

Updated January 2024

Ludovic N.

Early life

Ludovic N. (anonymized for his protection) was born and raised by his mother in west Cameroon. He had to flee aged 13 and travelled with his uncle through Nigeria, crossing the Sahara Desert into Algeria and experiencing great hardships along the way. Close to the Moroccan border the two were detained by the Algerian authorities and Ludovic N. was pushed onwards to Morocco. He never heard from his uncle again.

Life in Morocco

In Morocco, Ludovic N. spent two years living as an undocumented and unaccompanied migrant, destitute and homeless. For ca. 18 months he tried to survive in informal encampments in the forests of Gourougou (Beni Ensar, near Melilla) and Cassiago (Fnideq, near Ceuta). He attempted numerous times to enter Spain via Ceuta and Melilla, in order to seek protection, and was subjected to repeated violence, including a chain pushback into the Algerian desert.

Pushback at El Tarajal beach, 6 February 2014

15 years old at the time, Ludovic N. was one of the youngest to experience the pushback at El Tarajal beach in the Spanish enclave of Ceuta. Since he couldn't swim, Ludovic N. wore a floating device as he started to make his way forward holding the sea wall with one hand and paddling forward with the other. He heard shots and cries and saw Guardia Civil officers shooting rubber bullets and firing tear gas at people in the water.

As Ludovic N. held onto the sea wall with his hands, struggling to keep his head above the water, a Guardia Civil officer beat him on the arm with a baton, so hard that his skin tore. Ludovic N. carried on, despite his bleeding arm and struggling to breathe due to the gas used against people in the water. When he reached the Spanish side, he was immediately apprehended by Guardia Civil.

Ludovic N. was not identified or offered any medical aid, translation or legal assistance. He was not given a chance to speak or be spoken to. He was swiftly escorted with others through a door in the border fence back to Morocco.

Ludovic N. was later taken to a hospital in Nador where he received treatment informally, and later that day was brought to the Algerian border and expelled out of Morocco.

Arriving in Europe

In the summer of 2014, aged 15, Ludovic N. reached Spain. After his experience with the Guardia Civil in El Tarajal, he did not feel safe in Spain and so he continued his journey. He eventually reached Germany, where he was immediately recognized as a minor and appointed a guardian. After successfully finishing secondary school, he went on to start an apprenticeship as an electrician.

Participation in Spanish investigation

Despite all the odds; his very young age, his continued search for protection, his new life in Germany and all its challenges, such as learning a new language, his lack of knowledge of Spain and Spanish, Ludovic N. has been pursuing justice for the El Tarajal pushback for nearly a decade. Still, his testimony has never been heard.

Ludovic N. has been in contact with ECCHR since 2014. Through its networks, he managed to reach NGOs and lawyers formally involved in the Spanish judiciary investigation opened in 2014, keeping himself informed of its developments. He could only come forward as a witness shortly after he turned 18, in April 2017. Asociación Observatori DESC requested the investigative judge to hear him, putting forward his case that he was directly beaten up before he reached the Spanish shores and was immediately expelled.

It took another 2 years and a decision from the Audiencia Provincial to force the investigative judge to agree on a hearing date via video and through judicial cooperation with the German courts. This was on 28th August 2019 at the Court in Essen, Germany. Given his status as a witness victim, Ludovic N. was allowed to be assisted by a lawyer, and so he had Carsten Gericke by his side. The technical part had been successfully checked the day before, and for reasons that were never fully explained, the hearing was cancelled. Despite

several requests, the investigative judge repeatedly continued refusing to hear Ludovic N. His testimony was never heard, whilst charges of intentional injury and administrative malpractice as to the summary expulsions were dropped, before the case was completely and finally archived in 2022.