

Greece faces European Court of Human Rights over alleged pushbacks for the first time

On Tuesday 4 June 2024 the European Court of Human Rights in Strasbourg will hear two cases against Greece filed by G.R.J. and A.E. Both were forcibly expelled to Turkey by Greek officials in 2019 and 2020. This is the first time the Court will hear Greece in a court hearing for illegal pushbacks, as the practice of illegal pushbacks has not yet come to an end. It is also the first time that the Court will examine Greece's practice of "drift-backs" – abandoning asylum seekers at sea in inflatable rafts, since this practice was first reported in 2020. The applicants are represented by lawyers from Prakken d'Oliveira, the Dutch Refugee Council, the Irish Human Rights Centre and the Greek Council for Refugees.

First case

The first case was filed in March 2021 on behalf of G.R.J., an unaccompanied minor from Afghanistan who was abducted from a reception facility where he sought asylum and was forcibly expelled to Turkey by Greek officials. G.R.J. arrived on the Greek island of Samos on September 8, 2020, along with about 17 other asylum seekers. He and another unaccompanied minor went to the refugee camp in Vathy to register as asylum seekers. However, instead of being allowed to register, they were abducted from the camp by Greek officials and expelled at sea. Greek officials then took G.R.J. and his companion to the port, confiscated their belongings, and forced them onto a vessel. Coast Guard officers then took them out to sea, placed them in an inflatable, motorless raft, and left them to drift. The teenagers paddled with their hands until they were rescued by the Turkish Coast Guard. They were detained in Turkey for several days and released without support. The case argues that Greece's actions violated multiple rights under the European Convention on Human Rights, including the right to life, the prohibition of torture and the right to an effective remedy.

Common practice

This method of expulsion, by abandoning asylum seekers in non-navigable rafts, has been a common practice by Greek authorities in the Aegean Sea since at least 2019 – up until today. There is extensive evidence of these so-called 'drift-backs', which has been reported by media and NGOs, and condemned by UN agencies, EU officials, and members of the European Parliament. Forensic Architecture has created an online platform documenting over 2,000 verified incidents, including the expulsion of G.R.J.

Second case

The second case was filed on behalf of A.E., a young woman from Turkey who faced persecution due to her alleged affiliation with the FETO organization. In May 2019, she fled to Greece seeking protection. Upon arrival, she was arrested by Greek authorities and was held, and was then pushed back to Turkey via the Evros River on the same day, despite her explicit request for asylum, which was never registered. Subsequently, she was arrested and imprisoned in Turkey. A.E. filed a criminal complaint in Greece, but it was rejected on the grounds that "Greek police do not apply pushback practices." In 2021, a case was brought before the Court with the support of the Greek Council for Refugees (GCR).

No one is above the law

Flip Schüller is representing G.R.J. on behalf of Prakken D'Oliveira Human Rights Lawyers: "We hold Greece liable because, they, as an EU-member state, are obliged to respect human rights. In this case they failed to do so, violating the fundamental rights of G.R.J. You cannot simply deport people to another country. Before someone can be forcibly returned, it must be assessed whether they need asylum protection and that did not happen here."

Undermining the values on which the EU is built

The Dutch Council for Refugees contributed to the case from the start. Frank Candel, Chairman of the Board: "It is the first time that Greece will be heard in a hearing for a drift back. This case is about more than just this case. Many people have fallen victim to illegal returns in recent years, and this practice is still taking place up until today. With this case we want to help put an end to human rights violations and oppression at our external borders. The violation of fundamental rights of the European Union by an EU-member state seriously undermines the values on which the Union is based."

This practise should end

Maria Papamina, coordinator of the Legal Unit of the Greek Council for Refugees, representing A.E. before the European Court of Human Rights: "Over the previous years, all major human rights bodies and institutions have raised concerns with regards the practise of pushbacks by the Greek Authorities. Over the previous year's we have supported more than 800 victims of pushbacks around the Evros river and the Greek Turkish land borders, hence the EU external borders. This practise should stop."

Information for the press:

- If journalists wish to attend a public hearing, they need to contact the ECHR Press Unit (echrpress@echr.coe.int). Please find more [here](#).
- All the Court's public hearings are filmed and a webcast placed on the Court's Internet site.
- G.R.J. is not available for interviews.
- Interview requests with A.E. need to be sent separately and are subject to the applicant's consent.
- For all questions and interview requests, please contact Nienke Toren (Dutch Refugee Work): ntoren@vluchtelingenwerk / +31 (0)6.20.66.85.71 and/ or the Greek Council for Refugees: k.vlachopoulos@gcr.gr

Location:

European Court of Human Rights
All. Des Droits de l'Homme, 6700 Strasbourg, France