



Bulgaria: New Evidence Syrians Forced Back to Turkey

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Bulgarian border police have in the past month forced Syrian asylum seekers back to Turkey and beaten some of them, Human Rights Watch said today based on accounts by victims.

Human Rights Watch documented three separate incidents of summary returns from Bulgaria to Turkey involving at least 43 people, all Syrians. These incidents are consistent with the pushbacks to Turkey and abuse of asylum seekers and migrants by Bulgarian authorities that Human Rights Watch documented in an April 2014 report.

"Beating people who may be seeking asylum and then forcing them back across the border is plain wrong, and illegal," said Lydia Gall, Balkans and Eastern Europe researcher at Human Rights Watch. "The EU should press Sofia to keep its borders open to Syrians and other asylum seekers and to put an end to these abusive practices."

On August 28, Bulgarian border police caught a group of about 22 Syrians in a forest after they crossed the Bulgarian border, a member of the group told Human Rights Watch by phone in Turkey on September 11.

"Sharif," his wife, and four children - the youngest 2 years old - were all part of the group. He said he knew the border police were Bulgarian because their language sounded like Russian. The police searched the men and took their mobile phones, money, and water. Sharif said that he saw them beat the younger men, though he was not beaten. He said that the police put everyone in police cars and drove for about an hour to the Turkish border, where the police said to them, "Go, go." Sharif, like others interviewed, is not identified by his real name for his protection.

On August 30, Bulgarian border police caught another group of 15 Syrian nationals on Bulgarian territory, a member of the group, "Mohamed," 19, told Human Rights Watch from Turkey by phone on September 3 and 10. He alleged that the police beat him and eight other members of the group. He said that the police pushed all of them back to Turkey after holding them for about three hours without proper procedures and with no opportunity to lodge asylum claims:

The police officers who caught us started beating us with batons, their fists, and their boots. They stepped on us and they made us lie on the ground with our faces down. Reinforcements arrived and dragged us to the Turkish side and made us walk away.

Mohamed said he knew he was in Bulgaria because the border police were not speaking Turkish or another language he could recognize. He described green military uniforms with the word "police" on their jackets, a description consistent with the uniforms and insignia worn by Bulgarian border police.

In another case, on September 7, 21-year-old "Hussein" travelled to Bulgaria with a group of about 16 people from Syria, including two families with a total of five children. They were caught by six or seven Bulgarian border police. Interviewed by phone on September 11, he said that the border police searched them, took their phones, money, food, and water, and made the men lie on the ground.

He said the police kicked him and some other young men and beat them with their hands and batons. He said he was positive the police were Bulgarian from their clothes and language. After about an hour, he said the police told them, "Go, go" and pointed to the forest in the direction of Turkey. After the group started walking the police fired into the air, he said.

Hussein said it was his second attempt to cross into Bulgaria, and that during his first attempt 25 days earlier, Bulgarian police handed him over to the Turkish police.

Human Rights Watch has previously documented pushbacks and mistreatment of asylum seekers, refugees, and migrants in Bulgaria, including refugees and asylum seekers from Syria. In the April report, "Containment Plan," Human Rights Watch identified 44 incidents involving at least 519 people in which Bulgarian border police apprehended and summarily returned asylum seekers, refugees, and migrants to Turkey. Some of the pushbacks involved excessive use of force by Bulgarian border police, including beatings and gunfire.

The Bulgarian government denies the documented reports of pushbacks and other abuses. The Ministry of Interior did not respond to a Human Rights Watch request for a comment on the alleged August 30 pushbacks and beatings.

In April the European Commission wrote to Bulgaria about allegations that it broke EU rules by summarily returning Syrians to Turkey. Bulgaria has denied any wrongdoing.

The pushbacks and ill-treatment of refugees, asylum seekers, and migrants documented by Human Rights Watch follow a tenfold increase in irregular migration. Over the past decade, Bulgaria registered an average of about 1,000 asylum seekers a year. But in 2013, more than 11,000 people, over half of them fleeing Syria's deadly repression and war, lodged asylum applications.

Despite ample warning signs, Bulgaria was unprepared for the increase. The government adopted what it termed a "containment plan" to restrict the irregular migration flow and reduce the number of people seeking protection in Bulgaria. The plan included building a 32-kilometer barrier wall and sending 1,500 more police to the border. The effect was immediate: 1,514 arrivals from January to June 2014 compared with over 3,600 in October 2013 alone, according to the United Nations Refugee Agency (UNHCR).

The summary return of asylum seekers before their protection claims are considered violates Bulgaria's obligations under domestic and international law, including under the 1951 Refugee Convention, the European Convention on Human Rights, and the European Union Charter of Fundamental Rights, which guarantees the right to seek asylum.

While Bulgaria is entitled to secure its border, under universal standards embodied in the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, law

enforcement officials, including border agents, may use force only when nonviolent means have been unsuccessful. Any use of force must be proportionate and minimize damage and injury.

"Bulgaria apparently thinks that now that the spotlight has moved elsewhere it can get away with beating people seeking asylum and shoving them back over the border instead of protecting them and giving them a chance to seek asylum," Gall said. "The European Commission needs to investigate these violations of EU law and put its foot down."

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