



PRESS RELEASE

Refugees from Syria, Iraq and Afghanistan demand their right to have rights

ECtHR examines push-backs to Idomeni, Macedonia must respond to questions on expulsion practices

Berlin/Frankfurt, 13 February 2017 – A step forward in the legal struggle against push-back practices in Europe: The European Court of Human Rights (ECtHR) in Strasbourg is examining the large-scale collective expulsions of refugees from the Former Yugoslav Republic of Macedonia (FYROM) to the border camp Idomeni in Greece in March 2016. To this end, the ECtHR communicated the complaints of eight applicants from Syria, Iraq and Afghanistan to the Macedonian government. The refugees had submitted [individual complaints](#) in September 2016 with the support of the [European Center for Constitutional and Human Rights \(ECCHR\)](#) and [PRO ASYL](#). They assert that FYROM's practice of unlawful expulsions is violating the European Convention on Human Rights. The Macedonian government must now submit a written response by 18 May 2017. Civil society organisations and universities are also permitted to intervene with legal observations.

“With the push-backs – whether in Idomeni or currently at the border between Serbia and Hungary – the governments in Europe are suspending basic human rights”, said ECCHR General Secretary Wolfgang Kaleck. “Refugees and migrants have a right to have rights. The Idomeni case is a chance for the Court to uphold this principle.” Karl Kopp, Europe-Spokesperson of PRO ASYL, also welcomed the relatively quick decision to communicate the case: “The push-backs in Idomeni violated the prohibition of collective expulsion and the right to access an effective remedy. Neither Macedonia nor other European countries can justify these practices based on an alleged ‘state of emergency’.”

The applicants, two women and six men, crossed the Greek-Macedonian border alongside approximately 1,500 other refugees on 14 March 2016. The Macedonian military apprehended them and forced them back to Greece. The claimants had no possibility to ask for asylum or to take legal action against the operation. These push-backs carried out without any consideration of individual circumstances violate Article 4 Protocol 4 (prohibition of collective expulsion) and Article 13 (right to an effective remedy) of the European Convention on Human Rights.

Since 2014 ECCHR has pursued [strategic litigation to contest the push-back practices in Europe](#). ECCHR is also assisting with the ECtHR complaints of two individuals against Spain's push-back practice at the border in [Melilla](#). Since 2012 Pro Asyl has been documenting the numerous [push-back operations in the Aegean Sea](#) and assisted the survivors of the [Farmakonisi](#) border surveillance operation before the ECtHR.

Contact:

ECCHR, Anabel Bermejo – Tel.: + 49 (0) 172 - 587 00 87, E-Mail: bermejo@ecchr.eu

PRO ASYL, Karl Kopp – Tel.: +49 (0)174 3384762, E-Mail: presse@proasyl.de