



ΚΑΜΠΑΝΙΑ ΓΙΑ ΤΗΝ ΠΡΟΣΒΑΣΗ ΣΤΟ ΑΣΥΛΟ

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PRESS RELEASE

WITCH-HUNT AGAINST DEFENDERS OF HUMAN RIGHTS

IN COMPLETE REVERSAL OF REALITY

Athens, 19 December 2022

European and international human rights monitoring bodies record systematic and continuous complaints regarding the illegal refoulement of refugees at Greece's borders. These complaints have become commonplace¹; yet, instead of being investigated, the people and the organisations who denounce them and address the competent bodies are themselves targeted and accused of criminal charges.

In an unprecedented reversal of reality and in a context of systematic disinformation and propaganda against individuals and civil society organisations that dominates the vast majority of Greece's media, these very persons are accused of allegedly illegal criminal activities, when their purpose is to provide protection to refugees, carrying out exactly their work.

The most recent target is Panagiotis Dimitras, known for defending human rights in Greece for many decades. Panagiotis Dimitras is accused of having "*set up a criminal organisation with the purpose of receiving data of third country nationals who attempt to enter Greece illegally, in order to facilitate their illegal entry and stay, sending to the authorities their full details and their exact location in the country, in order for them to be subject to asylum procedures*".

Specifically, he is called for interrogation before the Investigating Magistrate of Kos on 20/12/2022 in response to the above charges, which are classified as felonies. The charges are brought with the aggravating circumstances of commission "*by profession, as the infrastructure he has created*

(namely the operation of the organization Greek Helsinki Monitor) demonstrates an intention of repeated commission of the act and for profit".

The incident for which Panagiotis Dimitras is accused of the above criminal charges concerns the entry into Greece on 13/07/2021 of an asylum seeker, who is in fact accused of being the leader of the criminal organisation. This asylum seeker's only illegal activity was entering Greece alongside other passengers in a boat. The same asylum seeker had previously appeared on the BBC in a report on pushbacks entitled "The EU countries "pushing back" asylum seekers at sea"², which was coincidentally published on the same day (13/07/2021), denouncing two previous pushbacks, one of which was recorded on a video that was published on 10/06/2021 by the Facebook page of the Aegean Boat Report organisation, which also systematically denounces incidents of illegal pushbacks in the Aegean and whose main representative, Tommy Olsen, is also accused of being a member of the same alleged criminal organisation.

This particular BBC report was publicised widely and received a lot of attention³. This caused the Minister of Migration to react; who, as usual, denounced the accounts as completely unfounded⁴, despite the fact the incidents were confirmed by videos. The Minister cited the fact that many cases of alleged pushbacks had been investigated by European Union institutions and in their reports, no violation of European rights had been recorded. This was of course before the OLAF report was published following an investigation into Frontex, which revealed that Frontex, a European agency, was tolerating if not complicit in carrying out illegal pushbacks. Due to pressure following these revelations, Frontex's director Fabrice Leggeri, resigned.

In the case currently in question, Panagiotis Dimitras acted in accordance with the aims of the organisation of which he is a founding member since 1993⁵, namely the support of human rights. He sent the Greek authorities information about the presence of asylum seekers in Greek territory, as well as the will of those asylum seekers to be subject to asylum procedures, i.e. asking for their protection claims to be registered and the legal procedures applied.

As the spokesperson of his organisation, he monitors the observance of human rights by collaborating with the competent bodies of the UN, the Council of Europe and the European Union. Panagiotis Dimitras is a member of the Board of Directors of the European Network for the Enforcement of ECtHR Judgments (EIN)⁶, as well as a member of the General Assembly of the World Organisation Against Torture (OMCT)⁷.

On the specific issue of pushbacks, it is known that the Greek Helsinki Monitor has submitted multiple complaints to the competent prosecutors⁸, the Greek Ombudsman⁹, as well as the police. The purpose is always to denounce the relevant incidents and support the victims of these actions in their efforts to address competent authorities and bodies.

None of the above would be of concern, if they were not part of a generalised trend, amounting to the targeting of organisations, workers and volunteers who defend asylum cases, denounce serious rights violations, pushbacks or simply provide humanitarian assistance. This witch-hunting has created a general climate of suspicion, which foments attacks by extreme racist groups. Lengthy legal battles against serious unsubstantiated charges are also a concern, as already observed by the

UN Special Rapporteur on Human Rights Defenders, following a special hearing of many of those already accused or threatened with similar charges¹⁰.

The hostile context outlined above is intensified by recent incrimination from officials against organisations with unknown sources of funding and connections with MEPs, lobbyists and journalists, "*who systematically circulate abroad images against our country*"¹¹, thus contributing to the general climate of suspicion against organisations that have been operating legally and honestly for years.

The above context – harassing and criminalising organisations and individuals defending human rights - does not only concern Greece, but also the competent institutions of the European Union. Despite the revelations regarding the tolerance if not the participation of Frontex in repeated pushback incidents¹², the European Union institutions remain silent. This contributes to the cover-up of systematic human rights violations committed at the borders of European Union countries, especially in the Balkan Peninsula and the Aegean.

Though we expected the competent bodies and institutions, as well as the judiciary, to investigate the complaints of human rights violations that have come to light, instead we are witnessing accusations against the people and organisations that are active at the country's borders. Those accused are receiving reports and testimonies of pushbacks against refugees and migrants, which, as they should, they make public and bring to the attention of the competent authorities.

In this context, the Campaign for Access to Asylum and the organisations co-signing this press release call for:

- A stop to the persecution of those individuals and organisations who act in their role as defenders of human rights, against violations by state authorities and institutions.
- A stop to the systematic propaganda and misinformation against persons and organisations providing protection to asylum seekers, refugees and vulnerable persons in general.
- The investigation of all allegations brought to the attention of the competent authorities concerning cases of illegal refoulement.
- A stop to the phenomenon of violations of fundamental human rights that are systematically committed at the borders of Greece and Europe.

CO-SIGNATORIES (in alphabetical order)

ARSIS-Social Organization for Youth Support (<http://arsis.gr>)

Network of Social Support for Refugees & Migrants (<http://migrant.diktio.org>)
Greek Observatory of the Helsinki Accords (<https://greekhelsinki.wordpress.com>)

Greek Council for Refugees (<http://www.gcr.gr>)
Greek Forum of Migrants (<https://www.migrant.gr/>)
Greek Forum of Refugees (<http://www.refugees.gr>)
Lawyers' Group for Refugee and Migrant Rights (<http://www.omadadikigorwn.blogspot.com>)
The Purple (<http://tomov.gr>)
Refugee Support in the Aegean (RSA) (<http://rsaegean.org/el>)
Equal Rights Beyond Borders (<https://equal-rights.org/>)
HIAS (<https://www.hias.org/where/greece>)
Refugee Legal Support (RLS) (<https://www.refugeelegalsupport.org/>)

Annex of sources documenting cases of refoulement

- The United Nations High Commissioner for Refugees (UNHCR);¹³
- The International Organisation for Migration (IOM);¹⁴
- The United Nations Committee on Enforced Disappearances (CED);¹⁵
- The United Nations Committee on the Rights of the Child (CRC);¹⁶
- The United Nations Human Rights Council;¹⁷
- The United Nations Working Group on Arbitrary Detention (WGAD);¹⁸
- The United Nations Special Rapporteur on the human rights of migrants;¹⁹
- The United Nations Special Rapporteur on human rights defenders;²⁰
- The Council of Europe Commissioner for Human Rights;²¹
- The European Committee for the Prevention of Torture (CPT);²²
- The Frontex Fundamental Rights Officer (FRO);²³

¹An annex with the relevant sources is provided at the end of this document.

²BBC 13/07/2021 "EU countries 'pushing back' asylum seekers at sea" available: <https://bit.ly/3HLdSe1>

³France 24 13/07/2021 "Greek coastguards hit with new migrant pushback claim" available: <https://bit.ly/3jhxUmo>

⁴Nauteboriki 13/07/2021 "Mitarakis' response to BBC: "Completely unfounded" accusations of illegal repatriations" available <https://bit.ly/3YuRdbV>

⁵<https://greekhelsinki.wordpress.com/about/>

⁶<https://www.einnetwork.org/structure-governance>

⁷<https://www.omct.org/en/who-we-are/governance>

⁸Indicatively: Racist Crimes Watch 04/05/2021 "Criminal complaint to investigate 147 incidents of illegal, violent, racist refoulement or deportation of 7000+ foreigners during March - December 2020" available at <https://bit.ly/3Ywyrkk> and Racist Crimes Watch 21/07/2021 "200+ illegal refoulement cases of about 10000 foreigners investigated by the Supreme Court Prosecutor's Office and Citizen's Advocate following appeals by the EAPC" available at <https://bit.ly/3V2BE8d>

⁹Greek Helsinki Monitor 21/04/2021 "Complaint to the Ombudsman calling for the investigation of 147 cases of illegal, violent, racist pushback or deportation of 7000+ foreigners in March-December 2020" available at <https://bit.ly/3G2jfEw>

¹⁰<https://srdefenders.org/information/hearing-with-migrants-rights-defenders-in-greece/>

¹¹Press release of the Ministry of Migration and Asylum 14/12/2022: "Mitarakis from Parliament: There is an embrace of NGOs with MEPs and journalists who circulate images against our country" available in: <https://bit.ly/3W5V9yj>

¹²The Guardian 14/10/2022 "EU border agency accused of serious rights violations in leaked report" available:

<https://bit.ly/3uXn8UT>

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UNHCR, 'UNHCR warns of increasing violence and human rights violations at European borders', 21 February 2022, available at: <https://bit.ly/39Md9L4>; 'UNHCR concerned by pushback reports, calls for protection of refugees and asylum-seekers', 21 August 2020, available at: <https://bit.ly/3xNCV9O>.

¹⁴IOM, 'IOM Alarmed over Reports of Pushbacks from Greece at EU Border with Turkey', 11 June 2020, available at: <https://bit.ly/39GXQDi>.

¹⁵CED, *Concluding observations on the report submitted by Greece*, CED/C/GRC/CO/1, 12 April 2022, paras 28-31, available at: <https://bit.ly/3OwtTVh>.

¹⁶CRC, 'Experts of the Committee on the Rights of the Child Ask Greece about Roma Children and Push Backs of Refugees at the Border', 4 May 2022, available at: <https://bit.ly/3xDCsqA>.

¹⁷UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Greece*, A/HRC/49/5, 6 January 2022, paras 130.96, 130.202, 130.204, 130.209, 130.214, 130.215, 130.216, 130.223, 130.226, available at: <https://bit.ly/3tSxghE>.

¹⁸WGAD, *Report of visit to Greece*, A/HRC/45/16/Add.1, 29 July 2020, paras 87-88, available at: <https://bit.ly/3HINxuZ>.

¹⁹UN Special Rapporteur on the human rights of migrants, available at: <https://bit.ly/3QxybBn>.

²⁰UN Special Rapporteur on human rights defenders, 'Statement on preliminary observations and recommendations following official visit to Greece', 22 June 2022, available at: <https://bit.ly/3tSwZLB>.

²¹Council of Europe Commissioner for Human Rights, 'Greek authorities should investigate allegations of pushbacks and ill-treatment of migrants, ensure an enabling environment for NGOs and improve reception conditions', 12 May 2021, available at: <https://bit.ly/3OclKpt> Statement of Council of Europe Commissioner for Human Rights, DunjaMijatović 21-10-2021 European states must stand up against pushbacks and the attempt to legalise them available at: <https://bit.ly/3BCMifd>, Statement of DunjaMijatović, the Council of Europe Commissioner for Human Rights 7 April 2022 Pushed beyond the limits. Urgent action needed to stop pushbacks at Europe's borders available at: <http://bit.ly/3WnsAMd>

²²CPT, 'Council of Europe's anti-torture Committee calls on Greece to reform its immigration detention system and stop pushbacks', 19 November 2020, available at: <https://bit.ly/39FChmQ>.

²³Frontex, *Fundamental Rights Officer Annual Report 2021*, June 2022, 7, 14, 39, available at: <https://bit.ly/3A1XP7J>.