

FOREWORD

A crisis is brewing across Europe today, brought on by the erosion of humanitarian values and by Europe's failure to show solidarity with and provide assistance to people seeking safety and protection. This report, which draws on MSF's operational experience in Greece, presents first-hand accounts of violence experienced by people seeking protection in Europe, and of the humanitarian and medical consequences of this violence, which causes avoidable and unacceptable suffering as well as loss of life.

As a medical and humanitarian organisation, we could not stay silent in the face of the exceptional scale and severity of the violence reported to our teams on the islands of Lesvos and Samos over the past two years. In a climate where violence at Greece's borders happens with impunity, our actions are motivated by MSF's founding principles, at the core of which are our medical mandate and our willingness to bring to light the painful realities reported by our patients.

People seeking protection in Greece, many of whom have already faced innumerable hardships to reach the shores of Europe, are bearing the brunt of political efforts aimed either at deterring them or containing them — often violently — on their arrival. Such violent border management policies and practices are unjustifiably endangering their lives and their wellbeing.

Over the past decade, we have seen the Greek Aegean islands become emblematic of the failure of the European Union and Greek authorities to place the wellbeing of individuals at the heart of their response to migration. The personal accounts presented in this report are not isolated incidents. They reflect a dangerous disregard for the health and safety of people seeking protection at other EU borders – including those of Italy¹, France, Belgium, Poland, Lithuania², Hungary³, Serbia and Bulgaria⁴, where MSF teams have been treating the medical and humanitarian consequences of violent border management practices.

The current situation at Europe's borders is the result of EU policies that condone and enable continued violence against individuals in need⁵. To address this, we call for a collective and urgent commitment by the EU and Greek authorities to uphold the fundamental principles of human dignity and of people's right to safety, health and protection. We hope that this report will highlight the need to receive people seeking protection with solidarity and humanitarian assistance, rather than turning them away with violence. We are committed to ensuring that the human cost of EU migration policies does not go unnoticed or unaddressed.

¹MSF, People on the move face violence and pushbacks at Italian-France border, August 2023.

² MSF, Repeated pushbacks at Lithuanian border cause mental and physical suffering to people on the move, September 2019.

³ MSF, <u>Alarming violence occurring at Hungary-Serbia border</u>, August 2022.

⁴ MSF, Children repeatedly abused by border authorities, August 2017.

MSF, Constructing crisis at Europe's borders, June 2021; MSF, Obstacle course to Europe: a policy-made humanitarian crisis at EU borders, January 2016.

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"Other people had already warned us; that Europe is not far, but that the sea is very, very dangerous."

Alika⁶

MSF IN GREECE

- Médecins Sans Frontières/Doctors Without Borders (MSF) is an international humanitarian organisation providing emergency medical aid to populations in distress or affected by armed conflict, epidemics, natural disasters or exclusion from healthcare. MSF aids people based on their needs, irrespective of their race, religion, gender or political affiliation. MSF's actions are guided by medical ethics and the principles of independence, neutrality, impartiality and accountability.
- Operational in Greece since 1991, MSF currently provides medical care and mental healthcare to asylum seekers, migrants and refugees in Athens and on the Aegean islands of Lesvos and Samos. Our services include primary healthcare, sexual and reproductive healthcare, treatment of chronic diseases, care for survivors of sexual violence, clinical psychological care and health promotion activities, as well as social and legal support. On Samos and Lesvos, we also provide emergency medical assistance to people in distress who have arrived by boat from Turkey. In 2022, MSF teams in Greece provided 22,500 medical consultations, 7,460 individual mental health sessions and care for 820 survivors of sexual violence.



Trigger warning: This report contains information and content that may be sensitive, distressing or triggering to some individuals. This disclaimer aims to alert readers to the possibility of encountering material that could evoke emotional responses due to its sensitive nature. The content of the report, and in particular the testimonies of MSF patients, refer explicitly to experiences of violence, physical assault, strip searches and intrusive body searches on children, women and men.

⁶ MSF patient testimony, January 2023, Alika

GLOSSARY

Asylum seeker: A person who is seeking international protection from persecution or serious harm in a country other than his or her own, who has applied for refugee status and awaits a decision on the application for refugee status under relevant international and national instruments, or who has not yet submitted an application but may intend to do so.⁷

New arrivals: People who have recently arrived on the Greek islands and who have yet to apply for asylum.

NB: MSF does not distinguish between people based on their legal status. Our assistance is based on medical and humanitarian needs alone. Generic legal terminology will never sufficiently reflect the complexity of our patients' migratory movements, the trauma they have suffered along the way, and their need for protection and assistance. The terms in this report are used without prejudice to these realities.

Uniformed officers: As a medical humanitarian organisation, MSF is not in a position to identify or differentiate between the various branches and personnel of Greek law enforcement mentioned in the testimonies of our patients. Thus, 'uniformed officers' is used in this report as a generic term.

Unidentified masked individuals: Used here to refer to people wearing a mask to (fully) cover their faces, as described in the testimonies of MSF patients.

Closed-controlled access centres (CCACs)⁸: New high-security reception and identification centres planned and/or opened on Samos, Kos, Leros, Lesvos, Chios and Malakasa (north of Athens). Also known as 'multi-purpose reception and identification centres'.⁹

Non-assistance: Used here to refer to situations where authorities fail to provide necessary aid, support, or protection to asylum seekers on their arrival in Greece, either on land or at sea. This includes failing to provide medical care, failing to implement search and rescue activities at sea, and failing to facilitate access to protection to individuals who are in distress.

Pushbacks: Used to describe a collection of coercive and often violent practices employed by states to either refuse entry to people seeking international protection, or forcibly remove them from the state's territory. In this report, MSF uses the definition of pushbacks by the Special Rapporteur on the human rights of migrants:

"Various measures taken by States, sometimes involving third countries or non-State actors, which result in migrants, including asylum seekers, being summarily forced back, without an individual assessment of their human rights protection needs, to the country or territory, or to sea, whether it be territorial waters or international waters, from where they attempted to cross or crossed an international border."¹⁰

⁷ <u>UNHCR Master glossary of terms</u>; European Commission, <u>Asylum and Migration Glossary</u> 6.0 glossary, May 2018.

⁸Hellenic Republic, Ministry of Migration and Asylum, <u>Closed Controlled Access Center of Samos</u>

⁹European Commission, Migration and Home Affairs, New multi-purpose reception and identification centres on Samos, Kos and Leros

¹⁰ Special Rapporteur on the human rights of migrants, <u>Report on means to address the human rights impact of pushbacks of migrants on land and at sea</u>, A/HRC/47/30, May 2021.

EXECUTIVE SUMMARY

Accounts of violence at Greece's borders have proliferated in recent years, against a landscape in which medical and humanitarian assistance for people crossing into Greece by land and sea is limited or absent, and independent scrutiny of border management practices is non-existent. Since launching medical activities in response to the urgent needs of new arrivals on the Aegean islands of Samos and Lesvos, MSF has received repeated accounts of patients' lives endangered by violence and pushbacks. Drawing on operational and aggregated medical data, patient testimonies, and accounts by MSF staff gathered between August 2021 and July 2023, this report builds on an existing body of evidence of violence and pushbacks at Greece's borders, and highlights the physical and psychological suffering, as well as the life-threatening risks, endured by those seeking safety and protection in Greece.

On Samos and Lesvos, MSF responds to the medical and humanitarian needs of people arriving by sea within the context of an established framework and in conjunction with other actors. Over the past two years, MSF has provided emergency medical assistance to 7,904 people shortly after their arrival on the islands during 533 separate responses. Many of the new arrivals were in a state of emotional distress, as well as being exhausted, wet, thirsty, hungry, suffering from exposure to harsh weather conditions, and covered in scratches and bruises. Among them were women in advanced stages of pregnancy, new-born babies, unaccompanied minors and elderly people. Many MSF patients described having been trapped in vicious cycles of violence, pushbacks and repetitive dangerous sea crossings. Meanwhile, approximately 2000 other people, who had reportedly arrived on the islands, were never located by MSF teams at the communicated location by the end of the intervention and their whereabouts were not further identified.

In the aftermath of the tragic shipwreck off the coast of Pylos, in southwestern Greece, on 14 June 2023, in which approximately 500 people have lost their lives, there has been increased international attention and scrutiny of Greek border management practices¹¹, including the conduct of the Hellenic Coast Guard. Since August 2023, MSF teams on Samos and Lesvos have observed a marked increase in the number of arrivals on the islands, accompanied by high-profile Hellenic Coast Guard-led rescues. Despite this, shipwrecks and violence at sea and land borders reportedly continue to this day.

The majority of MSF patients who gave their testimonies describe having survived multiple pushbacks and crossing attempts prior to their ultimate arrival. Patient testimonies point to a recurring practice of pushbacks at sea and from

land, reportedly carried out by uniformed officers and/or unidentified masked individuals. At sea, accounts describe the forceful towing of asylum seekers' boats, deliberate damage to boats' mechanical components, and being abandoned at sea on life rafts. From land, testimonies point to a pattern of practices including physical assault, handcuffing, informal detention, groups being forcibly taken to the shore before being pushed back at sea, as well as humiliating strip searches.

MSF patients report having been subjected to various and alarming forms of inhuman treatment in the lead-up to being pushed back. These include physical assaults, including beating with sticks, slapping, kicking, punching and handcuffing of hands and ankles. Physical violence is reportedly often accompanied by intimidation tactics and behaviour including the shooting of firearms, verbal harassment and humiliation, forced strip searches and intrusive body searches of men, women and children, and the destruction or dispossession of essential personal belongings carried by people on their journeys.

The repeated exposure to hazards and reported violence upon crossing, coupled with the near-total absence of assistance at land and sea, threaten the lives and wellbeing of people seeking safety and protection. MSF teams have responded to the urgent medical needs of 60 survivors of shipwrecks off the coast of Samos and Lesvos, in which 22 people, including children, tragically lost their lives.

After arriving on land, people report that they are forced into hiding out of fear of being pushed back. Sometimes they are in hiding for days, without access to food or water and exposed to the elements and dangerous terrain. Between August 2021 and July 2023, MSF treated 557 patients with injuries reportedly caused by water inhalation while swimming, engine burns, physical violence, or falling while climbing or escaping from uniformed officers and/or masked individuals. MSF teams have treated patients with signs of dehydration, hypoglycaemia and heat exhaustion, as well as winter-related medical conditions such as frostbite and hypothermia, with dire health risks for the most vulnerable people, including pregnant women and children.

The violence and non-assistance that people experience at the Greek-Turkish border exacerbate people's pre-existing vulnerabilities and physical and mental health conditions, and compound past traumatic experiences of violence, harming people's physical and psychological wellbeing. The accumulated chronic stress of multiple violent experiences has a devastating long-term impact on people's mental health. In the above-named period of almost two years, MSF mental health teams conducted 8621 psychological and/or psychiatric consultations, in which they oftentimes observed how past experiences in people's countries of origin and on their journeys, compounded by demeaning acts involving humiliation and dehumanisation, strip people of their dignity and self-worth, aggravate existing trauma and instil vulnerability, leaving long-lasting emotional scars.

[&]quot;Aljazeera, New lawsuit filed against Greece on behalf of refugee shipwreck survivors, September 2023; The Guardian, We just want to know if he is alive or dead': migrants desperate for news of relatives in Greece shipwreck disaster, June 2023.

MSF teams continue to provide emergency medical care to newly arrived people on Samos and Lesvos, despite periods when their work was obstructed. However, the overall provision of humanitarian assistance on the islands takes place in a climate of suspicion and criminalisation — of both humanitarian workers and those they seek to assist. The ever-shrinking humanitarian space has negatively impacted the efforts of civil society to respond to the needs of people seeking protection in Europe.

As MSF continues to respond to the human and medical consequences of Greek and EU migration policies that promote deterrence and violent border control practices over safe passage and assistance, we call for the following actions to be taken as a matter of urgency:



- MSF urges the Greek government and European leaders to take all necessary measures to ensure that individuals seeking protection in Greece are treated with humanity and dignity. This includes immediately and permanently ending all pushbacks and violent practices at borders, ensuring continued search and rescue at sea, and granting individuals access to fair asylum procedures and humanitarian and medical assistance on arrival, in line with their obligations under European and international law.
- The Greek government must actively build an enabling environment for the protection and wellbeing of individuals seeking protection and safety. Continued impunity for violence against asylum seekers, migrants and refugees must be countered through effective accountability and independent monitoring, and there must be an immediate halt to disproportionate restrictions and criminalisation of civil society organisations providing assistance to new arrivals.
- MSF urges the European Commission, donor states and other EU member states to use any available mechanisms to ensure accountability for violence and compliance with European and international law.

1. INTRODUCTION

As a medical humanitarian organisation responding to the needs of people arriving at the shores of the Greek Aegean islands to seek asylum in Europe, Médecins Sans Frontières/ Doctors Without Borders (MSF) has provided emergency medical assistance to 7,904 individuals over the past two years. Our teams have witnessed how people reach Greece exhausted and in a state of shock. Reportedly, prior to their arrival, many have already been through multiple cycles of attempts to reach Europe – attempts which have included violent pushbacks, perilous sea crossings, detention, prolonged exposure to harsh weather conditions, and periods of hiding in woods and mountains, fearing to be caught and pushed back. Some arrive with acute medical needs due to past experiences or incidents during their journeys; others have lost relatives along the way. All require immediate humanitarian and medical assistance, and access to reception facilities, asylum procedures and protection – essentials which largely remain out of reach for those trapped in cycles of violence on arrival.

This report details how non-assistance, violence and push-backs have become part and parcel of a system of border management on the islands of Samos and Lesvos that is financed and legitimised by the European Union, 12 with a devastating impact on those attempting to seek protection in Europe. The forms of violence and the impact of the violence detailed in this report are not accidental but the result of recurring hostility towards asylum seekers arriving in Greece and those assisting them. Over the past decade, migration management tactics in Greece have increasingly been predicated on endangering practices and denial of protection, as well as physical and psychological violence towards those seeking protection.

Although states have a duty to render assistance at sea, individuals crossing the Aegean seeking protection have been regularly met by non-assistance and violence in Greek territorial waters, while restrictions on civilian search and rescue

have left a vacuum of scrutiny and assistance, enabling pushbacks and violence at sea to take place largely out of sight¹³. With some maritime zones off-limit to non-military and non-Coast Guard oversight¹⁴, pushbacks have 'become a de facto general policy' with 'systematic characteristics'¹⁵, as has already been widely observed. This practice has reportedly been carried out at sea for years from within Greek territorial waters or from the Greek search and rescue zone. The Hellenic National Commission for Human Rights, among others, has pointed to the 'gradual but steady consolidation of the characteristics of the phenomenon of reported informal pushbacks as well as of their repeated methodology'¹⁶.

Pushbacks have also reportedly taken place after people have landed on the Greek islands,¹⁷ within a 'recurring organised operational framework',¹⁸ which frequently involves deception, informal detention and the use of violence, culminating in individuals and groups being forcibly placed on life rafts and left to drift back to Turkish waters.¹⁹ The lack of assistance available to people landing on the shores of Samos and Lesvos has further contributed to rendering invisible the violence to which people seeking protection are subjected. The ever-shrinking humanitarian space and increasing criminalisation of civil society groups²⁰ have resulted in a situation where MSF is currently the only independent organisation providing humanitarian and medical assistance on-site to new arrivals on Samos and Lesvos.

With rising alarm, MSF teams have repeatedly heard and recorded our patients' experiences of violence en route to and on arrival in Greece. Over the past two years, MSF has witnessed and documented the immediate repercussions of violent practices and dangerous passages on people's health and wellbeing. Drawing on medical data and patient testimonies, this report aims to expose the physical, psychological and human consequences of the violent and dehumanising practices that have been inflicted on our patients on Samos and Lesvos.

¹² OLAF final report on FRONTEX, CASE No OC/2021/0451/A1, 2021

¹³ See concerns expressed on the law and the criminalisation of search and rescue in Greece by the UN Special Rapporteur on the human rights of migrants, UN Special Rapporteur on the situation of human rights defenders, UN Committee on Enforced Disappearances, and in the 2022 Greece Rule of Law Report: UN ¹² Special Rapporteur on the human rights of migrants, 2022, Human rights violations at international borders: trends, prevention and accountability, p.6; UN ¹² Special Rapporteur on the situation of human rights defenders, 2023, Visit to Greece (Advance Edited Version), 2023; Committee on Enforced Disappearances (ED, 2022, Concluding observations on the report submitted by Greece, CED/C/GRC/CO/1, April 2022, para 24; EU Commission, 2022, Greece Rule of Law Report, p.22; UNHCR, UNHCR Submission by the Office of the United Nations High Commissioner for Refugees in the case of S.A.A. and Others v. Greece (No. 22146/21) before the European Court of Human Rights, July 2022, p.5.

¹⁴ Under article 40 of law <u>4825/2021</u>, there is a clear description of the conditions under which civil society organisations should operate in rescue activities that fall under the responsibility of the Hellenic Coast Guard and only in coordination and on prior authorisation of the competent authority for conducting search and rescue activities

and rescue activities.

Seported by the UN Special Rapporteur on the rights of migrants, UN Special Rapporteur on the human rights of migrants, 2022, Human rights violations at international borders: trends, prevention and accountability, p.7; the EU Agency for Fundamental Rights, 2021, Migration: Key Fundamental Concerns, p.7.

¹⁶ Hellenic Republic National Commission for Human Rights, 2021, Greece National Report on the situation of human rights of migrants at the borders.

¹⁷ Council of Europe Commissioner for Human Rights, CommHR/DM/sf 019-2021, 2021.

¹⁸ GNCHR, Recording mechanism for incidents of informal returns: interim report, January 2023, p.15.

¹⁹ New York Times, <u>Video shows Greece abandoning migrants at sea</u>, May 2023.

²⁰ Report of the Special Rapporteur on the situation of human rights defenders, Mary Lawlor - Visit to Greece (Advance Edited Version), A/HRC/52/29/Add.1, Mars 2023.



2. METHODOLOGY

This report draws on medical and operational data from MSF's activities on Samos and Lesvos between August 2021 and July 2023. On both islands, MSF deploys mobile teams who provide emergency medical assistance to newly arrived people in distress. Additionally, MSF runs long-term programmes offering primary healthcare, sexual and reproductive healthcare, mental healthcare, and a package of comprehensive care for people who have experienced sexual violence, through mobile clinics in the CCAC of Samos and in the MSF Day Care Centre on Lesvos. MSF medical teams are supported by a socio-legal team, health promoters and intercultural mediators, who speak various languages and are trained in interpreting and ensuring cultural sensitivity. The data from the medical activities is aggregated, monitored and analysed regularly.

Having medical teams present both at point of arrival and during the subsequent reception and asylum process allows MSF to follow up with people after arrival and to treat health conditions that were not immediately disclosed during the emergency response, such as psychological trauma, sexual violence, non-communicable diseases and communicable diseases. This continuity of care also gives MSF insights into the physical and mental consequences of incidents that people suffer during their journeys and as a result of harmful border management practices.

In addition, specific monitoring and reporting tools were put in place to gather relevant operational and medical data. All the data was then encoded and analysed by trained MSF staff and triangulated with information obtained through individual interviews. The report also draws on direct observations from MSF teams on the ground and accounts from MSF staff throughout the data collection period. Continuous context analysis was carried out, and the medical data, operational data and patients' accounts contained in this report are further amplified by secondary sources of information referenced in footnotes.

During consultations and the routine provision of medical and humanitarian assistance, people spoke quite frequently about experiences of violence and pushbacks while attempting to reach Greece. MSF patients were made aware of the chance to discuss with a specialist non-medical staff member for the purpose of documentation and better understanding. As a result, 50 semi-structured interviews were conducted between March 2022 and July 2023 on Samos and Lesvos. 6 of the 50 interviews were conducted with couples; therefore, MSF spoke to a total of 56 people. The entire interview process was strictly guided by a trauma-informed 'do-noharm' approach and with informed consent. Conversations were held confidentially, and the aims and process were explained extensively. Participants were assured that they could refuse to be interviewed, decline to answer any guestions, or terminate the interview at any point. To protect people's identity and safety, all interviews were conducted anonymously, and each person chose the pseudonym with which their testimony is associated in this report. Interviews were carried out either in English or in the language of the person interviewed, with their words translated by MSF intercultural mediators. For further protection purposes, the exact dates and locations of incidents or events have been deliberately omitted from this report.

Many people were reluctant to speak out about their experiences on Greece's borders for fear of repercussions and negative effects on their asylum procedures. This report, therefore, presents a descriptive analysis of the consequences of violence and pushbacks as experienced by the patients who were willing to talk to us and share their stories. Hence, it neither accounts for the full scale of the violent incidents taking place at Greece's external borders, nor does it aim to generalise the experience of all people attempting to seek protection in Greece.



3. HEALTH AND VULNERABILITIES: WHAT MSF WITNESSES

3.1 MSF emergency medical assistance on Samos and Lesvos

As a humanitarian organisation with expertise in responding to medical emergencies, MSF plays a critical role in ensuring that people arriving on Samos and Lesvos receive the urgent medical care they need. This involves immediate medical check-ups and triage, and either first aid on-site or referral to a hospital on the island; it also includes psychological first aid and people are givenfood, water and dry clothes. From August 2021 to July 2023, MSF provided emergency medical assistance to new arrivals on the islands of Samos and Lesvos on 533 occasions, assisting 7,904 people in total.²¹

The following example outlines the usual steps of MSF's emergency response:

- Organisations which have a publicly available hotline phone number are often contacted by people who have recently arrived on Samos or Lesvos and are in distress.
- The organisation issues an emergency alert outlining the situation. This is sent simultaneously to Greek competent authorities, FRONTEX, and MSF, among others. Alerts usually include the following information:
 - o reported pin location of the group of people
 - o reported number of people in the group
 - o specific vulnerabilities, such as presence of pregnant women, children and people with medical needs
 - o contact phone number of at least one person in the group
- On receiving the alert, MSF immediately informs the authorities through the established email thread, that it will launch a medical response and subsequently mobilises its response team, who prepare medical kits, water, food and clothes.
- The MSF team departs for the reported location, which may be remote, mountainous, forested and inaccessible by vehicle, meaning that team members often have to travel on foot, carrying the emergency medical and humanitarian kits in backpacks.
- Having arrived at the sent pin location, MSF team members call out to the group, encouraging people to come out of hiding and reassuring them that MSF is there to provide assistance.
- Having located people of the group, MSF team members triage them for medical needs and provide first aid and psychological first aid. They distribute food and water. If people are showing signs of hypothermia, they distribute

survival blankets; if people are suffering from the heat, they help them cool down. If any urgent or serious medical needs are identified, MSF requests an ambulance for the person or people to be transferred to hospital.

- If the relevant authorities are not already on site, MSF informs them, through the European emergency number (112), of the number of people assisted. The relevant authorities then transfer the new arrivals to the island's reception centre to register them and process their asylum claims.
- If people tell MSF that their group became separated and some are still missing, MSF team members stay in the area, continuing to call. If no more people are located by nightfall, MSF informs the Greek competent authorities and requests further search and rescue operations.
- MSF officially informs the relevant authorities and other relevant organisations that the response has ended.

In compliance with all relevant procedure and legislations, MSF only acts on emergency alerts sent simultaneously to the Greek competent authorities, including local police and coast guard, and always informs the local authorities prior to sending a team to provide emergency medical assistance. Particularly since the beginning of 2023, a collaborative engagement by local authorities on the ground has enabled MSF to efficiently deliver medical assistance, and sometimes even lifesaving support, to many of those seeking protection in Greece, within the established framework of emergency response.

3.2 Vulnerabilities and medical needs amongst new arrivals

MSF underlines the level of vulnerability of people arriving on Samos and Lesvos island. Most have fled countries with a high, and sometimes decades-long, prevalence of state and/or non-state violence and persecution, such as Afghanistan, Syria, Iraq, Palestine, Yemen, Somalia, Ethiopia, Eritrea, Sudan, South Sudan, Sierra Leone, Cameroon and the Democratic Republic of Congo. Many have made long and dangerous journeys, with the crossing of the sea border between Turkey and Greece being its last leg (so far). Amongst the **7,904** new arrivals assisted by MSF were men, women, accompanied and unaccompanied children, infants including new-born babies, and elderly people. During most of their emergency responses, MSF teams found people in emotional distress, exhausted, thirsty, hungry, wearing clothes that were wet or smelling of fuel, exposed to harsh weather conditions, and often covered in burns, cuts, scratches and bruises. MSF provided medical assistance to 135 pregnant women, several of them in late stages of pregnancy and some experiencing uterine contractions; people with medical complaints related to pre-existing health conditions such as diabetes, epilepsy, asthma, cardiovascular diseases and recent surgery; and people with physical disabilities. A total of **155** people were transferred to hospital by ambulance for further medical care after receiving first aid from MSF emergency teams.

²¹On Samos MSF started emergency response activities in August 2021, suspending activities for a four-month period between October 2021 and January 2022, and restarting them in February 2022. On Lesvos, MSF started emergency response activities in June 2022.

MSF teams have assisted 1,520 children during emergency medical responses. This represents 19.2% of the total number of people assisted by MSF on their arrival in Greece. On Lesvos, in June and July 2023 alone, MSF teams provided assistance to 117 unaccompanied minors.

Primary healthcare provision in MSF's regular programmes on Samos and Lesvos further illustrates the scale of the health vulnerabilities amongst people arriving on the islands. From April 2022 until July 2023, MSF conducted 10,814 primary health consultations, which included sexual and reproductive healthcare as well as specialist care for survivors of sexual violence. MSF has supported people with a range of serious and sometimes life-threatening conditions, including chronic non-communicable diseases, as well as communicable diseases such as hepatitis, HIV and tuberculosis. From April 2022 to July 2023, MSF provided 8,621 mental health consultations, giving psychological and psychiatric support.

Subsequent medical check-ups and consultations by MSF also reveal that many of the people arriving on Samos and Lesvos experienced appalling levels of violence in their home countries or on their journeys. Many MSF patients said that they were subjected to previous violence and traumatic events including torture, sexual violence, trafficking, forced sex work, the deaths of loved ones, kidnapping and incarceration. On Samos, **67.2%** of new patients seeking mental healthcare told us that violence was the precipitating factor in their mental health distress²². Between August 2021 and July 2023, MSF teams on Samos and Lesvos treated 467 survivors of sexual violence and 88 patients who had survived female genital mutilation in their country of origin. Many of these women and girls were also

suspected survivors of trafficking en-route and some were pregnant or had given birth to children as a result of rape. Women travelling alone are particularly at risk – 91% of female survivors of sexual violence supported by MSF on Samos between January and September 2022 told us they were travelling alone.

Aminata was kidnapped in her home country to force her to undergo female genital mutilation. She escaped with her husband and fled to Iran, but was trafficked into forced labour, where she survived sexual assault whilst pregnant:

"Due to what they did to me, I was shouting at night... I had nightmares; I saw them running after me... Sometimes I wake up with tears on my face [...] Always the same dream: seeing myself running, people coming after me, some of them running with a knife."²³

Tarib, from Iraq, receives regular care from MSF's mental health team to treat his insomnia and state of constant hypervigilance, which was exacerbated by the violence he experienced at EU borders after reportedly being pushed back three times. Tarib decided to leave Iraq out of fear for his safety:

"Daesh attacked the building of the company by shooting at our windows. [...] I received a call from colleagues and acquaintances: they told me that they had information, I was identified and that they were coming after me. They told me to leave fast and that my life was at risk. I packed and left Basra the day after. I had to move from multiple cities to be safer: I moved to Baghdad, where I stayed until the place felt unsafe, then I went to Erbil. I tried to move from there too, I sought to get a visa, but I failed. I had to find a way to leave and go to Turkey."²⁴



²²This could be any form of violence, experienced in their country of origin, on the journey, or on arrival in Greece.

²³MSF patient testimony, Aminata

²⁴MSF patient testimony, Tarib

4. PUSHBACKS AS ROUTINE PRACTICE

The expanding use of pushbacks has been extensively documented and denounced by the Council of Europe (CoE),²⁵ Committee for the Prevention of Torture (CPT),²⁶ United Nations,²⁷ non-governmental organisations,²⁸ the media,²⁹ and even EU institutions.³⁰ Accounts by MSF patients and data from medical consultations, as well as MSF operational experience on Samos and Lesvos since 2021, hints at recurrent pushback-practices against people attempting to reach Samos and Lesvos.

Records and documentation of pushbacks in Greece

It is impossible to reliably quantify the numbers of people pushed back to Turkey across the eastern Aegean as no independent monitoring mechanism exists. As outlined by the Council of Europe, pushbacks involve criminal acts: "Pushbacks generally involve multiple violations of human rights, including the violation of the prohibition of refoulement and collective expulsion, the prohibition of torture or inhuman or degrading treatment or punishment.' In February 2022, UNHCR reported alarm at 'recurrent and consistent reports coming from Greece's land and sea borders with Turkey", 31 with records of 540 incidents of informal returns by Greece since 2020. More recently, the Greek National Commission for Human Rights reported 50 incidents of informal forced return from Greek territory between April 2020 and October 2022.32 In July 2023, in its Special Report on the Return of third country nationals, the Greek Ombudsman highlighted the guidelines prepared by the Fundamental Rights Agency of the European Union-FRA on the need for independent national border monitoring mechanisms.33

It is common for people to report being pushed back multiple times during their journey to reach Europe. In 50

testimonies (of 56 people) collected by MSF on Samos and Lesvos, a total of 183 pushbacks were reported, with nine testimonies describing being pushed back between 8 and 14 times.³⁴ Husband John and wife Alexandra told MSF that they had been pushed back nine times, both at sea and from land, first whilst Alexandra was pregnant and later with their new-born baby.³⁵ Fatima described being pushed back eight times with her husband and two children:

"People had already warned us that the chance is small that we would make it to Greece in one try. But little did I know that so many tries and so much misery would follow." ³⁶

4.1 Pushbacks at sea and from land

MSF patients' accounts and multiple other sources³⁷ describe consistent practices of both pushbacks at sea and from land. During sea-based pushbacks, people attempting to reach Greek shores are intercepted in Greek waters by boats manned by "individuals with covered faces", as they are frequently described. The group's boat engine is then either removed or destroyed and the people on board are left to drift or are towed into Turkish waters. People also describe being forced on board a larger vessel, where they are often subjected to physical assault and their possessions are confiscated and destroyed, before they are coerced onto an inflatable life raft and cast adrift.

Pushbacks from land follow similar patterns. After arriving on Greek islands, people describe being chased and apprehended by groups of unidentified people with covered faces³⁸, often subjected to physical and verbal assault, and their possessions similarly confiscated or destroyed. They are then taken against their will to a vessel at sea, then put on life rafts and cast adrift.

Excerpts from testimonies told to MSF illustrate these practices:

²⁵ Council of Europe, 'Pushed beyond the limits: four areas for urgent action to end human rights violations at Europe's borders', 2022

²⁶Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, Report CPT/Inf (2020) p.35.

²⁷ UNHCR warns of increasing violence and human rights violations at European borders, February 2023; UNHCR Greece Fact Sheet, February 2023.

²⁸ For example, Amnesty International 'Europe: Caught in a political game', 2020 and 'Fear and Fences: Europe's approach to keeping refugees at bay', 2015; Human Rights Watch, European Court Slams Greece Over Deadly Migrant Pushback, 2022.

²⁹ Tondo, 'Revealed: 2,000 refugee deaths linked to illegal EU pushbacks', The Guardian, 2021; New York Times, Video shows Greece abandoning migrants at sea, May 2023.

³⁰ Euronews, <u>Violent and illegal pushbacks must end now, EU warns Greece</u>, July 2022; New York Times, <u>Greece Border Abuses Highlight Europe Clashing Priorities on Migration</u>, February 2023.

³¹UNHCR, 'UNHCR warns of increasing violence and human rights violations at European borders', 2022.

³² GNCHR, Recording mechanism for incidents of informal returns: interim report, January 2023.

³³ Greek Ombudsman, Special report: return of the third country nationals, 2022.

³⁴ Two people did not disclose the number of previous pushbacks they had experienced.

³⁵ MSF patient testimony, John and Alexandra

³⁶MSF patient testimony, Fatima

³⁷ Amnesty International, <u>Greece: violence, lies and pushbacks</u>, 2021; <u>European Court of Human Rights</u>, <u>Violations of the Convention in a case concerning the sinking of a migrant boat</u>, <u>July 2022</u>; <u>Human Rights Watch</u>, <u>World Report 2023</u>; <u>Greece</u>; <u>Greek Council for Refugees, <u>At Europe's Borders: Between Impunity and Criminalisation</u>, <u>March 2023</u>; New York Times, <u>Video shows Greece abandoning migrants at sea</u>, May 2023...</u>

³⁸ The reported involvement of unidentified masked individuals and/or uniformed officials does not preclude overlap, collaboration or collusion between the two, as previously reported by the New York Times in May 2023. New York Times, <u>Video shows Greece abandoning migrants at sea</u>, May 2023.

Pushbacks at sea

Alika told us that she was six months pregnant the first time she and her husband attempted to reach Greece:

"We had to walk into the water to enter a small rubber boat. Everybody got wet before we even started, the waves hit until our waists. It was pitch dark. We were told to turn our phones off so that there couldn't be any light. We had to remain quiet and invisible. Across from me was a mother who held her hand on her child's mouth for hours, but then she suddenly screamed herself. A sharp light was shining on us, just as in the mountains on the border of Turkey and Iran. "Stop! Hey! Stop!" There was a grey boat, not so big, and on the deck stood, I think, five men. I couldn't see them well because of the light and they were wearing dark clothes too. My body was stiff, frozen, I think I stopped breathing for some minutes. The boat was coming close to us and was making waves. They had a long stick with a hook and started slamming on the engine. One guy got hurt by the stick. Our rubber boat was so close that they tied a rope to it and then started going very fast. We all fell on top of each other in the middle of the boat. I was so afraid for the baby. Because they were going so fast, water was splashing into our boat. And then they stopped the motor, untied the rope on their side and quickly, as if nothing had happened, they left. Everything happened so fast. People started shouting for help as if they had to be silent for so long that they now screamed out all their fears. But it was dark and there was no one."39

After several hours, the group was rescued by the Turkish Coast Guard. Exhausted, dehydrated and in emotional distress, Alika was taken to hospital by ambulance; she

was discharged two days later. She and her husband made another attempt to cross the Aegean and eventually made it to Greece.

The dingy on which Fatima and her family were travelling was reportedly boarded by an unidentified masked individual who threw the engine into the water and left them to drift at sea:

"A small inflatable boat was floating in the water. I got wet up to my waist. The kids and I sat in the middle together with two other women and their kids. The men sat around us. Then they pushed us off. None of my kids know how to swim. I could see there was land ahead of us: lights of a small city, lights of cars passing... 'Is this Greece?' I was wondering. It couldn't be possible that Europe was so close. But my first encounter with Europe turned out to be very different... The sea is dark and scary in the night [...] All I was thinking about was how to save my kids if we would fall in the water. But we never made it far. As soon as we entered Greek waters, at least I think that was the case, a small grey boat came in our direction, as if they had seen us coming in the night. They came very close, and a man dressed in all black with a covered face jumped on our boat. Everybody was screaming. You know, still when my son sees someone in, for example, a black hoodie or a black big jacket, he gets scared. The man jumped in our boat; he had a stick in his hand and started beating the person in front of him. Then he pulled off the engine and dropped it in the water. He beat two more people. I was trying to cover the eyes of my kids. Then he went back to his own boat and they drove away fast. We were left in the middle of the sea with no engine."40



³⁹MSF patient testimony, Alika.

⁴⁰MSF patient testimony, Fatima

Pushbacks from land

Adele was heavily pregnant and in need of medical attention when she and her husband Pierre were reportedly taken out to sea and put on an inflatable life raft:

"The first attempt was [...] when I was about seven months pregnant. We crossed the sea without being seen by any coast guard. As soon as we made it to land, the group split up. My belly was hurting badly, and I was seeing blurry and feeling dizzy. Maybe it was because of all the stress? We hadn't eaten well either for some days. My husband and I decided to start walking to the closest road to look for a taxi or for someone to call an ambulance to bring us to a medical centre. To our surprise a car stopped, and the driver said: 'Police'. 'No, police,' I answered, 'I have to go to the hospital, I am in pain.' Then I discovered that the guy was a cop in a normal car in undercover clothes. He took us in his car, saying that he would help us. But instead, he drove us to another place – it looked like a military base or something – where we saw the people from our boat surrounded by several men dressed in black and carrying weapons. They said: 'Don't worry, the ambulance is on its way.' But the ambulance that came was a pick-up truck that took us all to the shore where a small boat was waiting. We were forced to embark. The small boat brought us to a big white boat [...] We saw that they were preparing inflatable baskets on the deck of the big boat, which they then threw in the water and tied them with a rope to the small boat. They told us to stand up and asked us one by one to hand in our belongings and step into one of the baskets. They started driving on high speed further into the sea. I think that we were 16 people stacked on top of each other. We understood that we were being brought back to the Turkish side. Then they cut the ropes and left."41

Mariam reported being part of a group who were beaten and had all their possessions confiscated before being taken out to sea and cast adrift:

"We jumped out of the boat and walked through the water to the beach. I saw the boat turning around and leaving. It was a small bay and there also was a small island. We made it! We went to a place with many bushes and sat down. I was so cold and wet that I could hear my teeth clicking on each other. I was shivering. 'What do we do now?' 'We wait until tonight, then we start walking towards the lights.' Suddenly we were surrounded by many men with weapons. Again, with covered faces, just like the men on the boat last time. I think it was eight of them or even more. They didn't say anything and no one in our group said anything. They made hand gestures that we had to get up. Most of us did, but two boys stayed on the ground. That's when it all started. One of the men shouted and started beating the boys. He kicked one of them in the stomach, in his side, in his back, on his head.'You do what I say!', he shouted. Some of us were so shocked that we started screaming, and then the other men started beating us. All of us. Everywhere. One shouted: 'No Greece, no!'. We were pulled and pushed into a line, and we had to give them everything we had: our phones, money... A small van arrived and we were pushed inside it, in the back, on top of each other. I could barely breathe. They drove fast, over many bumps and through many turns. We stopped. 'Out, out!'. They lined us up. We were in a small port-like place. There was a boat, it looked like the boat I saw last time, and I knew what was going to happen. We were kicked and beaten one more time and with their sticks they were guiding us to get on the boat. As if we were sheep. But a shepherd never beats his sheep. In the middle of the sea they threw an orange floating thing in the water. It looked like a mattress with a cover. And one by one we were pushed inside."42

4.2 People missing and unaccounted for

MSF receives official alerts, simultaneously with authorities, when people arrive on Samos or Lesvos in need of urgent medical care.43 These alerts include the reported number of individuals in each group in need. Frequently, MSF teams are only able to locate and assist part of the group and, sometimes, no one at all. Between August 2021 and July 2023, more than 10,000 new arrivals were officially reported to all relevant authorities and organisations, including MSF, as needing assistance on arrival, yet MSF was only able to medically assist 7,904 of these individuals. This leaves approximately 2,000 people who were not located by MSF at the reported location by the end of the emergency response. While the reported figure is based on what individuals communicate when requesting assistance, and may not be exact, the major discrepancy between the reported figures and the number of individuals responded to, coupled with testimonies and accounts from others in the same group, indicate that people unaccounted for by MSF during the intervention may have been forcibly returned to Turkey.

Only part of group found

MSF received an alert calling for medical and humanitarian assistance for a group of 46 people in distress. Two MSF vehicles carrying humanitarian aid items and medical equipment were stopped by the Greek authorities on that day for 35 and 40 minutes respectively before being allowed to depart. The MSF team reached the location and started calling for the group to come out of hiding, explaining that the team was there to assist them and provide them with aid. Here is MSF's internal report of that day's response:

"MSF team when arrived at the location have first encountered a group of seven. The group reported that they were part of a boat of 46. The group communicated to MSF that other people that arrived with the same boat were stranded in the surroundings [...] MSF team has found a group of 36 in the surroundings and is providing non-food items and medical support. NB a member of the group reported a swollen eye and wounds on his face. He communicated to MSF team that two more people were hiding with him and he is not aware of their whereabouts. He reported that what he described as a 'group of armed men with covered

⁴¹MSF patient testimony, Adele & Pierre

⁴²MSF patient testimony, Mariam

⁴³MSF only acts on official alerts, simultaneously sent to authorities. MSF's medical intervention follows the framework described in section 3 of this report.

faces' have tried to abduct them. He reportedly managed to escape and was pushed with his face on a rock by the said people, for which he retained his head injury. He reported that when running away he heard two gunshots and the two other co-travellers reportedly being assaulted. He managed to re-join the current group only lately and could not establish any contact with the two people he was travelling with. MSF was unable to retrieve."⁴⁴

On that day, the MSF team provided medical and humanitarian aid to 44 people and treated the man referred to above for facial injuries. Two members of the group, who were reported missing by the other group members, were never located or assisted by MSF.

None in group assisted

MSF received an emergency alert about a group of seven people who had arrived early in the morning and were reportedly in a wild, mountainous location inaccessible by car and in need of medical assistance. After parking at the nearest road location, the MSF team was prevented from reaching the group's reported position by authorities present on the ground, who explained that it was a military zone.

The MSF team established contact with the group using the telephone number shared with all actors and competent authorities via the emergency alert, who said there were seven people in the group, including one woman who was injured, bleeding and in need of medical assistance. They told MSF that they were afraid and hiding from uniformed officers who were searching the area. They shared their WhatsApp pin location, which showed them as 350m away from the MSF team.

MSF informed the officers guarding entry to the area that the group was just a few hundred metres away and that a woman was in urgent need of medical assistance. MSF again requested access to provide first aid, emphasising the medical urgency of the situation. The officers confirmed that they were aware of the number of people, their reported location and that there was an injured person in the group. They insisted that MSF could not enter, saying that it was a military area, that police officers were already searching for the group, and that if they were found and medical assistance was required, then MSF would be called.

The MSF team remained on site. A few hours later, the group messaged to say their phone was low on battery but that they were still in the same location. Then, MSF lost all phone contact with the group. It was more than 7,5 hours after the initial distress alert when the MSF team was finally granted access to the area. There was no one at the pin location and no one was found in the surrounding area, despite the MSF team using a megaphone to communicate with them.

Three days later, a man named Guelor reached the reception facility on foot. He told MSF that he was part of the group who had arrived that day: "When we arrived, we saw that the police were already there waiting for us, so we tried to hide in the bushes..." Guelor left the group and retraced his steps to find a bag that he had left behind earlier. When he returned, there was no sign of his companions: "When I came back [to the place where my group was hiding], I found nobody. I got terrified and kept hiding." 45

4.3 Violence and inhuman treatment

Drawing on patients' descriptions, violence and inhuman treatment appear to be consistent features of pushback operations at the Aegean border. Testimonies given to MSF staff describe similar patterns of violence carried out by uniformed officers and/or unidentified persons with covered faces during pushbacks. ⁴⁶ The most frequent violent practices reported to MSF over the past two years are abduction, physical assault, strip searching including intrusive body searches, confiscation or destruction of personal possessions, humiliation and verbal violence.



⁴⁴ Extracted from MSF Internal Report.

⁴⁵MSF patient testimony, Guelor

⁴⁶ MSF's findings are corroborated by documentation and reporting by human rights bodies and civil society, including the Council of Europe: 'There have been numerous and consistent allegations of pushbacks from Greece to Turkey for several years now, with the Commissioner joining many other international bodies and civil society in calling on the Greek government to put an immediate end to this practice, which is also frequently accompanied by allegations of violence', Council of Europe, 'Pushed beyond the limits: four areas for urgent action to end human rights violations at Europe's borders', 2022.

4.3.1 Handcuffing, immobilisation and abduction

Reports of handcuffing, immobilisation and abduction⁴⁷ of people from Greek soil appear to be a defining feature of pushbacks from land. People repeatedly describe being apprehended by individuals with covered faces or full-face masks, in black or civilian clothes. Soon after arriving on Greek islands, they often report being chased, and some recount being informally detained⁴⁸ in a container or room for several hours or days before being pushed back.⁴⁹ In eight accounts given to MSF, patients describe the shooting of firearms as a practice of intimidation before interception at sea or abduction of stranded groups on land. Other accounts by MSF patients detail elements of deception, with people they met deliberately providing them with false information, promising that they would be taken to a camp or to hospital, when instead they were eventually pushed back from land without ever receiving medical assistance.50

Tarib reported being abducted along with 27 others and pushed back at sea:

"One of the officers that blocked us lifted me up and put a metal handcuff on my wrist. He tied the second handcuff to the wrist of a [...] man that was with me on the boat and followed me after we split up. They wanted us to be tied together and walk. I asked them to lie and rest, I explained I had a heart-issue and I was feeling the fatigue. They beat me again and pushed the [...] man to keep walking so I was forced to walk along. They brought us close to a dock where a boat of the coast guard was waiting for us. They drove us to the middle of the sea and left us in a life raft..."51

Nour told MSF he had survived 11 pushbacks. He described one of the occasions:

"We were already surrounded by officers of some kind: three, four men and a woman. The men were wearing dark clothes, the woman normal clothes. I don't even know if she was police. 'Are there any more people?', one of them asked in English. They were friendly. The woman smiled at one of the kids. 'Camp, camp,' they were saying. We were ordered to follow them, which we silently did... Then a small bus came and we all had to get in. It stopped by a few white buildings with a wall around it. The same officer from the beach opened the door of the van and ordered us all to get out. We were brought to one of the buildings; he opened the door of a room where there was nothing else than a dirty cement floor and in the corner a door to a small bathroom..."

He states being held in this room for four days, along with around 20 others who were on the same boat, including a family with two small children:

"Once a day, they would give us a small bottle of water and some bread. When we asked what was happening, they would just say: 'Wait'. Until the fourth day, two officers came and said: 'Come' ... Again, we went into the van. But when we stopped, we were not at a camp, we were by the sea. It looked like a military base or so, at least it was not a public place, there was nobody else. Again, we had to wait in a small building. And then a big ship came and we were all asked to embark...They took us to the middle of the sea and, when it was dark, they inflated one of those orange things. I knew what was happening, I had been through it before...."

Violence and handcuffing

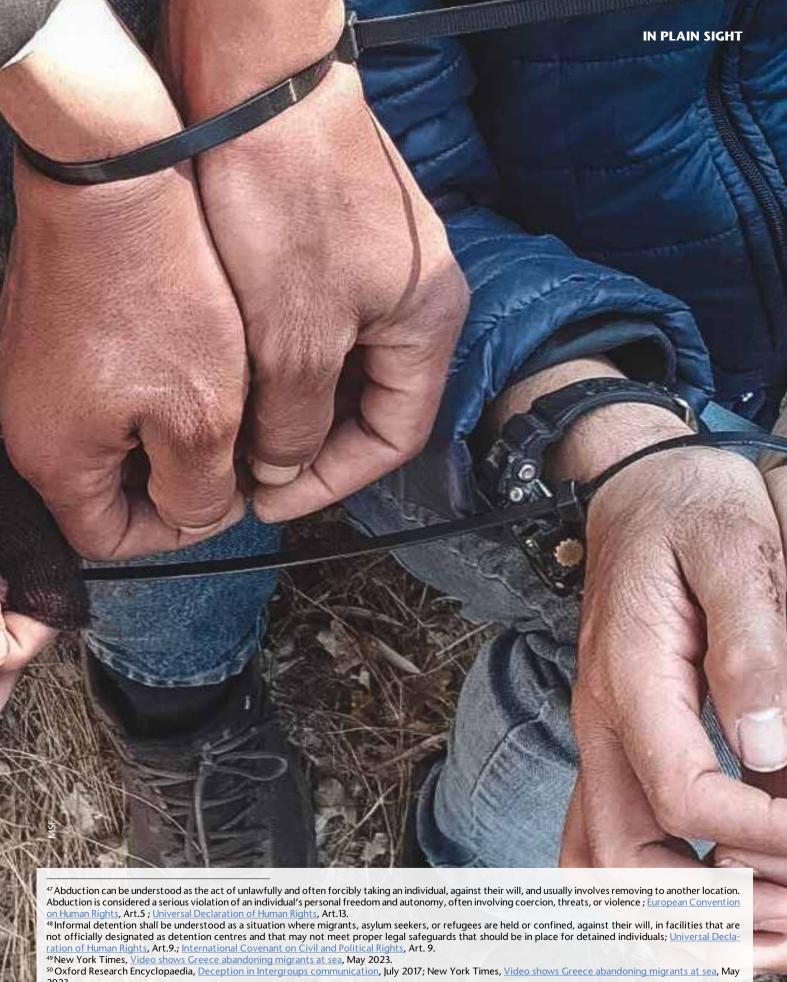
Accounts by MSF patients refer to being handcuffed prior to being abducted and pushed back. Handcuffing – especially the most rudimentary form of handcuffs using excessively tight plastic zip-ties – oftenresults in bruising, bleeding and in some cases in deep cuts.

During two emergency interventions, MSF medical teams have found people handcuffed with plastic zip ties or foundevidence of such handcuffing and provided medical care to people with wounds and injuries on their wrists. The handcuffing involved immobilising wrists or ankles with plastic zip ties to prevent people from moving or escaping. These events were consistent with patients' reports of being apprehended and subjected to physical violence before being immobilised by the use of plastic handcuffs.

On the first occasion, MSF received an official alert of a group of new arrivals who were stranded and in need of emergency medical assistance. When the MSF team arrived at the indicated location, they heard screams and shouts and found a group of 22 people on the ground, in emotional distress, including three people tightly handcuffed with plastic zip-ties. The MSF team cut the people free from the zip-ties immobilising their wrists.⁵⁴

The group told to MSF that, shortly before the arrival of the MSF team, seven to eight people wearing dark clothes and with their faces covered had approached them, presenting themselves as doctors. The group also told that, as they tried to run away, some of them were violently beaten and three people had their wrists tied with plastic zip-ties. The masked individuals ran away when they heard the MSF team approaching the location and calling to the group through a megaphone.

On the second occasion, the MSF team responded to an official alert and found a group of four people who had reportedly been handcuffed with zip ties, beaten and electrocuted with a taser. When the MSF team approached, they saw that the people were clearly in distress. One had marks and bruises on his wrists and ankles. He reported to our staff that approximately 15 minutes before the MSF team's arrival, a group of unidentified people wearing full-face masks were present on site. He reported that some of these unidentified individuals had secured his wrists using black plastic zipties, cutting him free violently with a knife as the MSF team approached. The MSF team found the plastic zip-ties that had reportedly been used to immobilize him. An MSF doctor provided him with wound care. The groupreported that two others had also been handcuffed with plastic zip-ties before being released.



^{2023.}

⁵¹MSF patient testimony, Tarib

⁵² MSF patient testimony, Nour

⁵³ MSF patient testimony, Nour

⁵⁴MSF, People found handcuffed and injured on the Greek island of Lesvos, October 2022.

4.3.2 Physical assault and verbal humiliation

MSF has documented multiple testimonies of physical assault during claimed pushbacks,⁵⁵ including beating with sticks, slapping, kicking and punching of men, women, pregnant women and children. During emergency interventions, MSF has also medically treated at least 15 people for injuries reportedly caused by physical assault by uniformed officers and/or unidentified masked individuals on their arrival on Samos or Lesvos. It is possible that the actual number of such injuries is higher, as people do not always disclose the reason for an injury during medical consultations.

According to patients' accounts, MSF teams have on several occasions 'interrupted' uniformed officers and/or unidentified masked individuals from beating people by arriving in the area to provide emergency medical treatment. MSF has witnessed people running out of the forest screaming, crying and reporting being beaten, and MSF medical staff have treated people on the spot for suspected violence-related injuries. In January 2023, four groups assisted by MSF reported having been subjected to physical violence perpetrated by uniformed officers and/or unidentified masked individuals on land just before the MSF team arrived at the shared pin location. In addition to physical assault, people have reported being verbally harassed, humiliated and shouted at by uniformed officers and/or unidentified masked individuals. Out of 50 testimonies collected by MSF on Samos and Lesvos, 29 reported being subjected to verbal violence.

Zuri, an MSF patient who reported four pushbacks before making it to Greece, described being beaten whilst pregnant:

"They caught us when we were running... They beat my husband; they beat me also... They took us to a container, they gave us food, we ate, changed our clothes... At night... They said they would take us to the camp. What we see? Water! They pushed us back. That night I was very sick. Very sick. I couldn't stand. I was tired; when I was walking it was as if my bones were like this [makes floppy moves]. Still I am feeling that pain... from the kick. They kicked me. It was the coast guard, at least, this is how we call it. They have masks and glasses; you can't see their faces. They only kicked me, but my husband was beaten. I still have pain in my back, especially now that the baby is growing; it is too much for me. That's why I am walking like this."

Ibrahim, who reported having been assaulted by uniformed officers, described to MSF staff the fear he felt that day:

"The coast guard arrived in the morning and found us. The officer took and broke our phones and started beating us with a metal cane. They hit me twice, once on my back, I still have the scar, and once on my hand... do not know the reason why... My hand started swelling and was

swollen for days. I hid my hand because I did not want to tell anybody that I was hit because I was afraid that the officer that hit me would put me in trouble."⁶⁷

Group of people chased and beaten

On one occasion, MSF was alerted to provide emergency medical assistance to a group of around 40 people. Arriving at the location, people – including a woman who was eight months pregnant – began running out of the bushes towards the MSF team, screaming and in acute distress. They told the team that they had spent two nights hiding outside in cold temperatures and, shortly before MSF arrived, had been caught and beaten by men dressed in dark clothes with covered faces. The MSF medical doctor provided wound care to 10 people, including one woman who was bruised and bleeding from a deep cut above her eye, a man with bruises on his legs where he said he had been beaten with a truncheon, and a man with swollen lips and multiple skin injuries. Another man reported being beaten on his abdomen. Several people had bruises on their wrists and said they had been handcuffed with zip-ties. The MSF team also provided the group with water, food and clothes and referred the pregnant woman to hospital.

MSF's internal report from the intervention describes the events:

"People were arriving in small groups, holding each other up and in clear panic. Some were falling to the ground, others were crying, praying, kissing the ground. 'They beat us, they beat us.' One woman had a bruised eye and a bleeding cut above it: 'They beat me, it just happened, they just left' [...] Men showed small wounds on their wrists and one woman said she was handcuffed as well. 'They handcuffed us like this [holding wrists together in front of body] and then started beating.' 'They were beating with their hands and also with batons, they were also kicking some of us with their feet and knees.' 'They had guns. One told me to do what he said otherwise he would use his gun.

An MSF doctor on the scene reported that the people's injuries were consistent with their descriptions of events:

"People told us they had been beaten around 15 minutes before our arrival and clinical features of their injuries were compatible with this information. The blood in the open wounds hadn't entirely formed clots yet... Their injuries were most probably the consequence of some physical violence such as punching or beating." 59

Several weeks after the incident, a survivor told MSF about what she had experienced that day:

"They dragged her, yes, on the ground. They were in front of me,

⁵⁵ Physical assault can be understood as intentional use of physical force or violence against another person without their consent, resulting in bodily harm, injury, or pain. Physical assault can take various forms, including hitting, punching, kicking, slapping, strangling, and using objects as weapons to cause harm This act violates an individual's basic human rights, particularly their right to personal security, physical integrity, and dignity; <u>Universal Declaration of Human Rights</u>, Art. 3, Art. 5.; <u>European Convention on Human Rights</u>, Art. 3

⁵⁶MSF patient testimony, Zuri

⁵⁷MSF patient testimony, Ibrahim

⁵⁸ Extract from MSF internal report

⁵⁹ MSF staff testimony

⁶⁰ This word is a derogatory term in Greek which, depending on the context, can be understood as an insult.

⁶¹ MSF patient testimony, Elizabeth

in front of us [...] They tied them like this [putting wrists together in front of her body], then the pregnant woman was there, they also tied the pregnant woman. It's seven people they caught [...] There was a big rock in front of us from where we could see all their actions, everything, but they couldn't see us, we were hiding [...] They were so angry: 'Don't move! Bend your head down, malaka!⁶⁰ They even stepped on the other lady's stomach, beating her.'⁶¹

4.3.3 Strip searches and intrusive body searches

Several MSF patients also mentioned being subjected to non-consensual strip searching⁶² and intrusive body searches during reported pushbacks, a practice consistent with existing report on the issue.⁶³ Out of 50 interviews, 11 people stated having been subjected to non-consensual strip searching and intrusive body searches by uniformed officers and/or unidentified masked individuals. They described being lined up and searched in front of the entire group, sometimes in the presence of family members, adding another layer of mental distress. Asma, who had travelled through five countries to reach Greece, reported that she had been pushed back six times: three times at sea and three times from land. Talking about the most recent pushback, she told MSF: "I wear hijab, but on the boat, they undressed me. I was in my underwear. They touched me and searched me."

MSF patients have described to MSF the humiliating and degrading ways these strip searches were conducted during reported pushbacks. They spoke about officers putting their fingers inside men, women and children's genitals to 'search' for money or possessions:

Adele described being strip searched: "One man started searching my body: he put his fingers inside my vagina and inside my anus... Then he brought his hands to my chest, he cut my bra and was touching and holding my breasts: under, around, in between... And I said: 'Sir, I am breastfeeding a baby.' Then he started touching my hair, he searched between my braids and pulled them one by one. Then he undressed the baby. He tore his diaper apart and was searching it. For what? For money? They searched his entire small body... All the women on the boat were searched and then all the men. He put his finger in their anus, searched their private parts. And he even didn't change his gloves. He just went from one person to another and everybody was watching." Pierre, Adele's husband, corroborated this: "Yes, I was searched. He put a finger inside my anus."

Eleonora told MSF about four separate incidents of these violating 'searches'; she described three of the occasions:

- "They searched every one of us, the women inside the vagina, the men inside the ass, they told them to bend over...They touched my whole body, my breasts, my armpits. I had put my money in my hair. You know that many African ladies wear a wig. They pulled it off, searched it, found it..."
- "I looked to the sky and I prayed, I prayed. Again they beat us. Again they took everything: my phone, my bag, my medicines, my bracelet. Again they put their fingers in my body. Yes, in my vagina. It was just one man, he did it to another woman and me..."
- "I was so afraid that I was feeling as if I had to vomit. Afraid that the same would happen, like the last times. And yes, it happened again."

The frequency of these accounts by MSF patients and the similarity of events described suggest that these are not isolated practices. People are left traumatised and distressed, as reported by all interviewed women and men who stated to having been subjected to such degrading searches, which harm people's physical and mental health as well as their human dignity. The fact that authorities also reportedly failed to change gloves between 'searching' individuals is a further act of violence, with the risk of potential harmful health consequences such as cross-infection.

Sahar told MSF staff that she was stripped of her clothes and intrusively body searched three times before being pushed back to sea:

"They searched us all, multiple times. When they search our body, the officers are all male police and they are touching us, they are touching us in a bad way, they touched us inside.... They asked us to get naked, they wanted to see if I was hiding anything inside the bra and inside my panties. I was searched three times, they searched my body once in the jungle, once more on the big boat where they put us, and one final time on the life raft in which they put us. They touched us all with the same gloves, men and women, and it seemed to me they have not changed them between us. After this I even asked support to your midwife because of what happened."

Julie-Rose told the MSF team that she and the entire group of people she was travelling with were strip searched in a violating manner before being pushed back at sea:

"We all got on the boat. They seated us all down and started with the bags [...] They undressed us, women. They undressed all of us, men also were undressed, kids were undressed, they took out babies' diapers to search for money. There was a woman who wore gloves to search us. There was also a man with gloves who searched the men's bottoms [...] We were more than 10, at least 15 women, and the woman who was searching our private parts searched all of us without changing gloves. She was even using the same gloves on the children."68

⁶² Strip searching can be defined as the process of requiring an individual to remove their clothing for his/her body to be inspected, often searching for prohibited or illegal items, and usually conducted by law enforcement officers. As strip search can be invasive and sensitive, they are subjected to specific legal safeguards to protect the individual rights and dignity; OHCHR, Human Rights Committee, General Comment 16, HRI/GEN/1/Rev.9 (Vol.1), para 8: "So far as personal and body search is concerned, effective measures should ensure that such searches are carried out in a manner consistent with the dignity of the person who is being searched", April 1988.

⁶³ Ekathimerini, <u>Human rights court convict Greece over deadly migrant boat sinking</u>, July 2022

⁶⁴MSF patient testimony, Asma.

⁶⁵ MSF patient testimony, Adele & Pierre

⁶⁶ MSF patient testimony, Eleonora

⁶⁷MSF patient testimony, Sahar

⁶⁸MSF patient testimony, Julie-Rose

4.3.4 Possessions confiscated and /or destroyed

People repeatedly report the confiscation and/or destruction of their belongings, including money, mobile phones, clothes and other personal items. Of the 50 interviews conducted by MSF on Samos and Lesvos, 28 people have reported having their personal belonging stolen during a pushback. Such practices have also been outlined in the media⁶⁹ and, in a recent case, border guards were arrested and found with thousands of euros.⁷⁰

Malik described having his possessions confiscated during a pushback at sea: "We had to hand in anything we had: phones, money, even personal things such as photos."

During a pushback at sea, Eleonora described to us: "They took everything: my phone, my bag, my medicines, my bracelet. That bracelet was from my grandmother. It was gold and very old."⁷²

Concerningly, people have also described medicines and baby milk being taken: "He grabbed the plastic bag with powdered milk I had prepared and threw it in the water. It was baby food."³

Being deprived of their belongings is an additional stressor for people on their migration journeys. Most people rely on mobile phones for communicating with family members and loved ones in their countries of origin and countries of destination, to make sure their family and friends know they are safe. Mobile phones serve the practical purpose of keeping in touch with doctors and other service providers on the islands and for day-to-day endeavours. Taking away people's mobile phones can create anxiety, undermine independency and sever an individual's ties with their support network.

Mazowa, who travelled alone to Greece, reported that uniformed officers confiscated his belongings, including more than €600 and his mobile phone. He described to MSF staff his concern of being unable to retrieve his belongings:

"I can only communicate through the phone of the person with whom I share my space in the camp. I must rely on his phone number even for MSF to contact me. I have all my numbers and contacts on the mobile phone they took away from me. Without the numbers, I cannot get in touch even with my family back home. I cannot even tell them that I arrived; they do not know if I am safe or not..."⁷⁴



⁶⁹ Solomon, The Great Robery: during illegal pushbacks in Greece, refugees are robbed by border guards, March 2023.

⁷⁰ Ekathimerini, <u>Border guard found to be on the take</u>, May 2023.

⁷¹ MSF patient testimony, Malik

⁷² MSF patient testimony, Eleonora

⁷³ MSF patient testimony, Adele & Pierre

⁷⁴ MSF patient testimony, Mozawa

5. THE CONSEQUENCES: LIVES ENDANGERED AND HARMED

5.1 Loss of life at sea

5.1.1 Shipwrecks

Violent and harmful border management practices that do not allow safe ways for people to seek asylum, or that do not ensure adequate assistance and humane reception conditions on arrival, have wide-ranging and severe consequences on people's wellbeing and dignity. The most immediate risk is exposure to hazards on land and at sea that endanger people's lives and cause harm to their health.

Within the framework of its emergency medical activities, MSF teams responded to the needs of 109 survivors of shipwrecks off the coasts of Samos and Lesvos following four tragic events that took place between September 2022 and March 2023. A total of 23 people, including children, lost their lives. In one of these instances, which took place in 2023, MSF provided assistance to 34 survivors of a shipwreck off the coast of Lesvos. The team arrived to find people in shock, exhausted and drenched after spending almost 10 hours in the forest in sub-zero temperatures and windy weather conditions. MSF made multiple referrals to hospital for people in a critical condition due to hypothermia, while three drowned bodies were retrieved from the water by competent authorities.

Shipwrecks off Samos and Lesvos assisted by MSF Team	Number of survivors of shipwreck MSF provided emergency medical assistance to on Samos and Lesvos islands	Number of fatalities having occured during those shipwreck
September 2022	49	1
October 2022 ⁷⁵	18	18
December 2022 ⁷⁶	34	1
February 2023 ⁷⁷	34	3

On one occasion, MSF assisted survivors of a shipwreck whose boat had capsized after hitting a rock close to the shore, which left a young child missing. MSF patient Mariam was on the boat and described the experience:

"We were on the water for many, many hours. We all got wet. There were waves [...] we got close to mountains. And a beach. But instead of going straight, the boat was drifting to the right [...] And then, under us, boom! Rrrt! We hit a rock. The boat got stuck and tilted over. Some people fell in the water. Others were holding on, screaming. I say, SCREAMING. [...] I was not thinking, all I could see was how to get on land. And I managed, honestly, I don't remember how. I saw many people managed but I didn't know if everybody managed. You have probably heard about the woman in the camp who is still missing her daughter? How can a mother live with that? How can a mother have so much pain?"

The body of the girl was recovered two months later.

An MSF team responded to assist a group who had survived a shipwreck in which a two-month-old baby died. MSF's doctor arrived at the site to find the baby's body without a pulse:

"A group appeared, walking on the small dirt road among the olive groves. They said that people with black masks took others from the group minutes before MSF arrived. In the front a tall figure, a man, holding a blanket in his hands, and a few other people following him close behind. Some were limping, some were not wearing shoes, all were crying. The tall man handed to me a blanket with his two-month-old son's body. He was crying in shock and could barely form a sentence. He kept saying: 'My son drowned and they took my wife, I don't know where she is.' We were in communication with the authorities, the hospital, the ambulance call centre, and providing medical and psychological first aid to the rest of the group. We continued CPR (cardiopulmonary resuscitation) until we had clear instructions from the hospital to stop. The baby did not survive. The team was devastated, some had to take breaks and cry behind our car. The father's words, the baby's face, the feeling of my fingers compressing his cold chest, the emergency blanket covering the body and it being taken away in a hearse, all stayed in my mind for days. I felt hopeless and left completely alone, everyone turning a blind eye to our borders that have become graveyards. As the sun was setting behind the olive trees, nothing from the surroundings could suggest what had just happened there. I will never forget the screams and tears from the group, the blood mixed with dirt under their feet, and the words of our psychologist: 'He came to find a better life and lost everything."79

After experiencing multiple pushbacks, and with the route becoming perceived as too risky given the possibility of exposure to violence on arrival in Greece, people have started undertaking other longer and more perilous routes at sea.⁸⁰ These sea crossings usually take place on small, overcrowded and unseaworthy boats, often in hostile weather conditions. Being compelled to take such risks may lead to more tragedies and a high death toll at sea, especially considering the restrictions on search and rescue operations in Greek waters.

⁷⁵ Reuters, At least 18 migrants dead in shipwreck off Greece's Lesbos, October 2022

⁷⁶The Press Project, <u>Lesbos: New refugee shipwreck: one infant dead</u>, December 2022

⁷⁷ Reuters, Three drown, many feared missing in migrant shipwreck off Greece, February 2023

⁷⁸MSF patient testimony, Mariam

⁷⁹ MSF staff testimony

⁸⁰ Forbes, Migrants are taking ever more dangerous routes to get to Europe, January 2022.

5.1.2 Death during pushback

Testimonies collected by MSF show how attempts to push people back to Turkish waters have endangered people crossing the Aegean, and in some cases have led to avoidable deaths at sea. Some testimonies of patients and media coverage of other shipwrecks⁸¹ describe the towing of boats and dinghies with ropes tied to larger vessels as a particularly hazardous practice. On Samos and Lesvos, MSF teams provided medical care to two survivors of the same pushback event at sea that reportedly led to the death of two adults, including a pregnant woman. Tombo recited his memories of the event as follows:

"On my seventh attempt, I was on a boat with many people [...] We were seeing lights and rocks near the island of Samos. We wanted to slam on the rocks to be able to get out of the boat, but at four or five in the morning, a boat of the coast guard arrived towards us, together with a small boat. There were four people from the coast guard on it. They screamed: 'Malaka, drop the machine [engine]!' So our boat no longer had an engine and we could not escape. One of them was putting down the Greek flag from the boat, like to hide it. They asked us to pass all our phones and money and they took them [...] They tied our boat and started accelerating. Their boat was tied so tightly to our dinghy that the dinghy started jumping left and right, almost capsizing [makes hand gestures]. We screamed: 'Please stop, please stop!' They answered: 'Shut up, shut up or we will kill you.' There were children with us, 15 maybe in total... The pressure amongst us was too strong, people were pressured over one another, and the pressure killed them. Two people died on that boat, one pregnant woman [...] The boat was very fast and shaking. The two dead bodies were inside our dinghy for all the duration of this terrible time [...] At one moment they stopped. They shot in the air twice to scare us, and they untied the rope. They left us in the middle of the sea and went away."82

Elizabeth, who was on the same boat, also described the event to MSF staff-members:

"It was a few days before Christmas. We came to Samos, we were facing the island, and then we met with one ship. We wanted to land but the ship was [...] blocking us from landing on the shore. Then we saw another ship coming from our back. It was about four o'clock in the morning. They tied the boat and they said: 'Go back to Turkey.' [...] We were trying to plead them, we begged them, we talked to them. They said we had to dump the engine in the water. There was no choice, they took out their guns. They opened a bright light on us. One of us dropped the engine in the water. They said: 'Bravo!' [...] Then they started pulling us and with the motion water was coming inside our boat. People were being squeezed at the end side [...] people were shouting: 'We will die, we are dying.' Then the guy took his pistol and shot: 'I will kill all of you if you shout here, keep quiet, malakas!"

By that time, you could see the men in our boat climbing on top of the women, who were sitting in the middle, to save their own lives. People were climbing on the back of other people, our own people. Even me, there was a man who sat on my chest, I couldn't protest, I couldn't say anything. The boat was full of water [...] I didn't say a word, until he turned and looked at my face. I was silent, there

were only tears coming from my eyes. That's when the guy came down and said sorry. He didn't raise me up, he just came down and found another way. There were two people already dead in our boat.

[...] Close to a small island, it was just a big rock, they cut the rope and they left us. At first, we were trying to paddle to reach the rocks, but the boat was already under [...] one corner of it had sunk. We were in the water for six or seven hours, until broad daylight.

They said they found the women lying down on the bottom [of the boat], people were stepping on them, but they were already dead. We didn't know about that until we came back to Turkey [...]."

The group were eventually found and rescued by a Turkish Coast Guard vessel. According to patients' accounts, two dead bodies were retrieved that day. Both Elizabeth and Tombo reached Greece, respectively Samos and Lesvos, several weeks after the described event.⁸³

5.2 Family separation

During the extreme stress and confusion of arriving on Greek shores, of hiding, of being chased or apprehended by uniformed officers and/or unidentified masked individuals, and of being put on life-rafts back at sea, newly arrived people often report their group getting separated, sometimes resulting in the separation of families. This includes reports of situations where some family members have been forcibly returned to Turkey while other family members remain on the Greek islands. MSF has provided medical assistance to nine families who told us that they were separated during a pushback.

In several instances, people who travelled from Turkey with their spouse, relatives or children lost contact with each other in the panic of finding a place to hide after arriving on Samos or Lesvos. Other people told the MSF team in high emotional distress that unidentified individuals wearing black masks had apprehended them and taken away their spouse, relatives or children. After being transferred to the relevant reception facility, some families have reported to MSF that they were unable to trace their relatives and spent days not knowing if their family members were alive, safe, lost in the mountains or back at sea and drifting towards Turkey. The lack of knowledge about the whereabouts of family members was exacerbated by people's mobile phones having been confiscated, destroyed or lost at sea.

Concerningly, MSF teams have also encountered several minors who were left unaccompanied after reportedly being separated from their mother or father after arrival in Greece. MSF teams immediately referred them to the relevant organisations and authorities to ensure their protection and safety, and to trace their parent(s) and/or family. Losing contact with a family member in such an adverse environment has consequences on people's wellbeing, especially on children. Even if they are able to establish links with their lost family members, people are then compelled to go through lengthy family reunification procedures.



5.3 Serious harm to people's health

5.3.1 Dangerous terrain

Once people reach the shores of the Greek islands, they run and hide in the mountains and forests, terrified of being found by authorities and pushed back to Turkey. This often results in direct injuries and exposes people to harsh weather conditions, exacerbating existing vulnerabilities, in particular for pregnant women, children and people with underlying medical conditions. After enduring long journeys and suffering extreme stress, people often climb cliffs and walk on slippery and uneven terrain, and as a result, falls and injuries are common. Since August 2021, MSF teams on Samos and Lesvos have carried out 557 wound dressings during emergency responses, many of them linked to injuries sustained during arrival.

In one emergency response, the MSF team arrived at the edge of a steep slope to find 25 people on the ground in an extreme state of panic, many vomiting and in urgent need of medical assistance. People told MSF medical staff that they had been chased by uniformed officers and had fallen down the cliffside. Some reported being beaten. MSF treated two people with suspected fractures due to their falls, another with a dislocated shoulder, and a woman who had suffered a suspected epileptic episode, according to MSF staff on the scene. Three pregnant women were amongst the group. MSF referred 10 people in total to hospital. In May 2023, MSF also provided emergency medical assistance to a group of 25 people, who had climbed a very steep and dangerous hill after being chased.⁸⁴

During another emergency response, the MSF team provided assistance to a group who ventured onto rocky and dangerous terrain. An MSF doctor treated a woman for severe head and face injuries sustained in a rockfall. Her husband, who was also treated by MSF, described the events:

"We tried to climb up the hill and, as we were climbing, the terrain broke and a big rock fell on the face of my wife, followed by a rain of stones that fell on her head. She was injured and bleeding from her head. I told her to sit while me and two of my children were trying to climb up the mountain to find someone of the other group to come and help us. Her face and head were covered in blood. We climbed a bit more and walked for some time until we reached a flat place where there was a road passing. We tried to hide as we were very scared the police would pass by the road. I had not [had anything to] drink since Turkey, I was very thirsty and my children too."85

Often people hide in the open for hours and even days in harsh weather conditions, from intense heat in summer, to storms, heavy rain, cold winds and sub-zero temperatures in winter. On Samos, MSF assisted 38 groups of people who reported hiding outside for more than 24 hours without food or water. Such conditions can have serious health consequences. In winter 2022, MSF treated 4 people for frostbite, sustained after being in the open in cold weather for more than two days. MSF has treated large numbers of people for dehydration, hypoglycaemia, heat exhaustion and hypothermia. Extended periods of exposure can exacerbate existing health conditions and can be particularly dangerous for people with vulnerabilities, such as pregnant women, children and people with chronic or infectious diseases. In December 2022, MSF assisted 14 people who had spent the night in the open, including a three-year-old child with signs of hypothermia and a man with type 2 diabetes and a heart condition, who was distressed and suffering from dehydration. His medication had been lost on the journey.

5.3.2 Risks for pregnant women

MSF teams have observed that pregnant women arriving in Greece face specific health risks and consequences, both for their own health and that of their unborn baby. MSF provided first aid in stormy conditions and heavy rain to a group of people hiding in the mountains, including a woman who was six months pregnant and an infant, both of whom were soaking wet, scared, crying and shaking from the cold.⁸⁶ The pregnant woman was clinically unstable, vomiting, in pain and suffering emotional distress. An MSF doctor stabilised her while other MSF team members immediately called an ambulance.

In another emergency response, an MSF team assisted a group with several pregnant women; one had given birth that night in the mountains and another was in active labour. The group had been in hiding in the mountains for two days without food or water. Aminata, the woman who gave birth in the mountains, described the experience:

"We waited. I was thirsty, I was hungry... I was feeling serious pain. I was crying... I was just feeling pain on top of my chest... Sunday night, it got worse. Again, another night, no water, no food... I was so weak. I couldn't even stand up for a minute... I sat down, I lay down and I shouted, and the baby just came out. Like that. The baby just came out, without help, with no medical assistance. The baby came out just like that... I was afraid. When I got up, I felt like falling down. But I said to some people: 'I will not sit here until my baby dies. I will go down. Even if the police catch me, wants to return me, I will go down."⁸⁷

Ariel, who was five months pregnant when she arrived in Greece, told MSF:

"We landed by a cliff. How were we supposed to get out? Some men jumped in the water and climbed up the rocks; they helped everyone, one by one, on land... Some people in the group had been caught before, they told us that they had been beaten and

⁸⁴ Extracted from MSF Internal report

⁸⁵ MSF patient testimony, Jameel and Raya

⁸⁶ Extracted from MSF medical report.

⁸⁷ MSF patient testimony, Aminata

then pushed back to Turkey. And thus we walked, we walked, we climbed a steep mountain... the trees were scratching me, the sun was burning... I had no idea where I was, how this was going to end... we climbed a steep mountain, all the way up... People started to get desperate and scared. That night seemed to have no end. I was thirsty, so thirsty. My stomach was hurting because it was empty. When a woman is pregnant, she must eat well. It was hot but I was feeling cold. My clothes were wet and I was shivering."⁸⁸

Adele, seven months pregnant at the time, described going into premature labour after being rescued:

"The Turkish Coast Guard only found us the next morning after we had been floating the whole night. I was brought to hospital immediately after arriving to the shore. By that time, I was screaming from pain and terrified. I ended up delivering my baby prematurely after a hospital stay of two weeks."

5.3.3 Mental health distress on arrival

When MSF teams reach people who have recently arrived on Greek shores, they are usually distressed and fearful of being forcibly returned; some are so severely distressed they are unable to speak or walk. Excerpts from MSF's internal reports of its emergency responses help capture the severity of people's fear and distress on arrival:

"As soon as we started calling them with the megaphone, we heard screams calling for help. The area was very forested, and we could not easily spot the people. When they realised our position, they came running down the hill in severe distress...

Two small girls were in distress because of splitting from their mum, crying. When the mother arrived and, after some breathing exercises, food, water and clothes, they recovered... A young man was in severe distress that led to a panic attack. Both of his arms were in dystonia [muscle spasms] and he was hyperventilating.

After psychological first aid he slowly felt better and, by the time of the transfer, he had regained full mobility."90

An MSF team member described assisting a woman who was in psychological distress, was wearing wet clothes, was wounded after a fall and was unable to walk; she had been hiding in the open all night out of fear of being forcibly returned:

"As we approached the side of the road, we started shouting, announcing the arrival of medical support. We could see people from far, but they were hesitant, they would not come close to us, they seemed in distress, sceptical, they lacked trust. As time passed, a small group came out of the woods, two men were carrying an older woman who could not walk, I saw them,

and I remember assuming she had a problem with her legs. They reached us and I helped them climb down a stone wall on the roadside. She came down and was screaming in pain, she let fully her body fall on mine as I was helping her, she clung on my T-shirt, sobbing, crying and shaking, while the other two laid on the floor resting. As I tried to calm her down, we realised she had a broken wrist, her legs were not wounded, her legs were fine...she was immobilised by fear and panic after hiding in the night, with cold and wet clothes..."92

Most MSF patients in Greece have been subjected to violence in their home country or throughout their migration journey, and often tell our teams that they came to Europe to "seek protection". In such a context, experiencing violent pushbacks adds a substantial layer of mental health distress to people who have already experienced traumatic events. Most exemplary, an MSF operational report describes the case of a pregnant woman who "showed clear and strong signs of trauma, as she associated the noise of the heavy waves crashing on the rocks to previous pushbacks. She reported nine previous attempts." "92

As well as pushbacks, people's distress and fear can be linked to hiding in the open for prolonged periods without any certainty of what will happen to them next. MSF teams have witnessed people's fear and distress on numerous occasions, including on an autumn day in 2022 while providing emergency medical aid to new arrivals on Samos:

"The group was starving, tired and terrified. When they noticed the authorities, they stopped. It took them a few seconds to decide if they will approach. They said they were terrified to be returned... Some of the group expressed fear that they might be beaten by authorities." ⁹³



⁸⁸ MSF patient testimony, Ariel

⁸⁹ MSF patient testimony, Adele and Pierre

⁹⁰ Extracted from MSF medical report

⁹¹ MSF staff testimony

⁹² Extracted from MSF Internal Report

⁹³ Extracted from MSF internal report.

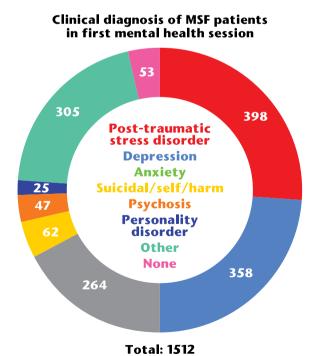
5.4 Long-term consequences

The harm exerted by pushback practices on people's health and wellbeing, as reported above, goes far beyond the acute injuries and distress they experience upon arrival. The accumulated chronic stress of multiple violent and traumatic experiences can have a devastating impact on people's mental health. With most people having already experienced violence in their home countries and/or on their journeys, the additional trauma and stress caused by reported pushback operations is profoundly harmful.

MSF has documented multiple practices which are abusive and traumatising for new arrivals. These include being physically assaulted, being subjected to inhuman treatment, being chased through mountains, being forced to hide without food or water, having personal possessions taken and destroyed, and being separated from family and loved ones. MSF's mental health staff observe that most of their patients describe pushback experiences as dehumanising and humiliating, which contributes to weakening people's self-esteem and their belief that they should be treated with dignity and respect.

Furthermore, MSF teams have observed how the degrading treatment experienced during pushbacks gives rise in some patients to post-traumatic stress disorder. Several months after experiencing a violent pushback, Elisabeth told MSF staff that she still feels scared when people in dark-coloured uniforms come close to her in the camp.

Mental health breakdown diagnosis



Sahar is receiving treatment from MSF's mental health team for symptoms of post-traumatic stress disorder after being reportedly pushed back at sea nine times. She is staying in a closed controlled access centre (CCAC) on one of the islands, where every day she must face the same sea associated with her traumatic experiences:

"I live in this camp, a camp by the sea. I hate the sea after what happened to me, I cannot even look at it. I fear the water; my arms and legs start shaking every time I think or look at it. I think I am depressed now. At night, or if I sit in dark places, I have constant flashbacks, flashbacks on how I crossed the border. I am scared and saddened by the water, and I am forced to walk by it every day in this camp. When I think of this past, when I think about the sea, my head explodes..."94

Even if people receive assistance from MSF and arrive safely at a reception centre, their mental health distress is often exacerbated by living conditions in the new segregated, high security, closed controlled facilities, such as the CCACs on both Samos and Lesvos, 95 as reported to MSF teams by their patients. Long-term medical conditions may also be exacerbated by having experienced violence and being obliged to live in constant uncertainty about the future. Meanwhile, people in CCACs with chronic or infectious diseases may find themselves forced to interrupt their treatment, especially if their medication was reportedly lost or destroyed during a pushback, as there is no easy access to healthcare within the CCACs.

Recurrent pushback practices, as reported to MSF, result in people becoming trapped in vicious cycles of violence, exploitation and danger, as they try again and again to reach Europe. People who have been pushed back and picked up by the Turkish Coast Guard tell MSF that they are routinely placed in prison for several days or weeks. After being released they are often issued with papers requiring them to leave the country within 30 days. Once their status in Turkey is considered 'illegal', people are forced into increasingly precarious living situations, exploitative working conditions (especially if their money has been taken during a pushback) and ever-more risky and desperate attempts to reach Europe.

John and Alexandra told MSF that they tried to reach Greece nine times, first whilst Alexandra was pregnant and later with their newborn baby:

"We couldn't go back to our country and we were not welcome in Turkey either. We had signed those papers that said that we had to leave Turkey within 30 days. We had to leave before the police would catch us... We were living a life in fear. All we could do was to keep going. My belly was growing, our living conditions were not good at all."96

⁹⁴ MSF patient testimony, Sahar

⁹⁵ MSF, Closed centres for refugees on Greek islands exacerbate psychological trauma, November 2022.

⁹⁶ MSF patient testimony, John and Alexandra



6. NAVIGATING A HOSTILE ENVIRONMENT

6.1 Shrinking humanitarian space

MSF teams continue to provide emergency medical care to newly arrived people on Samos and Lesvos, despite periods when their work is obstructed. However, the overall provision of humanitarian assistance on the islands takes place in a climate of suspicion and criminalisation — of both humanitarian workers and those they seek to assist, as outlined by the Special Rapporteur on human rights defenders:

"Human rights defenders have found it increasingly difficult to carry out their work, especially in fields that might be considered controversial or geopolitically complicated or sensitive. This is particularly tangible in relation to those who defend the rights of asylum seekers, migrants and refugees, including those providing humanitarian assistance, legal aid, participating in search and rescue operations and documenting pushbacks."

Humanitarian workers and refugees have been prosecuted for either providing essential humanitarian assistance or for seeking safety in Greece. For instance, 24 people currently face charges for having provided humanitarian assistance to people arriving on Lesvos between 2016 and 2018 leading to the closure of operations of the NGO ERCI and suspension of activities of multiple organisations supporting asylum seekers on the Greek islands. These ongoing measures to criminalise NGOs and civil society have a chilling effect, leading to them reducing and shutting down programmes and maintaining a low profile for fear of repercussions.

The trials that have taken place have been described as an attempt to "deter humanitarian assistance and discourage migrants and refugees from seeking safety on the country's shores".100 Accusatory rhetoric against NGOs and civil society by the Greek government continues to escalate, as do increasingly restrictive administrative and legislative barriers. Several international and European bodies of experts have expressed concerns about the Greek legal framework on NGOs, pointing out that it may have a detrimental impact on the activities of civil society organisations working with asylum seekers, migrants and refugees in Greece.¹⁰¹ This criminalisation of humanitarian action, coupled with outright denials of pushbacks by the Greek state, undermines the essential, lifesaving role of civil society and humanitarian organisations and has a direct impact on human life and dignity.

In practice, while MSF's cooperation with authorities is positive and constructive, leading to the effective assistance of people in need, MSF teams have also encountered hostile and obstructive behaviour during specific periods of time over the past two years. After setting out on emergency medical responses following alerts, MSF teams have been

delayed, stopped and searched by the local law enforcement authorities. At these ad hoc checkpoints, the MSF teams' vehicles, phones, identity and medical certification documents have been checked. From August 2021 to July 2023, MSF teams on Samos were stopped for more than 20 minutes on 27 occasions. ¹⁰² On Lesvos, between December 2022 and February 2023, MSF vehicles travelling to provide medical assistance to people in distress were stopped by local law enforcement authorities on 37 occasions, for an average of 50 minutes each time, considerably delaying the provision of medical aid and potential referrals of patients needing emergency care. On five occasions, MSF teams on Samos and Lesvos were also prevented from providing medical assistance and blocked from reaching the communicated location of the new arrivals.

These patterns of behaviour illustrate how administrative barriers that go beyond regular administrative needs constrain MSF's capacity to deliver essential humanitarian and medical aid to people in need. At the same time, such trends have exerted significant strain on MSF's human resources unnecessarily, when blocked by authorities for extended periods of time, losing meaningful hours of work in the regular outpatient and mobile clinic activities. On several occasions in early 2023, MSF communicated its concerns about this obstructive behaviour to authorities; in recent months this has resulted in a smoother collaboration with authorities on both Samos and Lesvos, without unnecessary delays or obstructions during emergency medical responses.

6.2 Impunity and absence of accountability

As this report shows, people arriving on the Greek islands undertake perilous journeys, are frequently vulnerable and in need of urgent medical care, and are entitled to safe and humane treatment, as outlined in Greek, European and international law.¹⁰³ Despite calls for more accountability,¹⁰⁴ no efficient, transparent and independent accountability mechanisms have been put in place to reduce the occurrences and impacts of pushbacks. Furthermore, despite extensive documentation and reporting of violent pushback practices at both land and sea borders by civil society, European Parliament, Council of Europe, UNHCR, OHCHR, the Greek Ombudsman and most recently the Greek National Commission for Human Rights, 105 there is a striking and longstanding lack of accountability at Greek and European level.¹⁰⁶ Amnesty International describes pushbacks as "the best-documented human rights violations that 'never occurred". 107 This culture of impunity has led to a normalisation of pushbacks, violence and inhuman and degrading treatment at Greece's Aegean border.

7. CONCLUSION

From August 2021 to July 2023, MSF provided emergency medical assistance to 7,904 asylum seekers who had recently arrived on Samos and Lesvos. Throughout this two-year period, MSF teams have responded to and collected accounts of violence and pushback practices at the Greek border. Testimonies from MSF patients describe how their lives were put in danger by being forcibly pushed back to Turkey, both at sea and from land. People arriving on the Aegean islands report being subjected to violent practices, including their dinghies being surrounded, waves being made to destabilise them, being assaulted by masked individuals, having guns pointed at them, and their dinghies being damaged or towed by rope.

People also described how they were intercepted after arrival on the islands, reportedly taken by uniformed officers and/or unidentified masked individuals, detained (often unofficially) before being forcibly transferred to a coast guard vessel, transported to Turkish waters and put on a life raft. During these interceptions people describe being beaten, strip searched, subjected to intrusive body searches, detained and abused. Practices which involve removing people from the Aegean islands, whether from sea or from land, are illegal and can have traumatic mental and physical consequences, including the loss of life. MSF teams have borne witness to how normalised pushbacks have become, and to the stark absence of protection for people who seek safety in Greece.

Despite extensive and credible evidence, Greek authorities, the EU and its members states have failed to hold to account the perpetrators of these violations. This climate of impunity helps reinforce and normalise these inhuman practices. As this report details, violent pushback practices inflict intense physical and psychological suffering, with consequences for the health, safety, wellbeing and lives of people attempting to seek protection in Greece.

- MSF urges the Greek government and European leaders to take all necessary measures to ensure that individuals seeking protection in Greece are treated with humanity and dignity. This includes: immediately and permanently ending all pushbacks and violent practices at borders; ensuring continued search and rescue activities at sea; and granting individuals access to fair asylum procedures and humanitarian and medical assistance on arrival, in line with their obligations under European and international law.
- MSF calls on the Greek government to actively build an enabling environment for the protection and wellbeing of individuals seeking protection and safety. Continued impunity for the perpetrators of violence against asylum seekers, migrants and refugees must be countered through effective accountability and independent monitoring, while disproportionate restrictions and the criminalisation of civil society organisations providing assistance to new arrivals must stop immediately.
- MSF urges the European Commission, donor states and other EU member states to use all available mechanisms to ensure accountability and compliance with European and international law.

⁹⁷ United Nations Special Rapporteur on the situation of human rights defenders: Preliminary observations and recommendations, Athens, June 2022

⁹⁸ See for instance International Commission of Jurists, <u>Greece: Criminalization of the humanitarian support to migrants must end</u>, January 2023.

⁹⁹ OHCHR, <u>Trial of human rights defenders helping migrants</u>, January 2023

¹⁰⁰ Amnesty International, Greece: 'Farcical' trial of Sean Binder and rescue volunteers begins next week, January 2023

¹⁰¹Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on the human rights of migrants, OL GRC 1/2021, March 2021; Expert Council on NGO Law, Addendum to its Opinion on Greek Legislation on the registration and certification of Greek and foreign NGOs, November 2020.; Amnesty International, Europe: Punishing compassion: Solidarity on trial in Fortress Europe, March 2020.

¹⁰² For example, in August 2022 the MSF team was alerted to a group of 24 people in need of assistance on Samos but were stopped on the way for 80 minutes, with their passports and phones checked by local law enforcement officers. During an emergency response in September 2022 on Samos, MSF staff were required to open every single food and clothes kit to allow them to be searched – a time-consuming process that took more than an hour, while in the middle of trying to provide emergency assistance.

¹⁰³ For instance, Universal Declaration of Human Rights, Art.1, Art. 14(1); Convention on the status of Refugees; European Convention on Human Rights; The Constitution of Greece, Art. 5 (1).

Not Refugee Support Aegean, No monitoring of fundamental rights violations in Greece without independent and effective mechanisms, June 2023; Hellenic League for Human Rights, Press release, July 2023; Human Rights Watch, Greece: disparities in accounts of Pylos shipwreck underscore the need for human rights compliant inquiry, August 2023; OHCHR, Greece: UN experts call for safe, impartial border policies and practices, August 2023.
 OS GNCHR, Recording mechanism for incidents of informal returns: interim report, January 2023.

¹⁰⁶ Within the Ministry of Migration and Asylum, a Special Committee for monitoring compliance with human rights has been established (art. 50, l. 4960/2022) having the responsibility to monitor the procedures and implementation of national, EU and international legislation in the areas of border protection and international protection. Nonetheless, at the time of writing, this Committee has not produced any outputs, thus delaying accountability efforts.





