



18 June 2021

Senator the Hon. Marise Payne
Minister for Foreign Affairs
Parliament House
Canberra, ACT 2600

AMNESTY INTERNATIONAL AUSTRALIA

Street address:

79 Myrtle Street

Chippendale

NSW 2008

T: (02) 83967618

E: exec.admin@amnesty.org.au

ABN 64 002 806 233

Postal address:

Locked bag 23

Broadway

NSW 2007

F: (02) 83967677

W: www.amnesty.org.au

Dear Minister Payne

RE: PUSH-BACKS AND VIOLENCE AGAINST REFUGEES AND MIGRANTS IN GREECE

New evidence is emerging of torture, ill-treatment and illegal pushbacks of refugees and migrants trying to enter Greece from Turkey. As Greek border forces violently and illegally detain groups of refugees and migrants before returning them to Turkey, I am writing to call on Australia to work to hold Greek authorities accountable to their international human rights obligations.

I enclose Amnesty International's latest research report on this matter: *Greece: Violence, lies and pushbacks*.

The Evros region at the land border between Greece and Turkey represents a locus of unlawful activity of this kind. After Turkey unilaterally opened its land borders in early 2020, the efforts of Greek security forces to violently push back refugees and migrants were widely reported. Push-backs at this time were highlighted as a severe violation of legislation governing EU border management and international protections of human rights.

In the year since, push-backs and violence have become the de facto Greek border control policy in the Evros region.

The reported events between June and December 2020 paint a picture of an entrenched practice whereby Greek authorities brutally apprehend and detain people seeking safety in Greece, subject many to violence, then transfer all refugees and migrants to the banks of Evros river to be returned to Turkey. This illegal return policy is being performed at an unprecedented scale, subjecting individuals to multiple push-backs, and affecting not just those at the land border, but those at sea borders or settled inland.

Acts of violence which have been reported include inhuman or degrading treatment in violation of international law, as well as treatment amounting to torture. The failure of EU border force Frontex staff to prevent such human rights abuses while stationed at the border is another component to this situation, requiring further investigation.

Our new report also outlines the conditions on the Turkish side of the border; and in particular, the harassment of journalists covering this issue.

We urge the Australian government to call on Greek authorities to:

- Urgently restore the right to seek asylum in the country.
- Protect people entering Greece from land and sea borders: ensure safe access to the territory and access to protection procedures and basic services. Refrain in all cases from pushbacks, refoulement and collective expulsions. Conduct prompt, impartial and effective investigations into allegations of such practices.
- Ensure that measures such as restrictions on movement implemented in response to Covid-19 are applied in a manner consistent with international human rights law and standards, including the protection of the right to seek asylum and the principle of non-refoulement.
- Ensure that despite the temporary closure of the Asylum Service in Greece, the right to asylum is upheld at all times. People affected by the temporary suspension of the Asylum Service operations should not be exposed to risks as a result, including risk of refoulement, and should be provided with access to healthcare, accommodation, material support and other basic services. To this end, where applicable, the validity of the documentation required to have access to health care and other services should be automatically extended during this period.

With regard to people held in detention across Greece and new arrivals from 1 March, we urge the Australian government to call on Greek authorities to:

- Immediately release all people held in arbitrary detention conditions across the country and grant them access to basic services, including adequate shelter, and access to protection procedures.
- Halt the criminalization of irregular entry of asylum seekers, who should be exempted from both criminal prosecution and detention and granted access to protection procedures.
- Regarding those who entered Greece from 1 March and have so far not been registered with the authorities or served with return decisions, Greece must urgently clarify their legal status, grant them access to legal assistance and information and where applicable, release them from detention as above and grant them access to protection procedures.
- Conduct prompt, impartial and effective investigations into the allegations of mistreatment of people held in the port facilities of Kos, as well as any allegation of mistreatment or abuse raised in relation to the detention of new entrants.

We also urge the Australian government to call on Turkish authorities to:

- Press the EU and its member states and other wealthy states to accept their responsibility for hosting refugees and asylum-seekers and to make greater financial contributions to countries such as Turkey and others who host a disproportionately larger number of refugees, through negotiation and dialogue in a way that does not threaten the rights of people seeking safety.
- Refrain from making announcements or taking unilateral actions that are likely to result in greater harm rather than protection for people seeking safety.

For further information, or to discuss and organise a meeting, please contact Joel MacKay at joel.mackay@amnesty.org.au or 0424 242 112.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'SKlintworth', written in a cursive style.

Sam Klintworth
National Director
Amnesty International Australia