pushbacks are a reality and that they know the police are withholding evidence from the public. However, she claimed that the problem is that it is difficult to hold officers accountable for their actions because “you don’t have the victim.” She explained that if you want to sanction the perpetrator, then the victim must find a lawyer and start an investigation and take the case all the way to the European Court of Human Rights in Strasbourg. Such a legal proceeding would take years and this is an unrealistic option for people in transit who do not have a permanent address where they can remain for the length of time of the legal proceeding.

Vidović also states that everyone in the European Union is allowing push-backs to happen, as the EU has sent almost 100 million Euros to Croatia to help them protect their borders with this money paying the salaries of police officers who participate in pushbacks and border violence. While the EU has criticized reports of violence and pushbacks by Croatian police officers, they tacitly support these practices by not only providing the financial means necessary to support such actions, but also by praising Croatia for protecting the European Union’s borders.

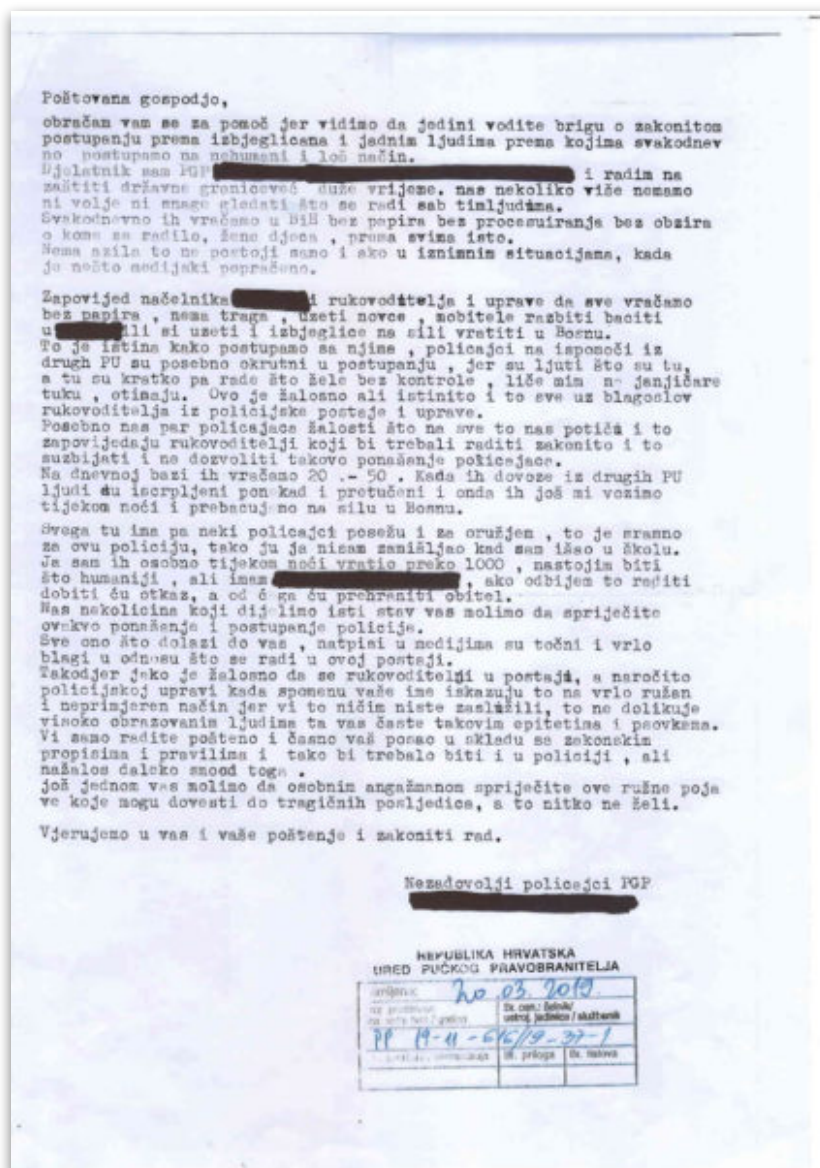
The author of the anonymous letter is not the only whistleblower: a further account by a different whistleblower was documented by the [BBC](#), [Telegram](#), and [TRT](#) this month. The officer reported that the orders to push back groups of migrants go all the way to the top of the Ministry of Interior’s hierarchy. He received orders from his superior, who got the orders from his superior. He reported that they were ordered to catch groups of migrants before they reach human rights groups or any place that would help them seek asylum. The officer described participating in four pushbacks in 2018 and confirmed that Croatian officers did not fulfill international and domestic law by allowing individuals the chance to apply for asylum, and instead returned people without giving them access to their legal rights. While he never directly witnessed physical violence, he heard officers discussing the practice of destroying mobile phones and inflicting physical violence on the individuals they apprehended. He explained that the officers were instructed to take the apprehended individuals to a place on the Bosnian border where it is easiest to cross and where there are few Bosnian police patrols.



He explained that there was nowhere for officers to report these illegal orders. The normal procedure is for them to report an illegal order to a superior, but it was their superiors who were issuing the illegal orders. Those officers who did refuse to carry out push-backs were punished by being demoted to building guards and receiving a low salary for six months. Ombudswoman Vidović admitted that everyone has known pushbacks are happening, but that this report from the whistleblower is much worse than she imagined because police officers who disagree with such orders are at [risk of losing their jobs](#).

The whistleblower explained the process of these pushbacks. They reported that there is a private cell phone that is used to report when people-in-transit have been apprehended in Croatian territory. The shift boss then returns a call to the private phone and instructs the officers to take the people to the border. The use of the private phone means that nothing is recorded. If an individual asks for asylum, the officers are instructed to tell them that there is no asylum. The whistleblower stated that “it is as if we have never found or taken them to the border.”

The officers also carry out searches of the people-in-transit’s bodies and possessions without a warrant and the apprehended people are then returned to Bosnia or Serbia without any legal procedure. However, the whistleblower explained that in some cases the police do provide people in transit access to legal procedures, but this is only in order to protect Croatian police officers so that they cannot be traced carrying out group expulsions. For example, when the Croatian police receive multiple calls from citizens who report seeing groups of people-in-transit, or when people-in-transit are apprehended in a public place in the daytime, then these people are usually taken to a police station where they will be processed and their personal information recorded; in the case that these cases are ever questioned by a member of the public, the police would have evidence that they were following the legal procedure before returning the individuals to either Bosnia or Serbia.



*The letter written to the ombudswoman by a Croatian police officer*

Despite the ever mounting evidence of illegal practices by the Croatian police, there has so far been no response to Ombudswoman Vidović's request for competent domestic institutions in Croatia to investigate these claims, and the Croatian Ministry of Interior (MUP) [continues to deny these claims](#). Should the voices of dissent within the Croatian police forces only get louder, however, it may become increasingly difficult for such institutional silence to continue.

**Bosnia and Herzegovina*****BiH politicians' rhetoric on Croatian push-backs***

Bihać mayor Šuhret Fazlić, whose city, along with Velika Kladuša an hour to the north, is at the epicenter of the transit flow in BiH, stated in February that “as a Bosnian, it insults me when someone from another country can enter Bosnia and do what they want in it.” In this way, Fazlić attempted to draw attention to the long alleged incursion of Croatian authorities onto BiH territory through the course of their push-back procedures: “Every day, Croatian police enter Bosnia and either return or bring fresh migrants into our city, and the State level authorities must do something about this.”



*Bihać mayor Šuhret Fazlić*

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Fazlić has increasingly [criticized](#) Croatia's actions and provided evidence for his allegations. As reported by [BBC](#) and [Jutarnji List](#), Fazlić reports having personally witnessed Croatian police bringing “exhausted, tired, hungry” migrants into BiH territory. In one case, Fazlić witnessed “Croatian police, armed with Kalashnikovs”. Fazlić introduced himself and told the police officers that their actions are illegal, but “they just shrug and say that they have such orders” to carry out their actions. It is not only important that a political figure witnesses and thus adds more weight to the long list of allegations and evidence against Croatia, but that such a figure speaks out

publicly and strongly *against* such actions, as Fazlić has done on numerous occasions, at one point even [informing the Consul General of Croatia](#) Zlatko Kramarić.

Fazlić is not the only voice speaking out: Minister of Security of BiH Dragan Mektić, who has previously accused Croatian police officers of forcibly returning people-in-transit to BiH, now claims he has evidence to back this claim. On August 1st, [Mektić stated](#): “We have all the information that they come into our territory armed and record what they do with the migrants who move from Bosnia and Herzegovina to Croatia, and then they beat them, steal money, cell phones and return [them to BiH].” Mektić has forwarded all relevant information to the BiH presidency, which it is important to note has been largely silent on the issue. Mektić stated quite clearly the worry that motivates this public outcry: “something has to be done, it has to be reacted [to]...The BiH Ministry of Foreign Affairs is aware that Croatian armed forces are entering BiH and they can and must respond and protect BiH’s *territorial integrity and sovereignty* [emphasis added].”

While political figures who argue for territorial integrity and sovereignty are often anti-migration, Fazlić has managed to situate this rhetoric amongst more palatable concerns for human rights. It is important to note that these concerns are not merely motivated by good intentions but by political circumstances: because Bosnia is victim to Croatia’s border control activities, the argument building among figures like Fazlić and Mektić states that not only is BiH unable to host people in the long-term, but that BiH has been exploited because of its peripheral status in Europe by Croatia, who hopes to further its own bid to join the Schengen zone by using Bosnia as a “dumping ground” for people-in-transit. In this way, overtly negative pressure and attention is somewhat diverted away from people-in-transit to Croatian officials and the Croatian government. This is not to say that positive discourses surrounding the topic of migration and people-in-transit proliferate within BiH. Fazlić himself doesn’t go much further than merely calling upon external forces to fix the migrant “problem”. However, figures such as Fazlić and Mektić who criticize the Croatian government increase the pressure on the Croatian government, adding critical pressure needed to hold Croatia accountable for its illegal border practices.

### ***Vučjak settlement up for two months***

Vučjak settlement has been operating for almost two months. While some conditions within the camp have slightly improved, the overall operation of the camp and its humanitarian efforts are still largely ad-hoc and appear not to be structured by long-term plans. In fact, along important measures, some conditions have *worsened*, contributing even further to the dehumanization of people-on-the-move that we

reported when Vučjak was established. In a location controlled/managed by the authorities and Red Cross, where camp residents are forced to live, a minimum of facilities should be provided. However, increasingly we see camp residents developing their own services and facilities to make up for the failings of Red Cross and local authorities.

Sanitation services appear to be one of the measures that have improved: it has taken more than a month, but Vučjak now has a container of toilets and a system for showers. But enthusiasm at this welcome development must be tempered by the fact that, once set up, water and waste are then evacuated into the surrounding area and there is no treatment system for this sewage water. Furthermore, there remains little improvement in the way of drinking water: drinking water tanks are filled twice a day and often run out hours before the water company re-fills the tanks. When we holistically evaluate the sanitation facilities, they remain insufficient. The *Independent* in an [article published this month](#) reported that “the lack of basic infrastructure and sanitation in Vučjak contravenes minimum standards for refugee camps set out by the [Sphere project](#) and the UNHCR”, comparing the situation at Vučjak to the infamous “Calais Jungle”.

On [July 17th](#), the UN “urge[d] Bosnia and Herzegovina authorities to relocate without delay migrants and refugees from the unsuitable site of Vučjak” in a meeting where “challenges of the increased presence of migrants and refugees” and Bosnia’s challenges to gaining EU membership were discussed. This is the UN’s second such call after the one made the day local authorities began removing people-on-the-move to Vučjak on the 14th of June. Despite these calls, the authorities continue to remove people to Vučjak on a daily basis, sometimes using humiliating and exhausting tactics, such as making people-in-transit march on foot from Bihać to Vučjak, [followed by police cars](#).

Along other important measures, the camp’s facilities and services are worsening, stimulating the creation of parallel services and a camp economy, something which [UNHCR specifically advises against](#). For instance, according to a volunteer and camp resident, the Red Cross ceased providing a charging station for phones and power-banks, which are *essential* for people-in-transit to stay in contact with friends and family, to travel and to go on game. The Red Cross used to provide camp residents with 25 minutes of electricity a day per person, which was already insufficient, particularly as many charging ports were broken. Now, however, a resident of the camp bought their own generator and provides the service, charging residents 1KM (= 0,50€) per day for 100 percent charge. A market has also been set up in the camp where prices are inflated: a packet of cigarettes is 10 KM while in town the same product costs only 5.50KM. In the absence of institutional services, camp residents

must either pay for them within the camp, walk the two hour round-trip into town for services, or go without them. The trap of this parallel economy is compounded further by the fact that going to the centre of Bihać also poses the risk of experiencing violence at the hands of local authorities.

Food is provided two times a day: breakfast at 10am and dinner at 3pm. People-on-the-move staying at Vučjak settlement often complain about the small amount of food provided: a 23-year-old Pakistani man in Vučjak prefers to buy his own food because, as he says, those at the front of the food line receive bread, butter and tea, those in the middle receive just bread and butter, and those at the end receive just bread. We hear many camp residents speak of Vučjak in this manner: resources are scarce and not sufficient, particularly when the camp's population balloons to twice its capacity, as occurred in the month of July when Vučjak housed upwards of 700 people at one point, according to medical volunteers working in Vučjak.

The Red Cross also appears to have decreased its provision of health services, which are now provided primarily by external, individual volunteers. In official statements, the Red Cross stated that there weren't many health issues present at the camp: only [20 cases of scabies](#) have been officially reported and, when Red Cross was providing medical care, the Red Cross saw approximately 20 to 25 people a day in a fluctuating population of 250 to upwards of 450. However, these official numbers appear to be underestimates of the actual cases of scabies present at Vučjak and these official aid efforts appear to be insufficient for camp residents: a group of four independent volunteers providing health care and first aid in Vučjak have noted on social media that they regularly see, in total, up to 210 people a day. Another group of volunteers stated they performed about [850 medical interventions in nine days](#).

Vučjak began its existence as a settlement meant to be [“temporary.”](#) It is this temporary status which is used to justify an ad-hoc and improvisational humanitarian effort. What this ultimately means, though, is that Vučjak as a humanitarian effort and a camp is fundamentally unsustainable for the purpose of housing people in the short- *and* long-term. In fact, the Red Cross is low in funds and attempts to make do with the small number of donations they receive. Only a few weeks after Vučjak's creation, the Red Cross already expressed worries and doubts over its capacity to manage the humanitarian effort at Vučjak.

## Greece

### *Reporting in Thessaloniki*

The Border Violence Monitoring Network and Mobile Info Team (MIT) have started a new collaboration and will be working together to document and publish reports about illegal pushbacks affecting the transit community in Northern Greece. In the last month, MIT has conducted interviews among asylum seekers and people-in-transit who experienced pushbacks at the Albanian and Macedonian borders. Some were done in person with those who were eventually successful in crossing the border from Turkey to Greece and from others who were pushed back by Albanian and Macedonian authorities into Greece. Some interviews were conducted over the phone with individuals who were pushed back at the Evros river border and currently remain in Turkey.

Patterns begin to emerge when analyzing these new pushback reports along with those we have been collecting for the past year. Generally, the pushbacks respondents experienced progressed in 5 stages:

- 1) Apprehension by police inside Greek territory
- 2) Transportation to a detention center
- 3) Confiscation of personal belongings and illegal detention
- 4) Transfer to another group where masked men or men wearing military clothing are present
- 5) Collective expulsion across the Evros River

In addition to this systematic pattern of expulsion, we also note that many push-backs were quite violent in nature. When asylum seekers tried to claim their rights or express their intent to request asylum, they were sometimes beaten with batons and given electrical shocks. This was in addition to their belongings being stolen and destroyed in front of their eyes.

MIT has been reporting on pushbacks and the patterns they reveal for the past year. Thus, we believe these pushbacks to be systematic, ongoing and perhaps an illustration of an even larger, institutionalized process. For more information on the situation in Northern Greece, please keep an eye out for MIT's upcoming Pushback Report document, set to be released in early September. Until then, individual reports from the field can be found on our database under Mobile Info Team.

## Hungary

### *Legal challenges in Hungary*

Since Viktor Orbán's ascension to power, Hungary has been at the center of several EU-infringement procedures for violating the EU's Fundamental Rights. Some of these procedures specifically targeted Hungary's extremely restrictive asylum law. In the past 13 months, the European Commission has formally referred two of these cases to the Court of Justice of the European Union (CJEU) - a serious escalation given that the infringement procedures normally rely on consensus-based resolutions. The [first referral](#), of July 2018, argued that Hungary's asylum procedure in its transit zones did not fulfill EU rule of law and humanitarian standards. It further alleged that Hungary was violating the *non-refoulement* principle by returning people across its borders without due process, as has been extensively documented. The more [recent referral](#) to the CJEU from January 2019 assessed that restrictions on humanitarian support work violated European asylum law and the Free Movement Directive. Additionally, the Commission found that recent changes in Hungarian asylum law, which had created a new non-admissibility ground based on a mixture of the safe third country and first country of asylum principles, were "incompatible" with European law.



*New President of the EU Commission, Ursula von der Leyen*



The outgoing Commission's [last-minute decision](#) to introduce yearly “monitoring cycles” for rule of law standards, with the threat of referring cases to the CJEU, has put further pressure on Budapest and Warsaw. This measure was initiated in large part by the Socialist candidate for Commission President, Frans Timmermans, whose nomination was subsequently [stalled](#) by the “Visegrad Four.” Instead, former German defense minister Ursula von der Leyen was nominated by the Council. She was then elected by the European Parliament by a razor-thin margin, largely due to the support of illiberal parties from Italy, Poland, and Hungary.

Von der Leyen's [comments](#) that “nobody is perfect” when it comes to the rule of law and that financial sanction should be the “very last resort” sowed doubt on her willingness to effectively continue the EU's challenge to the Hungary's asylum laws. On the other hand, now that the election is over, Budapest and Warsaw have limited levers of influence over the Commission. Von der Leyen retains the possibility to make full use of the Commission's new “monitoring cycles” to fight democratic backsliding as well as human rights abuses against people-in-transit. If she fails to do so, it will be people-in-transit who pay the price.

## Serbia

### *Subotica*

A little over 100 people-in-transit are living in informal squads in Subotica, Horgos, and Sombor. By far the largest group among them are single Afghan men, but a few Pakistanis, Iranians and Iraqis are also present as well as some families with children as young as four years old. The hygienic condition remains dire; the majority of people-in-transit are infected with scabies and/or body lice, leading to many infected wounds. Hospitals in the area refuse treatment except in emergency situations. Besides sporadic visits by MSF's mobile clinic, people-in-transit have to go on a four-hour bus ride to Belgrade to receive medical treatment.

## Slovenia

### *Italy/Slovenia enact joint patrols along their shared border*

This month saw the introduction of joint Slovenian and Italian police patrols on their mutual border, raising concerns about the retrenchment of national boundaries contra the Schengen Agreement. The collaboration between authorities, due to be implemented until the end of September, mobilises four joint operations per week,

with respective police forces able to [enter 10km](#) into the territory of their neighboring state in order to apprehend migrants. Mixed operations by member states signifies a growing trend towards the securitization of the EU's internal borders, and in this case a tightening of controls on the departure point from the West Balkan route.

The patrols aim at stemming the transit of migrants from the western Slovenian regions of Goriška and Obalno-kraška, into the eastern region of Friuli Venezia Giulia, Italy. Given the extensive pushback apparatus being employed by Slovenian and Croatian officials, arrival in Italy has often been the first place where persons-in-transit can apply for international protection without the threat of summary removal. However, these developments in cross border patrols highlight a growing effort on the part of the Italian government to prevent people seeking sanctuary on its territory.

The [Telegraph](#) reported that the operations had already generated “the arrest of 97 migrants in just 48 hours”, and were being carried out on both local roads and motorways across the breadth of the 120 mile land border. But the newspaper also expressed its concerns around the reintroduction of border controls, suggesting the joint operations were “conjuring up memories of the barbed wire and fences which made peoples' lives miserable after World War Two”. The article cited the rise in local tensions in the town of Novi Gorica, as the functions of a more formalised border came back into place. Split in the aftermath of WW2, Gorizia came to form half the town on the Italian side while the other half, Novi Gorica, was under Yugoslavian control. The local experience of separation within the community has informed a growing unease regarding these new border procedures, as seen in demonstrations on the Slovenian side by locals opposing a hard border.

But it would seem the patrols are likely to become a regular function within the bilateral work of the Slovenian and Italian police given the rising anti-migrant rhetoric being mobilized by Italian Interior Minister, Matteo Salvini. The Interior Minister has already made calls for a border fence between the countries, should these joint patrols not bring transit into Italy under control.

The knock on effect has been felt in Slovenia, where conservative opposition party NSi have made subsequent calls for the further protection of its border with Croatia. Concerned by what Balkan Insight termed a “Hungarian-style border fence” in Italy, the Slovenian parliamentary right are seeking assurances that Slovenia will not become a bottleneck for migrants whose passage to Italy is blocked. To this end, Slovenian Prime Minister Marjan Šarec made a visit to the southern border and, according to [Croatian media](#), pledged further police to the efforts, along with military

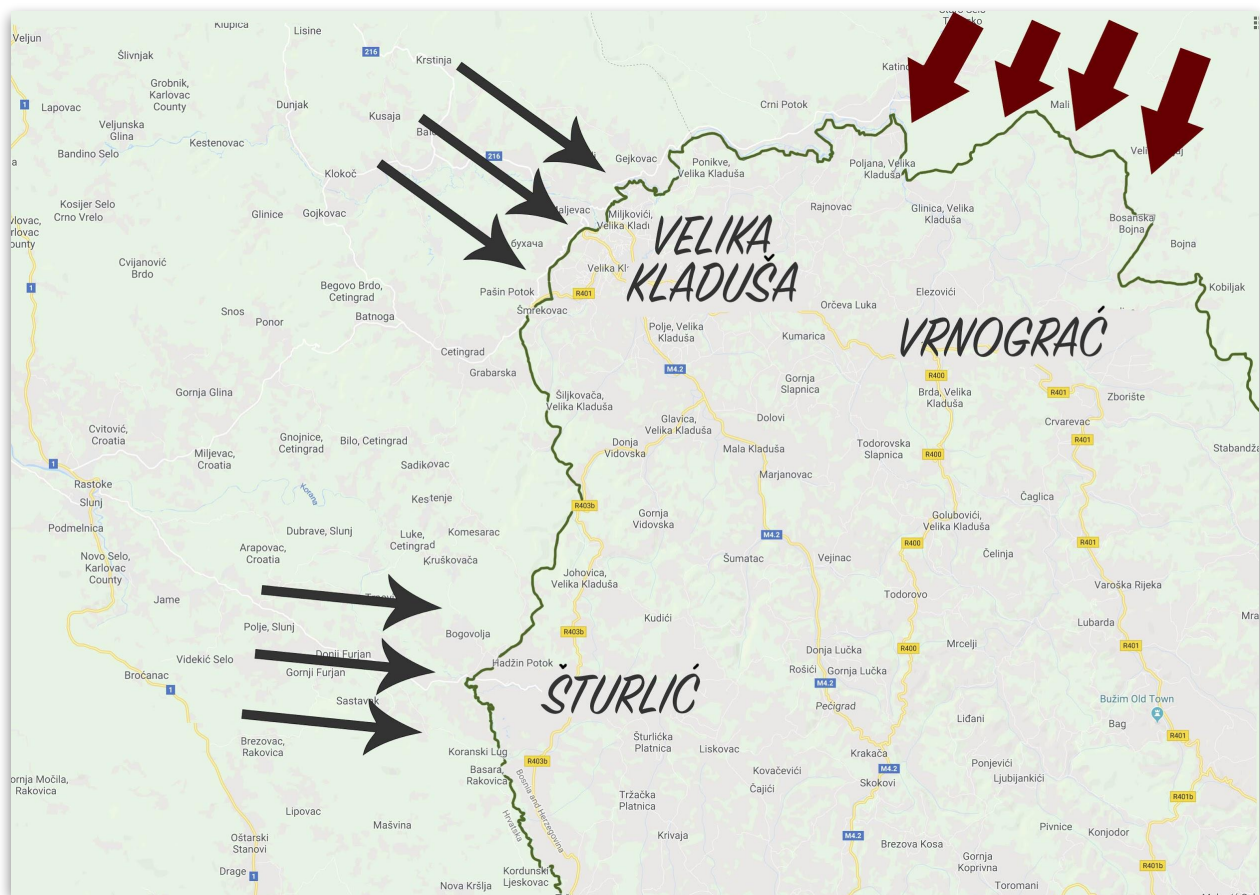
assistance and drones. Here once again, the courtship rituals of these respective member states continues to dance ever closer to the reestablishment of fixed borders and further from a reappraisal of their obligations to international asylum law.

## Trends in border violence

### Bosnia and Herzegovina

#### *Spatial dispersion of push-backs*

In our previous monthly report, we drew attention to the increasing use of the border areas around Šturlić as a hotspot of both transit attempts and push-back procedures this summer. In particular, we drew attention to how the distance between Šturlić and Velika Kladuša - the closest town in which people in transit can find medical or material assistance - presents an added danger to those who find themselves pushed back to Šturlić.



*Push-back zones northeast of Velika Kladuša near Vrnoграц (in red) compared to other zones outside of Velika Kladuša and Šturlić (in black)*

Observations in the field similarly corroborate the spatial dispersion of push-backs to the areas northeast of Velika Kladuša in the Una-Sana Canton over the course of the

warmer summer months. For a number of months, increasing numbers of transit groups returning to Velika Kladuša have reported being pushed-back to the small villages of Poljana, Glinica, and Gradina - between 15 and 25 kilometers away from Velika Kladuša - outside of Vrnograč (see reports [1.3](#), [1.6](#), [1.7](#), & [2.7](#)). Most days this summer, between 30 and 50 individuals have been observed returning to Velika Kladuša after being pushed back to the border regions northeast of Velika Kladuša near Vrnograč. This contrasts to the standard practices of the previous summer of 2018 during which time it was comparatively more common for transit groups to be pushed back under 10 kilometers away from Velika Kladuša, particularly around the areas of Zagrad and Šmrekovac. While push-backs in these latter locations still occur, their hegemony as push-back hotspots has waned.

Again, it should be understood that individuals have been pushed back to the border regions northeast of Velika Kladuša, near Vrnograč, for over a year. That being said, their increasing prominence within the repertoire of push-backs along the Una-Sana Canton's border with Croatia represents an important spatial shift in the geography of the push-back landscape.

### *Continued burning of personal possessions*

This month saw the continued prevalence of testimonies describing Croatian authorities burning the belongings of transit groups. One report, for example, contained a [video](#) allegedly showing Croatian authorities in the midst of this practice. This practice, it should be understood, is not necessarily a new one. Dating back to December, groups have occasionally described witnessing Croatian police officers burn their material possessions - clothes, sleeping bags, backpacks, and tents. That being said, between the summer months of June and July, the prevalence of such descriptions of material violence have become more routine (see reports [2.3](#), [2.4](#) & [2.8](#)).



*The remnants of fires at push-back sites north and south of Bihać, respectively*

It is worthwhile noting how this trend of material violence complements the already well established practice of targeting other material possessions such as mobile phones, powerbanks, and personal documents. These items represent the basic necessities for groups attempting to transit through Croatia and Slovenia. By targeting these items through the course of push-backs, transit groups must spend time and resources re-procuring these items before making another attempt to cross.

### ***Transportation of push-back groups in the summertime***

In sunny weather, the temperature inside a car can reach up to double the temperature outside. During the month of July, which turned out to be the hottest month in recorded history, the effects of climate change are also noticeable for the hundreds of refugees and migrants transported in windowless police vans after being apprehended in Croatia and Slovenia to police stations and pushback sites near the Bosnian-Croatian border. In the vast majority of pushback testimonies from Croatia in

July, respondents mention the drive in the police van as a horrendous ordeal: overcrowded, overheated, overly long, with low levels of oxygen and reckless driving that cause the people inside to faint and vomit. While reckless driving of overcrowded vehicles is a pattern we've been witnessing for months in the context of pushbacks from Croatia to Bosnia, the additional factor of heat should also be understood.

*“That bus, he closed the van, one is 25 person all together, three hours. And he don't open the van. [The people inside the van] putting bum, bum, bum (miming beating actions) [to tell police to] open van and [people] all throw up. No light, it is closed. It is hot, very hot. Same like it's closed everything. Don't have air, everybody throw up. No sit, they have sit for six person there [indicating with his hands both sides of the van] and all down. He (the translator speaks of the interviewee) is sitting on leg of people. He want feeling like [throwing up] everybody. Maybe one/two person [could] die because it don't have oxygen and [police] don't listen.” (See [2.7](#))*

Numerous respondents have also reported that the police officers driving the van would intentionally turn on the heating rather than the air conditioning in order to worsen the experience for the people-in-transit (see [1.5](#)).

Additionally, respondents tended more and more to describe unrealistically long car drives for actually short distances (See reports [1.1](#) & [1.2](#)), as well as long breaks where the car was parked in the sun while people were kept inside (see reports [1.5](#), [1.7](#), [2.5](#), & [2.10](#)).

*“Then, from 10:00 to 22:00, the police held the group in a Volkswagen police van, parked in the sun. [...] The interviewees note that it was a very hot summer day, and the inside of their van was even hotter and they ‘suffered.’ The police did not give them water. Signs of fatigue and possible fainting were visible among other people in the van with them. In a two meter space, the police packed in about 17 to 19 people, of which the respondents noted there were some minors present.” (see [2.5](#))*

These long stretches of time might be due to the fact that without phones to indicate time, respondents tend to overestimate the period they spend in extreme heat. Taking the respondents' notion of time serious, however, there might be several purposes, from the Croatian authorities' point of view, for purposefully extending the length of travel within police vans, as was done in the case of an eight hour drive from Rijeka (HR) to the border near Poljana (BiH), a drive which should take approximately only 2.5 hours (see [1.2](#)).

In most cases, pushbacks from Croatia to Bosnia are not a simple apprehend-and-return operation: groups have to be merged with other apprehended transit groups and handed over to other police units within the task division while their transport (often over more than 150 km) has to be organized and coordinated. These logistical pressures give rise to longer delays and waiting periods which themselves might lengthen the amount of time people-in-transit spend in police vans. Additionally, police vans seemed to be quite often used as mobile, inconspicuous and torrid detention cells. From a logistical point of view, in order to keep these incidents “off the record”, it seems to be easier to just spend seven hours driving around with a van full of people rather than to call some colleagues to organize a nearby detention cell. Possible implications of involving more officers and risking these incidents appearing in police files can be avoided if people are detained on the road rather than in an official place of detention.



*A family from Iran immediately following their pushback, which described vomiting in their transport van due to car-sickness and reckless driving*

However, as people-in-transit themselves argue strongly, these logistical concerns don't seem to be the only drivers for such patterns. People-in-transit can be purposefully disoriented by reckless driving and awful driving conditions (see [1.8](#), [2.1](#) and [2.5](#)). In the aforementioned July 6th report ([2.5](#)), the respondents argue that the police drove around aimlessly for an hour or two before stopping at the border in order to exhaust and disorient the people inside and to ensure that they do not



memorize where they are driven and where they are dropped off. Locking individuals up for hours in overheated, overcrowded, and moving rooms - in conditions that induce vomiting and fainting - are yet another way in which Croatian authorities discourage people-in-transit from attempting to cross into Croatia again.

Another trend which has increased due to the tourist season is transit attempts in buses from bigger cities in Croatia or Slovenia towards Central Europe. In this way, camouflaged as tourists, refugees and migrants attempt to avoid day-long marches in the forest. The challenge for these kind of transit attempts is the visibility: people-in-transit are no longer able to cross a forest as unnoticed and fast as possible, but must assimilate and pass as white tourists. Apprehensions, in this case, take place more often at bus stops and during checks, using racial profiling rather than infrared cameras to track people.

### *Use of dogs by Slovenian authorities*

It is common in Bosnia and Herzegovina to be told by a person-in-transit: “Croatian police: big problem.” Slovenian police, in contrast, are often spoken of as “non-violent” or even “good”, their violence being confined to less visible avenues: denying access to asylum procedures and *knowingly* transferring people-in-transit over to Croatian custody where they are thereafter at risk of direct physical and material violence.

During the month of July, several groups described instances of Slovenian police using police dogs to subdue and/or harm people-in-transit: two in Bihac and two in Velika Kladuša. Additionally, volunteers describe hearing a number of other allegations complementing the practices described in these testimonies. Both reports from Bihac involve the use of police dogs to harm. The first report ([1.4](#)) describes an incident on July 21st of a group of 120 apprehended in the Slovenian forest. The Slovenian police use approximately 12 unmuzzled police dogs to attack, bite and subdue the men and minors in the group. The second report ([1.5](#)) describes an incident on July 22nd where a single man travelling in the Slovenian forest about 25 km from the Slovenian-Croatian border is apprehended by ten Slovenian police officers, who first allow two unmuzzled police dogs to attack and bite the man before beating and detaining him. Interviewees in both reports state their surprise at the dogs being unmuzzled and how unnecessary the use of police dogs and the violence they impart is.



*A 26-year-old Pakistani man shows the wounds he sustained from a Slovenian police dog on July 22nd [\(1.5\)](#)*

In contrast, two reports from Velika Kladuša included dogs, but the dogs were not used to harm the people-in-transit. In a report [\(1.7\)](#) describing an incident on July 26th, a group of four people from Iran are apprehended by police officers with two police dogs. In another report [\(1.2\)](#) describing an incident on July 14th, a group of four is apprehended by four police officers, one of whom handles a black dog. In both reports, there is no information on whether the dogs are muzzled; however, the dogs are not used to bite or harm the respondents.

Alongside these formal reports, there have also been similar, unreported allegations from people in transit returning to Bihać and Velika Kladuša. For example, in a case of a group of 25 people-on-the-move caught by Slovenian special forces, these special forces called in police officers wearing black uniforms who brought with them a black dog who then bit one of the group members in the leg. This incident allegedly took place close to the Italian border, approximately 10 kilometers from Trieste. It is important to note that Croatian police have also utilized police dogs in the past, with funds for the equipment needed to transport police dogs coming from the EU's Internal Security Fund, [according to Croatian Minister of Interior Davor Božinović](#). Another incident of a dog bite this month, sustained by a 17-year-old boy in Vučjak, could be from either Croatian or Slovenian forces and has not been fully investigated yet.

Slovenia's efforts to securitize its borders have differed from Croatia's in their effort to use invisible violence, superficially appearing to operate within the boundaries of

EU conventions and laws. Rather than merely speaking of violent and non-violent procedures, it is important to understand the qualitative details of violence. The use of police dogs is a violent tool, no different than a baton, used to aid in illegal border practices, and serves as a reminder that actors who use invisible violence can easily pivot to the use of visible violence.

### ***Large transit groups leave BiH***

Trends of transit often change as routes become more difficult or the authorities change their tactics. The month of July saw an increase in large groups of up to 300 persons attempting to cross the Bosnian-Croatian border out of the Una-Sana Canton. A group of 85 that embarked on game from Bihać would frequently divide into smaller sub-groups to pass through heavily-guarded or highly-visible areas (2.12). As this report shows, with larger groups comes a higher possibility of escape, as the interviewee was able to do twice before being finally detained by police, who beat him heavily for escaping.

With an increase in group size we also see an increase in the logistical effort of authorities to subdue such groups. One high profile example of a group of 120 people who were apprehended and caught by Slovenian authorities in the interior of the country this month demonstrates the logistical requirements authorities face in apprehending and pushing back such large transit groups. A testimony (1.4) collected from five individuals from this group described that their original group was around 220 persons and included people from Afghanistan, Pakistan, Syria, Algeria, Iran, Turkey and Bangladesh. Of this group, around 120 were apprehended in the Slovenian forest on July 21st. The corresponding logistical effort of the Slovenian authorities to apprehend and detain such a large group was immense: the respondents described that there were, in total, 5 to 6 helicopters, 30 Slovenian “army” members, 40 to 50 Slovenian police officers, 13 to 14 police vans and cars, and a dozen unmuzzled dogs. The process of detaining the men was described as violent: the officers subdued the group through the use of dogs, which bit the men and minors who were also present in the group. The men were tied up with their hands behind their backs and were made to lie face-down on the ground while the Slovenian police then stamped on their hands and backs. The respondents described officers striking men with batons, kicking them and spraying their eyes with a pepper spray at varying points.

This report matches [media](#) accounts of an almost identical event in which a group of 122 was apprehended near Ilirska Bistrica (SLO). Details, such as the number of people-in-transit and the location of apprehension, are incredibly similar between the two accounts; however it is worth noting that the exact dates describe differ.

Nevertheless, given the rarity of such large apprehensions in Slovenia, we can say with relative certainty that these are the same events in question.

Siol.net published a [brief video](#) of this massive police action. In it, Slovenian police officers march a group of men to an area where they all lie face-down. A minor who provided his testimony on the incident alleged that this was *his* group in the video. Official accounts state that at least five members of the group were minors and were taken to asylum centers; however, the three minors we spoke to about their experiences recount no such asylum centers but rather state that they were treated the same as adult men and, indeed, Slovenian police didn't believe them when they stated they were minors.

Following the apprehension of this large group of 122, Slovenia's army [announced](#) only days later that it would send an additional 35 troops and equipment to supplement police patrolling the borders, which in turn might impact whether and how people-in-transit decide to cross the border.

Obtaining testimonies from people-in-transit themselves, who bear the brunt of such violence procedures, illuminates the level of sophistication, coordination and planning that go into illegal border control activities. Developments such as these - the use of large groups to go on game - attest to the need for long-term, systematic border violence monitoring to understand the frequently changing relationship between police actions and transit trends.

## Serbia

### *Local violence in Šid*

While we primarily focus on structural violence perpetrated against transit groups during push-backs, it is also important to understand how broader ecosystems of violence compliment each other. Transit groups in Šid (SRB) not only face violence from Croatian authorities during their transit attempts, but also Serbian authorities and after the border. More recently, we have also received [testimonies](#) of groups based in the Šid area facing violence from unidentified groups of Serbians upon their return from the border.



*Men injured by a group of local Serbian men in Šid (SRB) following their push-back from Croatia*

### ***Subotica and Frontex***

Pushbacks from Hungary into Serbia continue at a highly institutionalized level. Most people-in-transit are found in trucks or on freight trains at the border (6.4). Upon detection, Hungarian police officers usually search the people-in-transit and destruct their phones and other communication equipment (6.4). With some exceptions, high levels of violence - generally, beating with batons and kicking - are limited to large groups of single males (6.3). Whereas the people-in-transit are sometimes filmed by Hungarian police officers, no documents are signed and no personal information is recorded. Within a few hours of detection, the transit groups are pushed back to Serbia at border stations or through “doors” in the border fence (6.3).

During the past month, as before, the Border Violence Monitoring Network has received reports alluding to Frontex officers being present in pushbacks from Hungary. An Afghan person-in-transit observed two police officers at a Hungarian border station with the blue Frontex armband as well as Italian flags stitched to their uniforms. The Frontex officers did not participate in the pushback but their presence fit the accounts of Frontex’ behavior recently uncovered by the [Tagesschau](#), the [Guardian](#) and other investigative outlets. According to these reports, Frontex’s internal

documents indicate that the organization is aware of human rights violation by Hungarian, Bulgarian and Greek border officials, including undue amounts of violence and illegal cross-border pushbacks. The reports further detail that Frontex has engaged in human rights violations itself by deporting unaccompanied minors. In light of these reports, it is highly concerning that Frontex [will grow almost sevenfold](#) within the next five years. As Greek ombudsman Andreas Pottakis [put it](#): “This is how the EU loses its moral authority.”

## Glossary of July, 2019 reports

This month, the Border Violence Monitoring Network conducted 40 reports of pushbacks in total, involving 579 people-in-transit. 20 of these were incidents of pushbacks to BiH (12 directly from Croatia and 8 chain-pushbacks from Slovenia), 13 of these were incidents of pushbacks to Serbia (7 from Croatia, 4 from Hungary and 2 chain-pushbacks from Slovenia), 4 of these were incidents of pushbacks to Montenegro from BiH, 2 of these were incidents of pushbacks from North Macedonia to Greece and 1 of these incidents was a pushback from Greece to Turkey. The reports were conducted with a wide demographic variety of respondents including families, single men and unaccompanied minors. These respondents in these reports also originate from a wide variety of places, including Turkish Kurdistan, Palestine, India, Burundi, Senegal and many other countries.

Report link	Date of Report	Date of Incident	Group Size	Countries of origin
<i>Push-backs from Slovenia to BiH</i>				
<a href="#">1.1</a>	10 July	2 July	8	India, Bangladesh, Pakistan
<a href="#">1.2</a>	15 July	14 July	4	Algeria, Morocco
<a href="#">1.3</a>	23 July	18 July	5	Algeria
<a href="#">1.4</a>	25 July	22 July	120	Afghanistan, Pakistan, Bangladesh, Syria, Algeria, Turkey
<a href="#">1.5</a>	23 July	22 July	15	Afghanistan, Pakistan, Palestine, Syria
<a href="#">1.6</a>	26 July	25 July	6	Algerian Berber
<a href="#">1.7</a>	29 July	July 26	4	Iran
<a href="#">1.8</a>	30 July	28 July	9	Afghanistan, Pakistan
<i>Push-backs from Croatia to BiH</i>				
<a href="#">2.1</a>	1st July	6 June	2	Iran
<a href="#">2.2</a>	9 July	10 June	8	Palestine, Morocco, Algeria
<a href="#">2.3</a>	2 July	25 June	6	Algeria

<a href="#">2.4</a>	7 July	5 July	25	Afghanistan, Pakistan
<a href="#">2.5</a>	9 July	6 July	19	Pakistan, Algeria
<a href="#">2.6</a>	12 July	8 July	15	Afghanistan, Pakistan
<a href="#">2.7</a>	21 July	11 July	72	Pakistan, Afghanistan
<a href="#">2.8</a>	13 July	11 July	6	Algeria
<a href="#">2.9</a>	26 July	17 July	10	Pakistan, Syria, Palestine
<a href="#">2.10</a>	27 July	24 July	11	Algeria
<a href="#">2.11</a>	2 July	28 June	8	Syria, Turkish Kurdistan, Somalia
<a href="#">2.12</a>	31 July	26 July	85	Pakistan, Afghanistan
<i>Push-backs from Croatia to Serbia</i>				
<a href="#">3.1</a>	14 July	10 July	4	Egypt, Burundi, Morocco
<a href="#">3.2</a>	18 July	13 July	4	Afghanistan
<a href="#">3.3</a>	29 July	26 July	5	Algeria
<a href="#">3.4</a>	17 July	16 July	5	Mongolia, Iraq
<a href="#">3.5</a>	29 July	26 July	1	Algeria
<a href="#">3.6</a>	14 July	10 July	4	Burundi, Egypt
<a href="#">3.7</a>	5 July	3 July	16	Afghanistan
<i>Push-backs from Bosnia to Montenegro</i>				
<a href="#">4.1</a>	10 July	06 July	3	Algeria, Sudan
<a href="#">4.2</a>	10 July	07 July	3	Algeria, Sudan
<a href="#">4.3</a>	10 July	08 July	3	Algeria, Sudan
<a href="#">4.4</a>	9 July	14 June	8	Morocco, Algeria



<i>Push-backs from Slovenia to Serbia</i>				
<a href="#">5.1</a>	31 July	23 July	2	Morocco, Algeria
<a href="#">5.2</a>	30 July	26 July	1	Algeria
<i>Push-backs from Hungary to Serbia</i>				
<a href="#">6.1</a>	18 July	25th May	6	Afghanistan
<a href="#">6.2</a>	22 July	20 July	1	Afghanistan
<a href="#">6.3</a>	25 July	25 July	10	Afghanistan
<a href="#">6.4</a>	30 July	30 July	30	Afghanistan, Iran
<i>Push-backs from North Macedonia to Greece</i>				
<a href="#">7.1</a>	-	10 July	30	Syria, Tunisia, Senegal, Egypt
<a href="#">7.2</a>	24 July	22 July	1	Tunisia
<i>Push-backs from Greece to Turkey</i>				
<a href="#">8.1</a>	23 July	3 July	4	Morocco, Algeria