

New report: “They started beating us, used a stun gun and pepper spray on us and then threw us into the forest. We couldn't walk for three days because of the pain, and we had vision problems.”

Migrants seeking to cross European borders are systematically being pushed back. The eighth report from Protecting Rights at Borders (PRAB) once again documents how illegal pushbacks and rights violations continue to be widespread and have evolved into an accepted tool for border management.

While politicians are busy reporting on the many migrants pouring towards Europe, and while European countries are busy building walls around fortress Europe and making agreements with third countries to keep refugees and migrants away, they forget to talk about that these people have the right to seek asylum and the majority of refugees being hosted in countries neighboring conflict.

EU Member States should effectively maintain the right to seek asylum, irrespective of the number of arrivals. It is illegal when European countries systematically use pushbacks at borders. The absence of safe and legal pathways to reach the EU leaves refugees and migrants in search of safety, with no other option than to use more dangerous routes and to put their lives at risk.

Through several years PRAB has documented how illegal pushbacks and rights violations continue to be widespread and have evolved into an accepted tool for border management. The latest and eighth report “Pushbacks at Europe’s borders: a continuously ignored crisis”, which covers the period from 1 September to 31 December 2023, documents a total of 8,403 pushback instances during the four-month reporting period.

As part of the documentation, 1,448 persons were interviewed by PRAB partners to record the details of their demographics, migratory routes, and the rights violations they reported being exposed to. While the 8,403 pushbacks documented by PRAB during the past four months may seem a high number, this only represent a small sample of the actual number of illegal pushbacks at European borders.

Alarming numbers shows that pushbacks are systematic used

The total number of pushbacks documented in 2023 amounts to **28,609**. In 2023, a total 5,081 persons were interviewed. Since the start of the PRAB initiative in January 2021, **46,275** pushbacks have been documented. In total 22,776 persons were interviewed since the start of the PRAB initiative.

Charlotte Slente, Secretary General DRC:

“It is totally unacceptable that illegal pushbacks and rights violations continue to be widespread and have evolved into an accepted tool to keep those unwanted out. It is like everything is accepted – fatalities and pushing back unaccompanied and separated children. We are talking about people in an extremely vulnerable position who experience extreme violence. EU Member States have the right to protect their own borders, but not at the cost of human rights. spot on the EUs reputation.”

Alena Chekhovich, HRD and legal analyst, Human Constanta:

“The Belarusian-EU border has been increasingly militarized from the EU side since June 2023. The border equals violence, including the use of firearms and the introduction of pepper-spray launchers, degrading treatment, and loss of lives. Families continue to be separated. Each victim is one too many. It is high time to uphold rights at borders, by the countries neighbouring the EU, as well as by European Member States.”

Costanza Mendola, socio-legal operator in Ventimiglia (Italy), Diaconia Valdese

“Pushbacks at the Italian-French border remain a sad reality. PRAB recorded 3,180 pushback incidents from September to December 2023. Out of this group, 737 were children, of whom of whom 519 unaccompanied minors. This means that 1 out of every 4 incidents includes a child –deprived from rights instead of insuring that the child’s best interest is guaranteed.

EU Pact on Asylum and Migration

PRAB partners had hoped that EU countries with the agreement on the EU’s Pact on Asylum and Migration, concluded on 20 December 2023, would take responsibility. But the political agreement is unlikely to end or even limit the widespread and systematic use of pushbacks and rights violations at EU internal or external borders or ensure accountability for the victims. The high-level political compromise between the European Parliament and EU Member States remains top-line, clarifying the direction with the detailed legal framework still subject to further negotiations. The political will, courage, and realism to put the rights of people before protecting borders appeared absent from the high-level political agreement.

PRAB partners call on the negotiators of the legal text to ensure it does not become a missed opportunity to end the rights violations at Europe’s borders, by ensuring that the proposals and its implementation are in line with European and international human rights law as well as the EU’s moral and legal obligations with regards to asylum and migration.

Facts

The numbers reported by the PRAB initiative represent a fraction of the people who are pushed back at Europe’s borders. The nature of European border areas and the methods utilised for crossing coupled with lack of access to some border areas, make it difficult to reach all people who experience pushbacks and related violations. Additionally, pushback recording depends on the time of the event and the willingness of the victims to report. As documented by PRAB partners, many pushback victims are afraid to report the incident, fearing that this will negatively impact their possibility to enter or stay in an EU Member State.