

Europe's Brutal and Illegal Approach to Migration: "Our Orders Are Clear. Nobody Gets Through"

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The police intercepted him on a Sunday, shortly after midnight. Mohammed, a slim 12-year-old from Syria with neatly parted hair, clearly remembers the bright spotlights that suddenly burst into his face.

Mohammed had spent 15 days in April wandering through eastern Greece together with his uncle and five other asylum-seekers. They had managed to cross the Maritsa River on the Greek-Turkish border before turning west, always traveling at night under the cover of darkness. For three days, as they related several days later in a bare room in Istanbul, their only sustenance was leaves and fruit.

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Mohammed is from the city of Manbij in northern Syria and his family initially escaped the civil war by going to Lebanon. But Lebanon, too, is now facing collapse, with locals and refugees alike fighting for survival. Mohammed and his uncle were determined to make it to Europe.

When they saw the spotlights belonging to the Greek police, both tried to run away. Mohammed jumped over a fence and dove into the bushes. But it was for naught. A couple of hours later, say Fouad and Mohammed, they found themselves standing against a wall in a police station together with other refugees that the officers had rounded up.

Migrants on an inflatable raft in the Mediterranean. Europe likes to talk about its values, but the reality looks quite a bit different.

Foto: Yousef Murad / AP

The police, says Mohammed, ordered them to strip. He said he was afraid, and that nobody had given him the opportunity to register as an asylum-seeker. Those who didn't immediately obey the orders given by the officers, he says, were beaten.

Then, the Greek police drove them to the Maritsa River. He was forced to walk the last bit on his own – naked. The boy looks down in shame as he tells the story. Mohammed says he has been plagued by nightmares ever since.

Once they reached the bank of the river, they were again beaten, says Mohammed, before the men then forced the group into inflatable boats. Mohammed noticed that the men wore no insignia on their uniforms. The refugees were then brought across the river to the Turkish side.

DER SPIEGEL is in possession of videos and photos proving that Fouad and Mohammed were on Greek territory – the images show the group in a forest in Greece. Their route from the border town of Soufli to the city of Xanthi in western Thrace, located around 120 kilometers to the west, is easy enough to retrace, since they frequently shared their location data via WhatsApp. The Greek police claim that within the timeframe in question, "there were no registrations matching the group's profile."

But Mohammed's allegations match up with those of other refugees with whom DER SPIEGEL has spoken. Some say that they have been returned to Turkey by Greek officials on dozens of occasions.

One of these operations at the Maritsa River was recorded on video, with DER SPIEGEL [examining the footage together with the research group Forensic](#)

[Architecture back in 2019](#). The images show masked men taking refugees across the river from the Greek side to the Turkish side. The men use motorized rubber rafts, and one of them seems to be speaking Greek-accented English. Their uniforms bear no insignia.

Greek border officials patrolling along the Greek-Turkish border.

Foto: Sakis Mitrolidis / AFP

The European Union has established clear rules regarding the treatment of asylum-seekers. Once they have made it to EU territory, they must be given the opportunity to apply for asylum. For children like Mohammed, the rules pertaining to their right to protection are even stricter, and the hurdles standing in the way of deportation are higher.

The actions taken by the Greek officials are in violation of those rights and they contradict the values that European politicians consistently evoke in their speeches. Human rights activists and legal professionals refer to these crimes committed at the EU's external border as "pushbacks" – a technical term for the illegal and often violent deportations.

According to the UN Refugee Agency, only around 95,000 asylum-seekers managed to make their way along the most important migration routes to Italy, Spain, Cyprus, Malta or Greece in 2020. And this year, after the end of the coronavirus lockdowns, the number is likely to rise only slightly. In 2015, at the height of the refugee crisis, it was more than a million people.

Over the past several months, reporters from DER SPIEGEL traveled to the EU's external border on multiple occasions, speaking to dozens of asylum-seekers, reconstructing their travels and having their mobile phone videos examined by forensics experts. Our reporting has uncovered an important reason for the falling number of asylum-seekers: The legal violations committed at Europe's external border are not isolated incidents. They are part of a system. The EU is using force to keep refugees away.

Greece: Brutality as Policy

Kyriakos Mitsotakis was once considered a liberal in his conservative political party. But as Greek prime minister, he has radically tightened his country's migration policies. When the Turkish government loaded thousands of migrants onto buses in February 2020 and brought them to the overland border between Greece and Turkey, Mitsotakis spoke of an "invasion." The migrants, he said, were being "used as weapons," and referred to the operation as a "hybrid threat." Some Greek border guards fired off live rounds and at least two refugees were killed by Greek bullets, as reported by DER SPIEGEL and others.

Essentially, Mitsotakis is proving what migration experts have known for years: It is possible to seal off borders, but it can really only be done with force. At sea, this form of border protection is particularly dangerous.

The Greek island of Samos isn't even two kilometers from the west coast of Turkey. And in the summer, when the Aegean is calm, it is simple to cross.

Originally, the Greek government intended to install floating barriers to keep refugees from coming over from the coast of Turkey. But the plan was discarded. Instead, the Greek Coast Guard was ordered to intercept refugee boats.

Amjad Naim learned firsthand what, precisely, that means. One morning in spring 2020, the Palestinian was approaching Samos on a rubber raft with 26 other people onboard. A young, clean-shaven man with short hair, Naim wanted to make his way to the Netherlands, where his girlfriend was waiting for him. He sent her a video from the boat, blowing her a kiss into the camera. But then, as Naim would later relate over the phone, all hell broke loose.

A large vessel approached. Naim recalls seeing a Greek flag and several dinghies. Masked men, he says, attacked the refugees, firing rounds into the water, ramming hooks into their boat and destroying the engine, thus bringing it to a stop. Then, they took the refugees onboard. Naim says he started crying and hid his mobile phone in his underwear.

Another video – 55 seconds long – documents what happened next. The coast guard put Naim and the other refugees on two inflatable life rafts and then towed them back toward Turkey with a Greek Coast Guard ship. A second ship escorted the operation. Naim's raft began taking on water, but the Greek Coast Guard released the tow rope nonetheless, leaving the refugees to their own devices – as

can be clearly seen in the video – in the middle of the sea on an unstable raft with no means of propulsion. Only hours later – and after some of the refugees had lost consciousness, says Naim – did the Turkish Coast Guard pull them out of the water.

Special units from the Greek Coast Guard conduct such pushbacks systematically, as DER SPIEGEL reporting has revealed. And there are videos documenting the brutal approach: They show border officials forcefully stopping refugee boats and then abandoning them at sea, just as Naim described.

The Greek government has issued a blanket denial, insisting that they adhere to European and international law. But three officials with whom DER SPIEGEL was able to speak openly admitted to the crimes. "Our orders are clear: Nobody gets through," says a Coast Guard officer.

More on Illegal Pushbacks

The pushbacks are one of the most important reasons why people are no longer making it to Europe across the eastern Mediterranean. Officials are only registering a couple hundred arrivals per month via the oversea route.

Other EU member states have long since adopted the Greek approach. Croatian Intervention Police regularly beat migrants with their batons and force them back across the border into Bosnia. [DER SPIEGEL managed to film the violent expulsions in reporting conducted together with media partners.](#)

Polish border guards have also adopted a more aggressive approach. Belarusian dictator Alexander Lukashenko has been flying in refugees from the Middle East for several months and then sending them to the European border. Following Athens' lead from early 2020, the Polish government has described the practice as "hybrid warfare." Warsaw has erected a fence on the border, which is soon to be replaced by a wall, and refugees are left to freeze and starve in the border region. Already, with temperatures only just starting to drop, several asylum-seekers have died.

The Polish parliament has granted its explicit approval for the pushbacks as a legitimate reaction to the provocations from Minsk. It has been left up to border officials to decide whether or not refugees are given an opportunity to apply for

asylum. The new act, though, is an open violation of EU law. Not even Greece or Croatia has gone that far yet.

Brussels: European Sloganeering

Ylva Johansson has held a number of different posts during her career. She was Swedish minister for schools on one occasion, before later running the Employment Ministry in Stockholm and working for a stint for the Deutsche Telekom subsidiary Telia. Since December 2019, though, she has held a job of which very few are envious: As the European commissioner for home affairs, she has the task of getting EU member states to agree on refugee policy.

Last year, Brussels repeatedly and unsuccessfully sought to implement a uniform migration policy in the bloc. The last attempt was made by European Commission President Ursula von der Leyen in September 2020 after fire destroyed the Moria refugee camp on the Greek island of Lesbos. Von der Leyen promised a "new start" for Europe. Yet of the numerous proposals that were part of that new start – from common refugee reception standards to accelerated asylum proceedings at the borders – almost none have been implemented.

In comments to DER SPIEGEL, though, Johansson makes it clear that she isn't giving up. Yes, she says, EU member states frequently cannot agree on refugee policy, but that is also true of other issues. No, she says, human rights violations on the EU's external border are not acceptable, but she, as commissioner, has taken steps to ensure that violations are penalized.

Her answers, though, sound rather rehearsed. She is fully aware that the problem involves much more than isolated legal violations. Twelve EU member states recently demanded in a letter to the Commission that EU regulations pertaining to border protection be adjusted to reflect the new reality. It reads like a call to legalize the crimes being committed at the borders – at least in cases where refugees are led by others to the EU's external border, as Belarus is doing.

Social Democrats in the European Parliament are thus insisting that infringement procedures be introduced against Poland, Greece and Croatia. They would like to see EU funding for border protection in these countries be linked to the protection of human rights. Politicians from the left, Green Party representatives and liberals

all support the concept. They are concerned that refugee protection in Europe could be in danger.

But the European Commission has thus far shied away from taking drastic action. Instead, they have stood by and watched as member states at the edge of Europe continue to violate the law or negotiate dubious deals with third countries.

Libya: A Pact with the Devil

The worst part of the day, says Julia, was after dinner. After the women in the Shara al-Zawiya internment camp had finished their rice, the guards would show up and pull them outside. One would hold a weapon to their breast as the other raped them, she says. Sometimes, a third guard would film the attack.

Julia, whose name has been changed for this article, is the 22-year-old daughter of a spice vendor in Bamako, a city in southern Mali. She shared her story in late August from a safe place in Europe that she asked not be identified. Julia spent four months in the internment camp in the Libyan capital of Tripoli, together with more than 170 women and 20 children who were hoping to make their way to Europe via Libya.

Migrants in an internment camp in Tripoli: A brutal, often deadly cycle of violence.

Foto:

Sara Creta

Shara al-Zawiya is one of almost 30 such camps for migrants in Libya. Officially, they are run by the Libyan Interior Ministry's Department for Combatting Illegal Immigration – originally intended as a model for addressing the migration problem. In fact, though, militias have control.

Inside the building, mattresses are strewn about on the floor where women change their children's diapers, and the windows are covered – as can be seen in one video in DER SPIEGEL's possession. On the wall outside that surrounds the complex hangs a sign reading: "Specialized center for groups in need of protection." For those inside, the blue lettering must sound like complete mockery.

Julia says that they were only served food once a day, with the guards distributing Tetra packs of juice along with the food. Those wanting water had to drink out of the toilets. After eating, says Julia, she regularly felt tired and dizzy and believes that drugs were added to the meals of some of the women to make them more compliant. The guards did whatever they wanted with them.

Since spring, girls aged 15 to 18 have been telling NGOs that guards at the camp had raped them. Two of the women apparently tried to commit suicide as a result. Julia says she watched as guards mercilessly beat a pregnant woman, who went on to suffer a miscarriage.

"It was worse than hell."

Julia, 22, a migrant from Mali

Julia only managed to escape the horror of Shara al-Zawiya because her parents paid the equivalent of 1,000 euros in ransom. Workers with the NGO Sea Eye then pulled her from the waters of the Mediterranean. By the time Julia was dragged onboard the *Sea Eye 4*, she was three-months pregnant. She says she has no idea who the father is – she was raped too often in Libya to know. She can hardly speak any longer about her time in the camp. "It was worse than hell," she says.

In Libya, irregular immigration is considered a crime. Migrants from sub-Saharan Africa are arrested upon entry into the country and locked away in the internment camps. There, they are blackmailed, tortured or sold. German diplomats have said conditions are "similar to concentration camps," an intentional reference to the camps run by the Nazis.

Back in 2012, the European Court of Human Rights ruled that refugees may not be sent back to Libya. The legal framework governing rescue-at-sea and the treatment of asylum-seekers requires that migrants saved from the Mediterranean be brought to a safe place. And Libya, with its torture camps, isn't safe for anybody.

That ruling was a problem for the EU. For years, EU member states, particularly Italy, had been bringing migrants back to Tripoli. After the ruling, that approach was no longer possible.

This prompted the EU to begin upgrading the Libyan Coast Guard in the hopes that they would be able to stop the migrants before they reached European waters.

The EU provided ships and training, and invested millions of euros into the strategy. The Libyan search-and-rescue zone was also expanded with European help. Airplanes flown by the European border control agency Frontex systematically monitor the Mediterranean on the search for refugees and forward location data to a provisional control station in Tripoli. Sometimes, Frontex officers even send WhatsApp messages to Libyan Coast Guard captains, as DER SPIEGEL reporting has found.

The EU has essentially made the Libyans into their accomplices. These days, the Libyan Coast Guard intercepts most migrants well before they reach Italy or Malta. The total for the year to date is more than 20,000 people.

Migrants sitting on a pier next to a ship belonging to the Libyan Coast Guard, which receives equipment, training and financing from the EU.

Foto: Mahmud Turkia / AFP

After their return to Tripoli, the migrants are driven back to the torture camps in buses. Those who try to escape are shot. It is a brutal, deadly cycle.

For Libyan warlords, though, the system is good for business. They extort the migrants in the internment camps, with Eritreans, Bangladeshis and Ethiopians considered to be especially lucrative, since their families tend to be able to afford higher ransoms.

Parts of the Libyan Coast Guard are also made up of dubious militias, such as those who have control over the internment camps – as the German government knows full well. Berlin has been aware that militia members have been integrated into the Libyan Coast Guard at least since 2018, according to a classified document obtained by DER SPIEGEL.

Local militias, deputized by the government, were also responsible in recent weeks for essentially hunting down migrants. Officially, the government agencies adopted the strategy to combat the drug trade in Tripoli. Some of those rounded

up were brought to the internment camp where Julia was held until spring, when she was finally able to buy her freedom.

In public, the EU expresses anguish at the treatment of the migrants. In reality, though, Brussels simply accepts it. Private groups who save refugees from the Mediterranean with the intention of bringing them to Europe are not usually provided with location information from Frontex – in contrast with the Libyan Coast Guard. And Italian officials impound such NGO ships once they enter port.

The EU has adopted such a severe approach to migration out of fear that the loss of control exhibited in 2015 could repeat itself. There are, though, alternatives available.

Germany: The Middle Path

Shurook D., 29, still has the card on which the word "WILKOMMEN" (welcome) is written in large lettering. It is a reminder of the first day of her new life. It was in November 2019, and there was also a vase full of fresh flowers on the table in the top-floor Cologne apartment that she was moving into with her sister Heba, 25. "We were completely surprised that we were given such a reception," says the Syrian woman. She is sitting in front the parish hall belonging to the St. Gereon Catholic Parish and telling the story of her first months in Germany.

"The wardrobe was full of clothes, just for us. It was so nice. We felt like VIP refugees."

Shurook D., a refugee taken in by Germany through a resettlement program

Shurook is wearing jeans and a dark-green shirt, with her long, brown hair falling across her shoulders. Heba, who has taken a seat on a chair next to her sister, has strands of pink in her hair. "The wardrobe was full of clothes, just for us. It was so nice. We felt like VIP refugees," she says in fluent German.

Shurook and Heba D. are from a Christian family in Damascus. Life in the Syrian capital had always been difficult for them, says Shurook, especially for Heba, who has suffered from rheumatism since childhood. In 2018, the sisters decided to leave Syria. They managed to survive on their own for awhile in Jordan before then telling their story to a UNHCR staff member. Within a week, they had

received a resettlement slot. Those slots are used by international organization to resettle refugees from the country in which they initially sought protection to a third country like Canada, the U.S. or Germany, where they can be better provided for.

Heba and Shurook were resettled to Cologne, likely through a model project called Neustart im Team, or NesT. The German government launched the project in cooperation with charity organizations.

Heba (left) and Shurook D.: They found an apartment waiting for them when they arrived.

Foto: Felix von der Osten / DER SPIEGEL

Resettlement is an alternative to the kind of aggressive isolation currently being pursued by the EU – and to the idea of open borders, as some activists are demanding. Many experts see the strategy as a sensible way of controlling migration.

The refugees don't have to risk their lives by climbing onto inflatable dinghies for the dangerous trip to Europe. And they don't have to go through demoralizing asylum procedures with an uncertain outcome. Resettlement programs include a residency permit, and the UN Refugee Agency selects those most in need of protection, such as families, single women, sick people and unaccompanied minors.

The advantage for host countries is that they can determine which refugees they accept and how many. And the resettled refugees are spared the misery of spending months in camps on a Mediterranean island, in Libya, or elsewhere. The system also has the advantage that it doesn't produce images that can then be exploited by right-wing populists. In combination with relaxed visa requirements for migrants willing to work, the system could even lead to a situation in which initial reception countries would take back rejected asylum applicants, which hardly ever takes place currently.

Even the most expansive resettlement program would not put an immediate end to irregular migration, of course. People will still climb into boats in the hopes of reaching Europe's shores. But in combination with other initiatives for legal

migration – such as work visas and family reunification – resettlement could reduce pressure on the borders.

Yet despite the advantages of such a system, almost all European countries are hesitant about accepting large numbers of humanitarian contingents. In the EU resettlement program, many countries continuously fall far short of the acceptance quotas previously agreed to. Globally, resettlement contingents have also been shrinking over time. In the last five years, Germany has never accepted more than 5,000 people through resettlement programs in a single year. The vast majority of the 1.8 million people who arrived in the country from 2015 to 2020 traveled here on their own and applied for asylum.

Shurook and Heba D., by contrast, were greeted upon arrival by Ottmar Bongers. He and other members of the St. Gereon Parish joined forces to make it possible for the Syrian sisters to come to Germany.

The NesT program is modelled after the Private Sponsorship of Refugees approach in Canada. It foresees a group of volunteers taking on some of the costs associated with accepting the refugees and then helping them get started. In the NesT program, the mentors, as they are called, are responsible for finding an apartment for the new arrivals and financing their rent for two years. "That only works if there is an organization involved that is willing to cover the costs," says Bongers.

Heba and Shurook have long since become established in Cologne. Heba must undergo another operation because of her ailment, but she then intends to continue her physics studies that she began in Syria. Shurook has a degree in agricultural science, but would prefer doing "something socially minded" in Germany. She is currently working in a daycare center and is involved in a project for refugee children. Together, they planted potatoes in a field next to the parish hall. Their first harvest took place a few weeks ago.