

PRESS RELEASE

International complaint against Greece's violent pushbacks at the Evros border

For immediate release

Today, 17 November 2020, GLAN and [HumanRights360](#) filed a complaint with the UN Human Rights Committee on behalf of Fady, a recognised refugee in the EU, who was subject to an enforced disappearance and repeated summary expulsions by Greek authorities between November 2016 and November 2017. Fady was stripped of his possessions, his document attesting to his residency status in the EU and placed outside the protection of the law. He was placed in a state of precarity and rightlessness for three years until his documents were reissued and he was finally able to return to his home in Germany in November 2019.

Fady, 25, arrived in Germany in 2015 from Deir az-Zour, Syria. In November 2016 he traveled to Greece with a German residence permit, which Germany issued to recognise his protected refugee status. He arrived to try to find his then 11-year-old brother, who was unaccompanied had gone missing while crossing the Evros border, en route to reuniting with Fady and claiming asylum. On 30 November 2016, while looking for his brother at a Greek bus station, Fady was racially profiled and arrested by the Greek police who confiscated his German documentation. Greek authorities arbitrarily detained him incommunicado, without access to legal representation, and proceeded to violently and summarily expel him, in a group of 50 others, to Turkey. This initial expulsion to Turkey was [reconstructed](#) in the form of a 'situated testimony' by the UK-based investigative group [Forensic Architecture](#).

Stranded in Turkey without his documentation, Fady reattempted entry into Greece 14 times over the course of the following year, and was subjected to further summary expulsions by Greek authorities, which maintained his exclusion from protection by the law. In December 2017, he finally made it back into Greece without being pushed back. But he was stranded -- undocumented, homeless, and with severe impacts on his health -- for a further two years his German travel document was reissued on 30 October 2019. Following his initial expulsion, the claimant spent three years living in precarity and destitution, experiencing life-threatening physical and mental health consequences of his pushbacks, including the onset of cardiac distress that required emergency hospitalization and heart surgery. He continues to live with toxic stress and anxiety about the fate of his child brother who would now be 15, and remains missing. _

The complaint argues that Greece's unlawful deprivation of Fady's liberty amounts to an enforced disappearance under international law. And it results in further serious violations of basic rights, notably the right to life, the right to liberty, the prohibition against torture, and the right to due process and remedy, as enshrined in the ICCPR.

The repeated pushbacks the claimant was subject to are part of a clandestine systematic practice of summary expulsions by Greek authorities, as well as private actors under their direction. In this practice, which has intensified since the [violent events](#) at the Evros border in March 2020, refugees, asylum seekers, and migrants are arrested and detained, often following their racial-profiling and discrimination. They are characteristically treated in an inhuman and degrading manner (including through beatings and the seizure of their paperwork and belongings), denied access to procedural remedies, and ultimately violently and summarily expelled (pushed back) across the Evros border. This practice has been extensively and repeatedly condemned by the UN and European bodies and international civil society for the long-lasting harms it continues to inflict on thousands of refugees, asylum-seekers and migrants, depriving them of the right to access asylum and exposing them to 'chain refoulement' by Turkey.

"Fady's case is an emblematic and aggravated example of Greece's clandestine deportation apparatus. Even his EU asylum status, which Germany had granted him, couldn't protect him. He is then forced to endure repeated instances of border violence until he can recover his documents and return home years later. This approach to

migration governance is inhuman and manifestly unlawful,” said Amanda Brown, Legal Researcher with GLAN and lead author of the communication.

Throughout these years, having been rendered undocumented by the Greek police, Fady was barred from seeking protection from the Greek authorities, either to find out about the whereabouts and fate of his brother, or to challenge his illegal deprivation of liberty, expulsions, and stripping of his documentation resulting in his exclusion from protection by the law. Greece’s unofficial systemic practice of summary expulsions (pushbacks) has not been subject to any investigation or review in Greece. Greek authorities have perpetrated such illegal acts without an institutional trail and have actively concealed their perpetration through the unwillingness of relevant authorities to investigate them.

"This state-sanctioned policy of summary expulsion and enforced disappearance along the Evros border is of course an abuse of power by the Greek state. Yet Greek authorities have not only systemically perpetrated such illegal acts without an institutional trail, but are actively concealing evidence of the abuses and denying the claimant and countless others access to justice," said Valentina Azarova, Legal Advisor with GLAN.

“Over the past years, instances of illegal expulsions have been escalated. The Greek authorities have failed to investigate the cases, prosecute and convict perpetrators with the use of available legal tools, enabling a culture of impunity and disregard for the rule of law. Fady’s case incorporates these elements and call for justice for the manifestly unlawful arbitrary detention and expulsion at the borders as an abuse of power by the Greek State and the all risks he faced living as undocumented in Greece,” said Maria Paraskeva, Legal Expert with HumanRights360.

“Fadi’s story should concern us all. While searching for his 11 year brother he was effectively stripped of all rights and legal protections, repeatedly assaulted and disposed of. His enforced disappearance demonstrates Greece’s complete disregard for the rule of law, and we are confident that the UN Human Rights Committee will take this complaint seriously” said GLAN’s Director Dr Gearóid Ó Cuinn.

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The Global Legal Action Network (GLAN) is a non-profit organisation that works to pursue innovative legal actions across borders to challenge powerful actors involved in human rights violations and systemic injustice by working with affected communities. GLAN has offices in the UK (London) and Ireland (Galway) | @glan_law | www.glanlaw.org.