

## Report on Human Rights Violations and Push-Backs against People travelling towards Germany Conducted by Austrian, Slovenian and Croatian Authorities

This short report ties in to the reports on human rights violations and push backs conducted by Slovenian and Croatian authorities, published by Moving Europe on the 2<sup>nd</sup> and 18<sup>th</sup> of February 2016. It illustrates how the authorities along the Balkan corridor do not recoil from using extralegal measure in order to prevent people from travelling to their country of choice to seek safety.

It further illustrates how they take active measures in preventing people from seeking safety and asking for asylum in the country they have entered, as well as forcing them to apply for asylum in a country they only want to transit through.

Additionally, this report sheds light on the dubious judgment of translators hired by the authorities in order to try to determine people's nationality. Such measures are highly criticized by experts. These practices conducted by authorities in Austria, Slovenia and Croatia pose a clear violation of the Geneva Convention of Refugees. It is intolerable that independent observers are not able to monitor the registration processes at the various borders where such violations are taking place. It encourages the normalization of these illegal conducts of the authorities. They put at risk the health, safety and sanity of people seeking refuge and further violate their freedom of movement and their freedom of choosing the country they want to seek for asylum.

This report is a product of the observations, conversations and interviews conducted by independent activists from Zagreb with people in migration of different nationalities, now trapped in Croatia. We are reporting cases and testimonies of people we met during the month of February at the Zagreb Central Train Station.

We believe these testimonies make a strong case against arbitrary, biased and extralegal decisions made by police authorities and translators at the Austrian, Slovenian and Croatian border. It is evident that these testimonies are indicatory examples and as such speak in behalf of Human Rights violations conducted by the authorities alongside the entire Balkan corridor.

### I) Testimony of I., a 30 year old individual from Afghanistan:

This testimony was recorded in Zagreb on the 18<sup>th</sup> of February 2016, between 5pm-6pm:

*"When we finally reached Slovenian - Austrian border, they've put us in three lines; one for each nationality [Syrian, Iraqi and Afghani]. Facing the translator, I showed him my papers. He asked me where am I from, my date of birth and why am I going to Austria. I told him I'm going to Austria to seek international protection, as I had to flee home because of Taliban insurgency and armed conflict. I told him I'm going to Austria to find shelter, as my papers said. Then the translator told me I'm not from Afghanistan. I'm from Pakistan, he said. I told him I'm not from Pakistan. I'm from Afghanistan, I said. He told me that I speak differently than Afghani people. I told him there is a multi-way of speaking Pashto in whole country of Afghanistan, not only the one he can recognize. Every 1,5 kilometers, people speak different Pashto. Some speak hardly, some fluently, some quickly, and so on. I told him that I don't speak Pashto in the way he speaks; I speak Pashto in my*

own way. I asked him have he ever visited Afghanistan, Paktia Province, District of Shwak, where I live? I saw other translators cooperating with other people, but mine didn't. Maybe they had some kind of deal. Maybe some were taking money from people. They took me aside, put a red ribbon on my hand, and took me to a room with five other people from Iran, Syria and Iraq. This happened on 24<sup>th</sup> of January. In the night time police took us to Postojna detention center. It was 6-8 of us, and another 25 people in the detention center when we arrived. When we were leaving there were more people, more then 50 people. We were there for 22 to days. Police inspector, helped by a translator, told us that if we can proof we are from Afghanistan we could go to Austria, If not they will send us back to Croatia if Croatia accepts us. I told him I could provide him my ID, but I need time to receive it from my family back home. Unfortunately, I didn't have a way to directly contact my family but I managed to do it through other friends from the village that were in the camp with me and in Austria. Finally, when my ID was about to be faxed to Postojna detention center, I was sent back to Croatia without possibility of extension. So now I'm pushed-back to Croatia and my faxed ID is there in Postojna. When I left Afghanistan I had documents and ID with me. After 20 days we reached Turkey, and then Bulgaria. We were a group of 30 - 40 people. When we passed the border with Bulgaria police stopped us. We were brutally beaten. Bulgarian police snatched all property, including our documents, from us. When Slovenian police took us from Postojna detention center to Croatian border [Bregana] it was early in the morning. We didn't have any breakfast nor water. We were taken to a room with an open toilet, neither beds nor chairs in it. The four of us were held there for 10 hours without food and water. We asked for food several times. That happened two days ago, on the 16<sup>th</sup> of February. They gave us papers saying we need to leave Croatia within 30 days, and let us go. We were given 100 Kuna for the bus tickets to Zagreb from a translator at the police station. When we arrived to Zagreb, we found an old, abandoned building to spend the night. We thought there is much more respect for human rights in Europe, before leaving home. But considering what happened to us on the way, we are very, very disappointed."

**II) Testimony of A., a 44 year old individual from Syria:**

This testimony was collected in Zagreb on the 24<sup>th</sup> of February 2016, between 8pm-10pm:

"I was stopped at Dobova although I was traveling with my Syrian passport. An Egyptian translator took me out of the line. He asked me when did I left Syria. I said 6 months ago. "Where were you since then? ", he asked. I said in Turkey. He then said: "Then go back to Turkey, it is safe." You know, I lost my son to war. He was killed in Syria [A. starts to cry]. I was detained for one day in Dobova and then taken to Slavonski Brod camp. I was detained there for 7 days. There was only presence of the police, we had no contact with other people. Police officers accompanied us even when we went to shave. I decided to seek asylum in Croatia to be able to leave detention in Slavonski Brod camp. Police told me I would be taken to prison if I cancel the asylum claim. Then I was taken to Reception centre for asylum seekers in Kutina with a group of other people from the camp; women, children and men."

**III) Testimony of N., a 33 year old individual from Syria:**

This testimony was collected in Zagreb on the 24<sup>th</sup> of February 2016, between 8pm-10pm:

*"I was also stopped at Dobova although I had my Syrian passport. The same Egyptian translator [N. is referring to the translator from A.'s testimony] took me out of the line. I was stripped naked when searched and interviewed for 6 hours. Translator told me I have to go back to Turkey. I was detained in Dobova and then taken to Slavonski Bord camp. Just like A., I was detained there for days. I decided to seek asylum in Croatia to be able to leave detention in Slavonski Brod camp. Police told me I would be taken to prison if I cancel the asylum claim. I was taken to Reception centre for asylum seekers in Kutina with A. and other people from the camp."*

**IV) Testimony of E., a 22 year old individual from Syria:**

This testimony was collected in Zagreb on the 25th of February 2016, between 4pm-5pm:

*"I left Turkey sixteen days ago. I left Syria to reunite with my husband in Germany but I was stopped in Slovenia. Although I have Syrian ID, translator in Dobova camp accused me of not being Syrian. He also wanted to know why am I going to Germany, except fleeing war in Syria. I told him my husband has residency permit there. Then, he divided us into two groups; one group went forward and other was sent back to Slavonski Brod. I was in the other group. We arrived to camp on the 17<sup>th</sup> of February. I was held there for 7 days. Then my husband arrived from Germany. I was asked if I want to seek asylum in Croatia, I said no. On 24<sup>th</sup> of February I was given a paper to sign. I was not sure what am I signing though. My husband and I thought it was a document that will help me travel to Germany. This morning we tried to pass the border with that document, but I was refused. [Police in Slavonski Brod made E. sign a document that gives her 30 days to leave European Economic Area. It also states that she is not fleeing countries that are threatened by war, as a reason for her repulsion.]"*

**V) An exemplary case of people being refused to enter Croatia at Bajakovo border crossing (returned back to Principovac camp in Serbia).**

19.02.2016. at 3:20am, Bajakovo border crossing:

Border police issued an official document to a person with an Iraqi passport.

No interpreter on the site. Person was not fully aware of what he was given to sign.

From the issued document it follows:

- person was refused to enter Croatia because he/she didn't have appropriate documentation to justify the purpose and conditions of his/her stay
- person didn't submit following documents (not stated which documents were not submitted).

Person is given possibility to appeal within 15 days without postponement of execution.

*The editors of this report possess copies of documents to support their testimonies.*