

COLLECTIVE EXPULSIONS DOCUMENTED IN THE AEGEAN SEA : MARCH - JUNE 2020

LEGAL CENTRE LESVOS- 13 JULY 2020



In a photo taken by Legal Centre Lesvos from Lesvos island on 17 June 2020, two Greek vessels surround a migrant boat, which GPS coordinates sent to Alarm Phone confirmed was in Greek territorial water. For several hours, the migrant boat was left without assistance. The Turkish Coast Guard later collected the occupants of the boat, returning them to Turkey. Collective expulsions carried out in this manner are contrary to international law, violate individuals' right to life and right to be free from cruel and degrading treatment, and are in violation of international maritime law obligating rescue at sea.



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A. WHO WE ARE

The Legal Centre Lesvos AMKE, is a civil non profit organisation, registered in Mytilene, Greece, operating since May 2019. Between 2016 and 2019, the legal centre operated as “Legal Centre Lesbos” a grassroots organization, registered under Prism the Gift Fund Charity in the UK.

We provide free and individual legal support to asylum seekers, migrants, and refugees and advocate for human rights and for equal access to legal and safe routes of migration in Lesvos, Greece and globally. We also work to document rights violations and advance the rights of migrants and refugees on the Greek island of Lesvos, and throughout Greece.



B. GROWING REPORTS OF COLLECTIVE EXPULSIONS

On 1 March 2020, Greece suspended the right to seek asylum, and announced that it would fortify its borders to prevent entry of migrants traveling from Turkey. While the right to seek asylum has technically been reinstated, following the 1st of March announcement the Greek state adopted various practices, which continue to this day and violate migrants' human rights; including the violent fortification of its borders, growing numbers of collective expulsions from Greece to Turkey, and the systematic violation of the human rights of those who do reach Greece.

While reports of collective expulsion from Greece to Turkey are not new [1], Greek authorities have introduced new tactics since March of this year to prevent the entry and enforce the return of migrants, including those who have already reached Greek territory - whether at land or sea. In addition to the previously reported tactic of abandoning migrant boats in distress at sea, inflatable motor-less life rafts - originally designed to save lives - are now being used by Greek authorities to carry out expulsions in the Aegean Sea.

Recently, the Legal Centre Lesvos has been documenting cases of expulsion using life rafts. In all cases documented, Greek authorities forced migrants into these life rafts after intercepting them at sea, or after arresting them following the migrants' landing in Greece. The Greek authorities subsequently abandoned the occupants of these life rafts at sea, in open water in the Aegean between the Greek islands and Turkey, where they were later rescued by the Turkish Coast Guard. In addition, Legal Centre Lesvos has documented cases in which the boat upon which migrants attempt the Aegean crossing was damaged by Greek authorities, and subsequently re-used in an expulsion.

Such collective expulsions to Turkey must also be seen in the context of the Hellenic Coast Guard's prolonged non-assistance to boats in distress [2], the mistreatment of those who do successfully arrive to the islands, including arbitrary detention in inhuman and degrading conditions [3], and the roll-back of migrants' legal rights as manifest in new asylum laws that entered into force in January and June 2020 [4].

Taken together, it is evident that the Greek government is openly pursuing a policy of deterrence and violent disruption of migrant crossings, with little regard for its obligations deriving from international law and specifically from the non refoulement principle - and even less for the lives of those seeking sanctuary. When carried out as part of a widespread and systematic practice, as documented below, these amount to a crime against humanity.

C. TRENDS FROM OUR DATA

The collective expulsions happening in the Aegean region are not isolated events. Direct testimonies from survivors, shared with the Legal Centre Lesvos, demonstrate that they are happening systematically and have a clear *modus operandi* implemented across various locations in the Aegean and on the Eastern Aegean islands.

The information gathered by the Legal Centre Lesvos is based on testimonies from 30 survivors that were exposed to collective expulsions, and testimonies from 7 individuals who were in direct contact with survivors, or were witness to, a collective expulsion. These testimonies were collected between 23 March 2020 and 20 June 2020, directly by the Legal Centre Lesvos.

More specifically, the testimonies concern 8 reported collective expulsions incidents between 5 March 2020 and 19 June 2020, taking place from or near the coast of Samos, Chios, Lesvos and Symi. Each individual presented information/testimony that was corroborated by other individuals' testimonies or media evidence (photos, videos and GPS locations), and was also found to be consistent with the patterns that have been identified in other collective expulsions - whether documented by Legal Centre Lesvos, or in the multiple media and civil society reports that have been published in recent months. [5]

Many survivors of the described incidents have experienced multiple collective expulsions from Greece, whether on land (from the Evros region) or at sea.

The circumstances in which collective expulsions are usually carried out by the authorities differ, in terms of actors and spaces involved, depending on whether migrants are intercepted by the authorities at sea, or after a group has already arrived to Greek land. However, recurrent practices have been identified as described below:

- When intercepted at sea, Greek authorities menace and damage arriving migrant boats, or refuse to assist boats for a prolonged period of time; Survivors of two collective expulsions reported that the motor or gasoline tank of their boat had been damaged or removed by Greek authorities.

- When intercepted on land, Greek authorities transfer migrants to an unofficial detention site before carrying out collective expulsion at sea;

In every collective expulsion documented by the Legal Centre Lesvos following a landing, survivors were apprehended by Greek police and held in an unofficial detention site. In one incident, Greek authorities detained migrants outdoors, without shelter, in a port; in two others, Greek authorities detained migrants in warehouses next to or within ports. The period of detention differed: in one, migrants were detained for several hours; in two, migrants were detained for two days. In at least one of the two-day detentions, Greek authorities did not provide food or water to detainees.

- Greek authorities transfer migrants on to the authorities' vessel- often with the assurance that migrants will then be transferred within Greece;

In three collective expulsions at sea, and two collective expulsions following a landing, survivors boarded Greek authorities' vessels on the false information that they would be transferred within Greece.

- In one expulsion at sea, a survivor told Legal Centre Lesvos that "we asked [the Greek authorities], where are you taking us, they said, to the port";
- In one expulsion at sea, a survivor's relative informed Legal Centre Lesvos that Greek authorities said to the migrants, in English, "if you want to come to Greece, get on the big boat [the authorities' vessel]";
- A survivor of one expulsion following a landing reported to Legal Centre Lesvos that one member of their group asked authorities, in English, where they would be taken, and if they would be taken to Athens. The authorities replied yes.

- When on board of the authorities' vessel, Greek authorities:

- exercise physical violence against migrants; Survivors of three collective expulsions where migrant boats were intercepted at sea, and two collective expulsions following a landing, reported that they were beaten by authorities upon being brought to Greek vessels, and/or were beaten before being thrown on to life rafts, and
- instruct migrants to sit, heads down, with the threat of being hit in the face with a baton if they look up. In two collective expulsions at sea (before landing), and one collective expulsion following a landing, survivors were instructed by Greek authorities to sit with their heads down. Authorities told them that if they looked up, they would be hit in the face with a baton. Survivors of one collective expulsion following a landing reported the same instruction.

- Greek authorities deprive migrants of their belongings, including cell phones, identity documents, money and personal possessions; [6]

Greek authorities confiscated survivors' possessions in three collective expulsions following a landing. Cell phones were taken away prior to the expulsions, isolating detainees and depriving them of the ability to document their detention (and subsequent expulsion) or contact legal support organisations. In one collective expulsion, migrants' possessions were confiscated at the moment of their detention, and repeated requests to access medicines in their bags for an amputee and an ill child were denied. Survivors of two collective expulsions where migrants were intercepted at sea also reported that their mobile phones and personal possessions, including identity documents and large sums of money, were confiscated upon being transferred to the Greek authorities' vessel.

- Greek authorities do not register migrants' arrival, or provide migrants with information about, or an opportunity to, register any prospective asylum claims;

In two of the documented collective expulsions following a landing, Greek authorities did not register individuals' arrival and/or detention, effectively foreclosing any opportunity for individuals to legally challenge their detention or subsequent expulsion. Greek authorities did not provide any information about accessing asylum procedures, let alone any opportunity to register prospective claims. No interpreters were provided, depriving migrants of any information that they could be reasonably expected to understand. Likewise, in the five incidents of collective expulsions following interception at sea, migrants were denied the ability to seek asylum, and were denied interpreters.

- Greek authorities physically and verbally abuse migrants and then throw them, from a height of approximately 3m, from the authorities' vessel on to a motorless life raft or their previously damaged, and now motorless, boats.

Survivors of three collective expulsions - two following a landing in Greece, and one after being intercepted at sea - reported that Greek authorities threw them from the Greek vessel's deck, at a height of approximately 3m, to a motorless life raft or their now-damaged dinghy below. In two documented collective expulsions following a landing, survivors reported that Greek authorities - who were wearing balaclavas or other face coverings - hit (with hands and/or batons), pushed and shouted at migrants, before throwing individuals from the deck. The individuals thrown included women, children, people with disabilities, and people with medical issues.

- Greek authorities tow the raft or damaged dinghy to open water, unless it is already there, in which case it is left adrift.

Survivors of at least one collective expulsion at sea were dragged by Greek authorities on life rafts, attached to the authorities' vessel, to open water. In each documented collective expulsion following a landing, survivors were transferred on the Greek vessel to open water, where they were forced on to motorless life rafts or, in one case, on to the dinghy that they had originally arrived on.

- The Greek authorities depart, leaving migrants adrift, on motorless vessels, or damaged dinghies, in open water.

Survivors of every collective expulsion documented by the Legal Centre Lesbos were left adrift, on damaged dinghies or on motor-less life rafts, in open water. They were all subsequently rescued by the Turkish Coast Guard.

D. CASE STUDIES

The following case studies concern incidents which were experienced by survivors of collective expulsions who have authorized the Legal Centre Lesvos to represent them. All documentation and videos cited herein were received directly from the respective individuals, or other individuals subject to the same collective expulsion.

Case study 1 - 23 March 2020 - Collective Expulsion off Symi Island

On 21 March 2020, at approximately 4.30am, a group of 31 persons of Syrian origin, including 19 adults (of which 16 are men, and 3 women) and 12 children (including two unaccompanied boys) left from the Marmaris region of Turkey on a rubber boat with a small motor towards Greece. At approximately 6am the group arrived to the Greek island of Symi. Out of the 31 persons, 27 have relatives with international protection or pending asylum claims in other European countries. At least 2 intended to make family reunification applications to join relatives elsewhere in Europe.

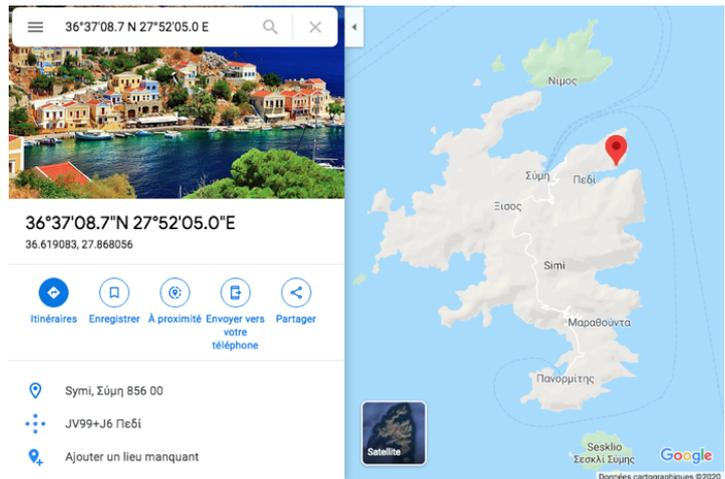


Image 1. Screenshot of the GPS location 36°37'08.7"N 27°52'05.0"E (Symi, Greece).

The group walked for several hours through the hills and along the roads in Symi, to make contact with authorities and state their intent to seek asylum. At approximately 12.30pm, they sat down by the side of a road to rest, where they took some photographs, and sent their GPS location to a friend (36°37'08.7"N 27°52'05.0"E), both confirming that they had reached the bay of Pedi in Symi (See image 1).



Image 2. Picture of the group in front of the bay of Pedi, Symi, taken on 21 March 2020.

Images 3 and 4. Picture of the group waiting along the road in Symi.

Later on, Greek police officers escorted the group to a nearby port. The group was detained in this unofficial site under twenty-four-hour surveillance during two days and two nights. Most of the survivors' personal possessions were permanently confiscated, including some cell phones, passports and identification documents, large amounts of money, and prescribed medication. Survivors testified that the police were verbally abusive and insulting towards them, that they did not get any food or water and had no access to bathrooms or sanitation facilities.

On 23 March 2020, a large grey military ship came to pick up the group. Survivors explained that the authorities on board wore white protective medical uniforms with hoods, black masks that covered their faces, COVID-19 masks, and had weapons, including guns, strapped to their legs. The group believed that they would be taken to Athens, where they would be allowed to apply for asylum.

The group was instructed to sit on the floor with their heads down. The military vessel left the island of Symi in the start of the afternoon and sailed for approximately one hour and a half. It then stopped in the middle of the sea when the survivors were instructed to get up and were then taken one-by-one to the back of the ship. The officers guarding the group were shouting at the group and using their batons to hurry the individuals and forced them, individually, to jump in an orange inflatable life raft approximately 3 metres by 3 metres, without a motor. As shown on the pictures taken by one of the survivors with his phone inside the life raft, the authorities gave life jackets to the children and a disabled amputee. They drifted on the life raft for approximately two hours.

The Turkish Coast Guard arrived and the victims of the push back were transferred on to larger boats, and taken to a port in the Turkish city of Datça, approximately 20km away from Symi, which they confirmed with the map on their phones. After spending one night detained in the port of Datça, Turkish authorities detained the group in Malatya.



Image 5. Screenshots of a video taken inside the life raft by one of the survivors on 23 March 2020.

Case study 2 - 13 May 2020 - Collective Expulsion off Samos Island

On 13 May 2020, approximately 30 people, including 11 children and 4 women traveled from Turkey towards Greece in a dinghy. As the dinghy was approaching Samos island, it was intercepted by the Hellenic Coast Guard, who damaged their engine with an iron pole. The Hellenic Coast Guard forced the passengers into two orange life rafts without motors, and stole their phones and money. At least one survivor was able to conceal his phone and avoided having it stolen.

The life rafts were then dragged by the Hellenic Coast Guard by rope to open water between Samos island and Turkey, where they were left. They were rescued by the TCG, and detained in overcrowded conditions where there was inadequate food, water, and medical care. After 18 days they were released.

Evidence from this collective expulsion includes personal testimony from two survivors, a GPS location sent when the dinghy was approaching Samos, photo and video evidence, and confirmation from the Turkish Coast Guard of the rescue of 30 individuals in 2 life boats off the coast of İzmir's Menderes district/ Özdere on 13 May 2020.

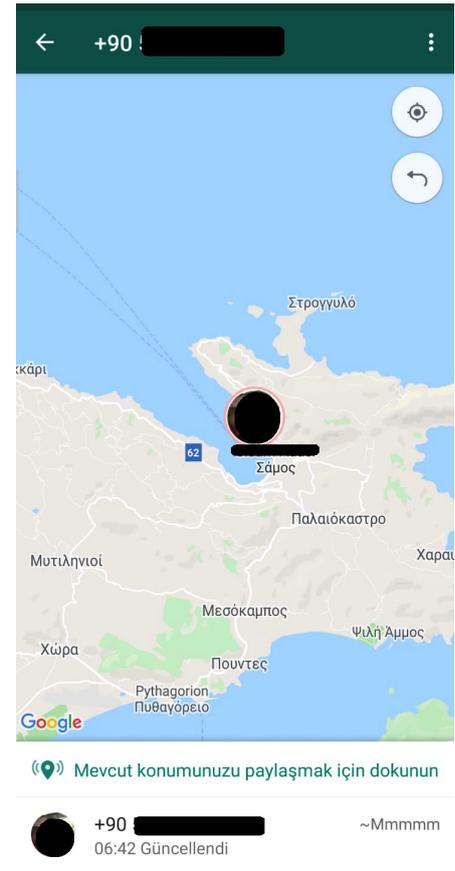


Image 6. Screenshot of the GPS location sent by one survivor, as dinghy was approaching Samos island on 13 May 2020.



Images 7 and 8. Screenshots from video taken 13 May 2020, showing life rafts being dragged by the Hellenic Coast Guard (all videos available for review).

Case study 3 - 19 June 2020 - Collective Expulsion off Lesbos island

Approximately 35 people, including at least 4 children and 4 women, including people with Somali, Palestinian, and Syrian nationalities were traveling on a dinghy from Turkey to Greece, leaving around midnight on the morning of 19 June 2020.

According to the testimony of one survivor, the dinghy was approximately 50m from the coast of Lesbos island in the early morning of 19 June, when they were intercepted by the Hellenic Coast Guard. They were towed by the Hellenic Coast Guard to open water in the North Aegean Sea between Lesbos island and Turkey, and left there.



Images 9 and 10. Screenshots from videos taken 19 June 2020, showing respectively Lesbos island behind dinghy and the towing of dinghy by Hellenic Coast Guard.

After approximately four hours, they were rescued by the Turkish Coast Guard and brought to Turkey. In addition to personal testimony from two survivors, evidence includes photos, video evidence, and a report from the Turkish Coast Guard Command confirming that they picked up 36 people in an inflatable boat at 10:50am on 19 June 2020, off the coast of Izmir/Foça.

*Testimony from one survivor describing the video, translated from Arabic:
"This video is from today, when we arrived to Mytiline in the morning.
Yesterday, at about midnight, we left Turkey, and we arrived this morning.
We almost arrived to the island, we were only 50m away, then the Greeks
came and took us. They brought us in the middle of the water, and they left.
We asked them, where are you taking us, they said, to the port. They put us in
the sea, and they left. And the Turkish coast guard came and took us."*

E. ANALYSIS

The abovementioned collective expulsions, or so-called “pushback” practices, constitute egregious violations of Greece’s basic international obligations and are a **crime against humanity** in the meaning of Article 7(i)(d) and 7(i)(k) of the 1998 Rome Statute establishing the International Criminal Court, respectively condemning “deportation or forcible transfer of population” and “inhumane acts causing great suffering, or serious injury to body or to mental or physical health,” when carried out as part of a widespread or systematic practice.

The act of abandoning people at sea on a motorless raft does not only constitute a **denial of assistance to individuals in distress**, it also amounts to deliberately placing individuals’ lives at serious risk and therefore necessarily violate their **right to life** according to Article 2 of the ECHR [7]. It also contravenes every state’s duty to provide an “adequate and effective” search and rescue service at sea, regardless of whether the vessel in distress falls within a state’s territorial waters, in accordance with three Maritime Conventions/international maritime law [8]. Rescue must be provided “regardless of the nationality or status” of the person in distress or the “circumstances in which that person is found.”[9]

Those collective expulsions often also violate the absolute prohibition of exposure to the risk of **torture, inhuman or degrading treatment of any person** within the Greek territory, irrespective of their residence status, according to Article 3 of the ECHR.

(a) During their detention on Greek land, survivors of at least one of the collective expulsions described above provided sufficient details and material evidence to conclude that - as in similar cases judged by the European Court of Human Rights - they were subjected to “distress or hardship of an intensity exceeding the unavoidable level of suffering inherent in detention” [10] when they were detained in unofficial detention sites after landing in Greece, without access to food, water, blankets, shelter, toilets, access to medical care, or any information about the grounds or length of their detention, and were subjected to violence by the Greek authorities and the confiscation of their belongings and identification papers. It should be highlighted that the group detained also included minors which is a particularly severe violation of Article 3 of the ECHR, considering the inherent “situation of extreme vulnerability” of minor children [11].

(b) Testimonies of survivors also show how physical violence as well as humiliating and debasing modes of operation are being used by authorities during expulsions, falling into the category of inhuman and/or degrading treatment within the meaning of Article 3 of the ECHR. For instance, in one of the documented cases, once forced to board the authorities’ vessel, the survivors were taken one by one by masked individuals, out of sight of the others who could only hear them screaming, before being thrown in a motorless life raft in the middle of the Aegean. This, added to the fact that the survivors were not provided with any information about their fate and were laughed at by the Greek authorities who intentionally provided them with false information about their destination, is such as to create “feelings of fear, anguish and inferiority” and constitute mental violence of a particularly serious and cruel nature.[12]

(c) After being collectively expelled to Turkey, the survivors were detained there in conditions that violate Article 3 of the ECHR, and were held for up to sixty-five days. In some of the above mentioned cases, survivors were held in overcrowded jails, without access to adequate food, water, hygiene facilities, medical care and legal assistance. Families were separated. Survivors experienced violence and solitary confinement. Survivors were denied information on why or how long they will be held. Article 3 of the ECHR prohibits expulsion to countries where individuals may face Article 3 violations. In accordance with this principle, States have an obligation to assess a claim of potential ill-treatment if returned to another State through an 'independent and rigorous scrutiny', even if that country is considered to be a 'safe third country' [13]. The Greek authorities can be reasonably expected to know about the poor conditions existing in Turkish detention centres and about the fact that those arrested by the Turkish Coast Guard at sea are systematically detained in conditions which are cruel and degrading. [14]

Finally, the collective expulsions reported are in breach of the principle of non-refoulement established, *inter alia*, in Article 33 of the Geneva Convention of 1951 relating to the Status of Refugees, and the right of access to asylum provided for, *inter alia*, in Article 18 of the Charter of Fundamental Rights of the European Union.

In the documented collective expulsions, the survivors did not have, at any moment, the opportunity to lodge their asylum claim in Greece or family reunification request to another European country, nor were they provided with any information by the Greek authorities. They did not have access to legal aid or any other information or proposed legal representation at any point.

Article 3 of the ECHR also prohibits 'indirect refoulement', which means the expulsion to a State where asylum seekers might face deportation without proper assessment of their claim. [15] According to the Turkish law in force, [16] people considered in breach of legal exit from Turkey (as migrants who traveled irregularly to Greece) are consequently at risk of refoulement to their countries of origin. According to ECRE, these legal provisions enable the 'unlawful deportation of asylum seekers, beneficiaries of international protection and beneficiaries of temporary protection [...] on the aforementioned grounds which remain largely vague and could be interpreted widely'. [17] Other sources have pointed out similar concerns with regard to the aforementioned legal provisions, which might 'lead to arbitrary decisions' [18]. In practice, cases of deportation from Turkey had reportedly already increased in 2018, including cases against persons who have been resident for a long time in Turkey [19]. As an example, unlawful deportations of Syrians in Turkey and violations of the principle of non-refoulement are well documented and have been reported by a number of sources in the period 2018-2019, including Norsk Organisasjon for Asyløkere, Human Rights Watch and Amnesty International [20].

F. CONCLUDING REMARKS

Although collective expulsions of refugees and migrants are not a new trend in Greece, a clear pattern of increased and uninhibited recourse by the Greek authorities to illegal “push-backs” in the Aegean sea has emerged over the last months, in flagrant disregard for Greece’ international obligations. The reported evidence and testimonies above only constitute a sample of those illegal practices happening in the open. Whereas national and international press outlets, as well as non-governmental organisations and other civil society actors, are publicly denouncing those practices, the impunity of the Greek State towards its international obligations remains.

Such impunity is the result of various factors, not least the fact that most of the survivors of collective expulsions “disappear” in Turkey - detained, deprived of their cell phones either by Greek or Turkish authorities, and without access to legal support. Moreover, they are by definition no longer in a position to access legal remedies in Greece or other European countries to obtain reparation for the violations of their rights.

The status quo is also due to the systematic and ongoing denial of all allegations of collective expulsions by the Greek State, as well as the evident failure by national and European institutions (who are responsible for monitoring Greece’s activities at the European border) to condemn and further investigate - such incidents. Finally, the fact that collective expulsions are happening primarily at sea, on board of authorities’ vessels, and/or involving unofficial detention sites on land, makes the monitoring of such illegal acts particularly challenging.

Based on the numerous civil society and media reports and evidence already available, investigations should urgently be initiated. Measures must be taken to immediately prevent collective expulsions carried out by the Greek State, to protect and respect the human rights of all those under Greece’s jurisdiction, whether at sea or on land, and to remedy the rights violations of survivors of collective expulsion.

Collective expulsions are contrary to Greece’ international legal obligations and violate survivors’ fundamental and human rights, including their right to life and the jus cogens prohibitions on torture and refoulement. Collective expulsions should undoubtedly be condemned, in the strongest possible terms; however, this is not sufficient: it is only through the immediate cessation of such illegal practices that the protection of human rights and access to asylum will be restored at the European Union’s external borders.

G. REFERENCES

(1) See, for example, Amnesty International (AI), Greece: Frontier Europe: Human rights abuses on Greece's border with Turkey, 9 July 2013, available at <https://www.amnesty.org/download/Documents/I2000/eur250082013en.pdf>; Human Rights Watch (HRW), Greece: Attacks on Boats Risk Migrant Lives, 22 October 2015, available at <https://www.hrw.org/news/2015/10/22/greece-attacks-boats-risk-migrant-lives>; Greek Council for refugees (GCR), ARSIS and HumanRights360, The new normality: Continuous push-backs of third country nationals on the Evros river, December 2018, available at: <https://www.gcr.gr/en/news/press-releases-announcements/item/1028-the-new-normality-continuous-push-backs-of-third-country-nationals-on-the-evros-river>.

(2) See, for example, a migrant boat on 1 March that was denied assistance for at least 13 hours following the notification of the Hellenic Coast Guard (Alarm Phone, Escalating Violence in the Aegean Sea, 4 April 2020, available at <https://alarmphone.org/en/2020/03/04/escalating-violence-in-the-aegean-sea/>) and a migrant boat on 12 June that was denied assistance for at least 15 hours (Mare Liberum, 16 June 2020, https://www.facebook.com/MareLiberumOfficial/posts/648625662533007?__tn__=K-R)

(3) See, for example, the prolonged detention of migrants on public buses and a military vessel in Mytilene port, without access to showers for up to three weeks (Legal Centre Lesvos, No Man's Land for Europe's Undesirables, 13 March 2020, available at <http://legalcentrelesvos.org/2020/03/13/no-mans-lands-for-europes-undesirables>); the detention of migrants at roadside sites in northern Lesvos, without shelter or access to hygiene facilities (see, for example, Greek City Times, Boat with thirty-nine migrants arrives in Lesvos, 02 April 2020, available at <https://greekcitytimes.com/2020/04/02/boat-with-thirty-nine-migrants-arrives-in-lesvos/>); and the deliberate detention of migrants on public buses in Mytilene port, as opposed to in buildings prepared as quarantine for arrivals during COVID-19 (Legal Centre Lesvos, Hostility towards migrants and those working to support them continues as state policy in Lesvos, 27 May 2020, <http://legalcentrelesvos.org/2020/05/27/hostility-towards-migrants-and-those-working-to-support-them-continues-as-state-policy-in-lesvos/>).

(4) Legal Centre Lesvos, January 2020 Report on Rights Violations and Resistance in Lesvos, 22 January 2020, <http://legalcentrelesvos.org/2020/01/22/january-2020-report-on-rights-violations-and-resistance-in-lesvos/>

(5) See, for example, the reports and live coverage compiled by civil society organisations Alarm Phone (such as on Twitter, at https://twitter.com/alarm_phone, and on their website, e.g. Alarm Phone, Push Backs: the new old routine in the Aegean Sea, 14 May 2020, available at: https://alarmphone.org/en/2020/05/14/push-backs-the-new-old-routine-in-the-aegean-sea/?post_type_release_type=post), Mare Liberum (such as Mare Liberum, New pushback-strategie - How the Hellenic Coast Guard leaves refugees in life rafts at sea, 18 June 2020, available at: <https://mare-liberum.org/en/2020/06/18/neue-pushback-strategie-die-griechische-kuestenwache-setzt-gefluechtete-in-rettungsinseln-auf-dem-meer-aus/>) and Aegean Boat Report (such as their post on Facebook of 22 June 2020, available at: <https://www.facebook.com/AegeanBoatReport/videos/3165494893507826/>).

See further reports by academic affiliates, such as Just Security (Niamh Keady-Tabbal and Itamar Mann, Tents at Sea: How Greek Officials Use Rescue Equipment for Illegal Deportations, Just Security, 22 May 2020, <https://www.justsecurity.org/70309/tents-at-sea-how-greek-officials-use-rescue-equipment-for-illegal-deportations/>) in addition to reconstructive and investigative reporting on collective expulsions, such as: Bashar Deeb, Samos and The Anatomy of a Maritime Pushback, Bellingcat, 20 May 2020, available at: <https://www.bellingcat.com/news/uk-and-europe/2020/05/20/samos-and-the-anatomy-of-a-maritime-push-back/>; Giorgos Christides and Steffen Lüdke, Greece Suspected of Abandoning Refugees at Sea, Der Spiegel, 16 June 2020, available at: <https://www.spiegel.de/international/europe/videos-and-eyewitness-accounts-greece-apparently-abandoning-refugees-at-sea-a-84c06c61-7f11-4e83-ae70-3905017b49d5>; Katy Fallon, "Boats Arrive, People Disappear": one Greek's search for missing refugees, The Guardian, 19 June 2020, available at: <https://www.theguardian.com/global-development/2020/jun/19/boats-arrive-people-disappear-a-lone-search-for-missing-refugees-in-greece?fbclid=IwAR3PIgb8q8iTVG9ZrX8jUcMLcv2nrDtwLUuIqXR4ZwUf62rdunH6pFps5UM>.

(6) The chronology differs: in some cases, the confiscation of personal belongings occurs at the moment of apprehension; in others, after Greek authorities transfer migrants to detention.

(7) *Makaratzis v. Greece* [GC], no. 50385/99, §§ 49-55, ECHR 2004-XI; *Soare and Others v. Romania*, no. 24329/02, §§ 107-111, ECHR 2011; *Trévalec v. Belgium*, no. 30812/07, §§ 55-61, ECHR 2011.

(8) United Nations, Treaty Series, vol. 1833, No. 31363, art. 98 (United Nations Convention on the Law of the Sea); vol. 1184, No. 18961, regulation 15 (International Convention for the Safety of Life at Sea, 1974); and vol. 1405, No. 23489, annex, chap. 2.1.1 (International Convention on Maritime Search and Rescue).

(9) United Nations, Treaty Series, vol. 1405, No. 23489, annex, chap. 2.1.10 (International Convention on Maritime Search and Rescue).

(10) *M.S.S. v Belgium and Greece*, no. 30696/09, § 221, ECHR 2011; *Dougoz v Greece*, no. 40907/98, §§ 45-49, ECHR 2011-II; *A.A. v Greece*, no. 12186/08, §§ 54-65, ECHR 2010; *Elçi and others v Turkey*, no. 23145/93 and no. 25091/94, § 637, ECHR 2003.

(11) *Rahimi v Greece*, no. 8687/08, § 87, ECHR 2011; *SH.D. and others v. Greece, Austria, Croatia, Hungary, North Macedonia, Serbia and Slovenia*, no. 14165/16, § 56, ECHR 2019.

(12) *Selmouni v France*, no. 25803/94, §§ 97-105, ECHR 1999-V; *Elçi and others v Turkey*, no. 23145/93 and no. 25091/94, § 637, ECHR 2003.

(13) *Hirsi Jamaa and others v Italy* [GC], no. 27765/09, § 198, ECHR 2012; *Shamayev and Others v. Georgia and Russia*, no. 36378/02, § 448, ECHR 2005-III.

(14) Global Detention Project, Country Report - Immigration Detention in Turkey: A Serial Human Rights Violator and Europe's Refugee Gatekeeper, October 2019, available at <https://www.globaldetentionproject.org/wp-content/uploads/2019/10/ONLINE-191024-Immigration-Detention-in-Turkey.pdf>.

(15) *M.S.S. v Belgium and Greece* [GC], no. 30696/09, § 192, § 286, § 321, ECHR 2011.

(16) Article 54(1)(h) of Turkish Law 6458 of 2013, states that 'a removal decision shall be issued in respect of those foreigners listed below who . . . breach the terms and conditions for legal entry into or exit from Turkey'.

(17) ECRE, AIDA, Country Report: Turkey, Update 2018, March 2019, p. 23, available under https://www.asylumineurope.org/sites/default/files/report-download/aida_tr_2018update.pdf.

(18) NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, p. 6, p. 25, available under https://www.noas.no/wp-content/uploads/2019/02/Tyrkia-2018-Update_Web.pdf.

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(20) HRW, Turkey: Syrians Being Deported to Danger; Authorities Use Violence, Threats, Detention to Coerce Returns, HRW, 24 October 2019, available at <https://www.hrw.org/news/2019/10/24/turkey-syrians-being-deported-danger>; AI, Turkey: Sent to a war zone: Turkey's illegal deportations of Syrian refugees, 25 October 2019, available at <https://www.amnesty.org/en/documents/eur44/1102/2019/en/>; NOAS, Seeking Asylum in Turkey – A critical review of Turkey's asylum laws and practices, December 2018 Update, p. 27, available at https://www.noas.no/wp-content/uploads/2019/02/Tyrkia-2018-Update_Web.pdf.