Bulgaria: Pushbacks, Abuse at Borders
Halt Summary Returns, Beatings, Robbery of Asylum Seekers
Budapest – Bulgarian law enforcement officials summarily return asylum seekers and migrants to Turkey, often after stealing their belongings and subjecting them to violence.

In research in six countries between October and December 2015, Human Rights Watch interviewed 45 asylum seekers and migrants from Afghanistan, Syria, and Iraq who described 59 incidents of summary returns from Bulgaria to Turkey between March and November. Twenty-six people said they had been beaten by police or bitten by police dogs. All but one said they were stripped of their possessions, in some cases at gunpoint by people they described as Bulgarian law enforcement officials, then pushed back across the border to Turkey.

“Bulgaria needs to end the abuse and unlawful treatment of people seeking protection in Europe,” said Lydia Gall, Balkans and Eastern Europe researcher at Human Rights Watch. “The Bulgarian government should immediately put a stop to summary returns, investigate allegations of abuse and pushbacks, and hold those responsible to account.”

Fourteen asylum seekers and migrants who had been held in detention in Bulgaria described beatings by guards, lack of adequate food, and unsanitary conditions. Three also described being robbed and, in one case, beaten by Bulgarian law enforcement officials when the person tried to cross from Bulgaria into Serbia.

Human Rights Watch wrote to the Bulgarian Interior Ministry on December 15, raising concerns identified during its research. The Interior Ministry has not yet responded.

Some asylum seekers and migrants described being apprehended by people wearing uniforms and insignia consistent with those worn by Bulgarian law enforcement officials. Others were unable to describe insignia and uniforms because they were apprehended at night, but they said that those responsible for the abuse were wearing uniforms and were often accompanied by dogs. They said that officials stripped them of money and other belongings and took them in police cars to the Turkish border, forcing them to cross back into Turkey. In some cases they were also subjected to violence.

Human Rights Watch documented similar abuses at the Bulgaria-Turkey border and in detention centers in April and September 2014. The Belgrade Center for Human Rights documented similar abuses in November 2015. The new Human Rights Watch findings suggest that the Bulgarian government has failed to take the necessary action to stop summary expulsions and violence and abuse at its borders and its detention centers.
The migrants said that the pushbacks to Turkey in 46 of the 59 cases involved abusive and violent behavior, including beatings with fists and batons, kicks, and dog bites. In all but one case, asylum seekers and migrants told Human Rights Watch that Bulgarian law enforcement officials thoroughly searched them and took their money, mobile phones, food, drinks, and other items.

Asylum seekers and migrants trying to leave Bulgaria near the Serbian border also described being robbed and, in one case, beaten by people they described as Bulgarian law enforcement officials. They gave detailed accounts of being apprehended by people they understood to be law enforcement officials close to the Serbian border, then being stripped of their money, mobile phones, and other items.

In April 2014, the European Commission opened infringement proceedings against Bulgaria in connection with the allegations of summary returns. The procedure stalled after the Bulgarian authorities flatly denied any wrongdoing despite evidence from Human Rights Watch and other groups. In September 2015, the commission initiated new infringement proceedings against Bulgaria for failure to implement the Qualification Directive, which sets out the minimum standards for the qualification of international protection as well as protection from refoulement, which under international law requires not returning anyone to a country where they would be at risk of being subjected to torture or other cruel or inhuman treatment.

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

While Bulgaria is entitled to secure its border, under universal standards embodied in the United Nations 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.

Taking asylum seekers and migrants’ possessions through the threat or use of force may amount to robbery under domestic criminal law. The Bulgarian authorities should investigate allegations of excessive use of force and robbery by its law enforcement officials.

“The failure by Brussels to hold Bulgaria to account for serious rights violations has left the pushbacks and violence against migrants and asylum seekers unchecked,” Gall said. “The European Commission should seriously pursue these blatant violations of EU standards and
press Bulgarian authorities to bring to them to a halt.”

**Accounts of Violent Pushbacks to Turkey**

Between October and December 2015, Human Rights Watch interviewed 45 asylum seekers and migrants, including eight unaccompanied children, in Bulgaria, Croatia, Hungary, Serbia, Slovenia, and Turkey. They described 59 incidents of summary expulsions from Bulgaria to Turkey. To protect the identity of those interviewed, pseudonyms are used.

In all but one case, witnesses and victims said people they described as Bulgarian law enforcement officials stripped them of their money, mobile phones, water, energy drinks, and food before taking them in police cars or trucks to the Turkish border and forcing them to cross.

Interviewees described being bitten by police dogs or seeing others bitten; being beaten with truncheons and wooden branches; and in one case, beaten in the head with a gun butt. Some said that Bulgarian law enforcement officials fired into the air after spotting groups of asylum seekers and migrants.

Sinisha, 22, from Afghanistan, described a November 2015 incident:

> We saw the police car and started running. We heard a kid screaming behind, turned around, and saw the dog biting him. We stopped and saw how the dog dragged him about 15 meters, viciously biting him, he wouldn't let go. Then, about eight police officers came and one started beating the kid while the dog continued biting him...Then the police told the dog to stop biting but grabbed my friend and had the dog bite his arm. Then another police hit me on the head with the butt of his gun. It bled badly. I asked the police for a napkin to wipe the blood from my face but instead he kicked me on the leg...They took two mobiles, my money and new shoes...They brought us by police cars to the border and took wooden sticks and started hitting all of us and made us cross the border to Turkey.

Hamdast, 16, from Afghanistan, described how, after crossing into Bulgaria in early November from Turkey, he and 47 others were caught by Bulgarian law enforcement officials:

> They made us stand in a line. They made us take off our trousers down to our knees and searched us to see if we had money. There were five police officers. They took 200 euros from me. They also took food and my phone. I had new boots, the policeman liked them and took them as well. My bag, which had been full, was given back to me empty...One officer hit me on the face with a tree branch because I talked...Then police trucks came and took all of us to the Turkish border and the police kicked each of us while making us cross into Turkey.
Abdullah, 16, also from Afghanistan, said that in early November, people he believed to be Bulgarian law enforcement officials chased his group of about 40 Afghan men, shot at them, and then beat them:

> When Bulgarian police saw us, we tried to run away. They chased us with dogs and shot at us. There were five police. When they caught us, they started beating us. They kicked me and the others wherever they could reach, [they kicked] my arm and my head. They did this for about an hour and threatened us with the dogs. They took my money and mobile.

Nazem, 18, from Afghanistan, said he had been pushed back to Turkey five times in November. He recounted a similar incident in mid-November:

> We crossed the border. We saw a police dog behind us and hit it with a scarf so it ran away. A few minutes later, we saw a policeman behind us and he shot in the air. We sat down. The policeman recognized me and said, ‘You are here for the third time.’ Then he [had his] dog to bite me and he [the dog] bit my right arm. Then he [law enforcement official] pointed a gun to my head and said that if I come again he would kill me...They took US$500 from me and two mobiles and made us cross the border into Turkey.

Nasratullah, 23, from Afghanistan, said that people he believed to be Bulgarian law enforcement officials pushed him back to Turkey three times between late October and mid-November:

> When police caught us, they beat all 22 of us. They searched us and took money and mobiles from everyone...First they searched us and found the money and started beating us. They had electric sticks. They beat me with the stick on my arm and on my back. I don’t know for how long [they beat me] because when they beat me I lost consciousness. After they took everything from us they left us with only clothes, put us in cars and took us to the Turkish border and made us cross.

Five days later, Nasratullah crossed into Bulgaria a second time with a group of 50 men:

> A police dog bit my friend in the leg. He bled and we took a scarf and tied it around his leg... When we tried to help my friend, they started beating us. They [five policemen] all had electric sticks that they beat us with. Then police cars came, they put us inside them and brought us to the Turkish border and made us cross.
In some cases, asylum seekers and migrants said that people they believed to be Bulgarian law enforcement officials had handed them over to Turkish police. Rahman, 20, from Afghanistan, who said he had been pushed back to Turkey three times, described a mid-November incident involving about 50 people:

They [Bulgarian law enforcement officials] took all they could from us and beat me... There were four police and two dogs. First they shot in the air and then they let the dogs after us... They beat me with fists in the face. Then they put us in a [police] car, took us to the border and gave us to the Turkish police.”

Abuse, Poor Conditions in Bulgarian Detention Centers
Fourteen asylum seekers and migrants, including three unaccompanied children under 18, described poor conditions in at least two detention centers in Bulgaria: Busmantsi and Elhovo. Four said they had experienced or witnessed abusive behavior, including beatings, by Bulgarian officials in detention centers.

Sina, 16, described his mistreatment during his 15-day detention in early November in Busmantsi:

The guards would yell, ‘Why do you come to our country?’...[after] five or six days, they [guards] kicked me one time...I didn’t know how long I would stay at the camp...no one knew... the food was scarce, there was never enough to eat.

17-year-old Sehr, from Afghanistan, also described ill-treatment during his 30-day detention in Busmantsi in late October:

They [guards] beat me seven times there [in Busmantsi]. They [guards] hit me with wooden sticks and there was no reason for the beating. They hit me on my legs and on my back. They beat all Afghans there...

20-year-old Gulzar, from Afghanistan, gave a similar account of beatings that occurred in mid-November in a detention center he could not name but where he was held for 15 days. He said that guards beat him and took his money.

Asylum seekers and migrants described dirty conditions and inadequate amounts of food in the detention centers. A 25-year-old man from Syria said that he was held for two days in very dirty conditions at Elhovo detention center and given bad food.
Nasratullah, the 23-year-old Afghan who had described being pushed back to Turkey, described dirty conditions and insufficient food in a detention center he could not name:

*I was there for eight days [in early November]. It was a closed camp. It was dirty, the beds were broken, and they didn’t give us enough food to eat. I never got full...*

Asylum seekers and migrants in all but two cases told Human Rights Watch that food rations in detention centers were insufficient.

**Abuse at the Bulgaria-Serbia Border**

Human Rights Watch interviewed three asylum seekers and migrants who described 11 incidents in which Bulgarian law enforcement officials apprehended them close to the Serbian border, stripped them of belongings, and brought them to police stations for 24 hours, often without water or food. In two cases, arrests involved physical abuse. Didar, 21, from Afghanistan told Human Rights Watch:

*In late November* my friend was beaten by Bulgarian police as we tried to cross into Serbia. They [police] asked us to show our money and mobiles and told us to take them out of our pockets. I took out my money and phone and gave to them but my friend hid his. When police found his money, they started beating him. Two police beat him, one with fists and the other one with a stick. He beat him on the face with the stick, he didn’t plan to but my friend turned his head and the stick hit his nose...he is in hospital in Sofia because of it.

The Human Rights Watch researcher saw photos of the wounds that appear consistent with his account of being beaten with a police baton.

An 18-year-old Afghan man said he had been arrested seven times between mid-October and mid-November by Bulgarian police while trying to enter Serbia and described abuse and robbery during each arrest:

*Every time Bulgarian police caught us they beat us, mistreated us, and took our money...They kicked us, they used a wooden stick. They swore at us and used bad language. They talked badly about our mothers and fathers. They kicked us and hit us wherever they could. Every time they arrested us they did this...One time when they caught us they brought us somewhere. They made us stay for 24 hours without food or water. They treated us very badly.*
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