INTRODUCTION

This monthly snapshot highlights unfortunate and striking records related to pushbacks to Bosnia and Herzegovina (BiH). The overall number of recorded pushbacks from Croatia to BiH in October 2020 reached an all-time monthly high. 1,934 persons reported pushbacks to Danish Refugee Council (DRC) teams – the highest recorded number since DRC began systematic data collection on pushbacks in May 2019. The record number of pushbacks was accompanied by the highest rate of reports of physical abuse recorded to date, with 64% of persons reporting experiencing violence at the border.

The episodes of violence escalated between 12 and 22 October, when 189 persons (out of 223 interviewed in the same period) reported brutal abuse connected to a specific location of pushbacks – the border area in the vicinity of Siljkovaca village, Velika Kladusa Municipality (Una-Sana Canton, BiH). These cases are not only distinguished by the identical location of reported pushbacks, but also by similar accounts of the nature of the violence and abusive treatment experienced, as well as by very similar descriptions of the perpetrators. It should be highlighted that these specific testimonies were recorded from different groups of people, of different nationalities, who had no contact with each other and who independently provided accounts of the pushbacks experienced. In this respect, the report highlights what appear to be patterns of abuse conducted in an organized manner – including unprecedented reports of sexual abuse experienced by two persons.

21,422 persons* reporting pushbacks to BiH since May 2019
Episodes of extreme violence during pushbacks to BiH are not new. In May 2020, a number of shocking reports were recorded¹, where persons were exposed to practices that involved cruel, inhuman and degrading treatment, including spray-painting of crosses on persons’ heads, severe beatings and deprivation of property. While legal claims were filed in Croatia for a number of these cases², no official investigations have been announced by the Croatian authorities to date. In October 2020, testimonies on even more brutal abuses have followed, indicating that the absence of full, impartial and independent investigations – and the impunity of the perpetrators it leads to – can only result in further deterioration of the situation at the border.

Turning a blind eye to pushbacks is increasingly becoming standard practice in border management across Europe. Tactically accepting the trade-off between ensuring human rights compliance and limiting the number of irregular arrivals opens a wide space for multiple forms of abuse. Extreme incidents such as those recorded at the border between Croatia and BiH in May, and again in October 2020, should not be considered isolated, one-off cases – they are practices that seem to recur every few months.

There is an ever-growing need to recognize that human rights violations are taking place at the borders, and particularly at the EU’s external (and internal) borders. The trust in human rights compliance, that is currently given to Member States, should not be blindly granted, given the persistent, widespread and well-documented reports of violence and abuse at their borders. Trust is based on accountability – accountability that has so far been sorely lacking. There is an urgent need to investigate pushback reports and, if they are proven, justice should be served to both the survivors and the perpetrators. An independent and effective border monitoring mechanism is required to prevent abuses and rights violations, and to ensure that all EU Member States comply with their obligations under the EU’s Schengen, human rights and asylum acquis.

**MONTHLY SNAPSHOT OCTOBER 2020**

In October, DRC Protection Teams recorded pushback incidents from Croatia reported by 1,934 persons, including 26 persons reporting chain pushbacks from Slovenia, through Croatia, to BiH.

1,934 persons* reporting pushbacks to BiH in the month of October 2020

Pushbacks were most commonly reported by adult men (more than 92% of the total number – 1,784 persons); while 2.6% were adult women (50 persons), and 5% were children – 35 boys and 26 girls travelling with their family members, and 39 unaccompanied or separated children (UASCs) (all boys).

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¹ [https://drc.ngo/media/40tpxyz5/border_monitoring_monthly_snapshot_may2020_final.pdf](https://drc.ngo/media/40tpxyz5/border_monitoring_monthly_snapshot_may2020_final.pdf)
Zooming in to the Siljkovaca pushback incidents (223 in total) recorded between 12 and 22 October, besides adult men travelling alone (191), a number of families with children were involved, as well as 14 UASCs:

Chain pushbacks

Out of 1,934 persons reporting pushbacks to BiH in October 2020, 26 persons reported being expelled from Slovenia, through Croatia, to BiH. Out of these 26 persons, 7 were reportedly exposed to violence in Croatia, part of the cluster of Siljkovaca pushback incidents. All interviewees reporting chain pushbacks reported being apprehended by police units in Slovenia (“close to road 465”, “17 km away from Ljubljana”, “in Velenje”, “in Skabrnja”), being taken to police stations and – after registration – being transported and handed over to Croatian police. Four persons explicitly reported that they sought asylum and were denied access to asylum procedures.
Theft and destruction of property, abusive and degrading treatment, physical violence

As in previous months, pushbacks from Croatia to BiH have been accompanied by other rights violations, and at similar rates. The notable exception is related to the reports of physical abuse, with the rates of violence increasing compared to any of the previous months. Out of a total number of 1,934 persons interviewed by DRC teams in October 2020, a stunning number of 1,240 persons reported experiencing physical abuse, mostly reporting beatings with batons, wooden sticks or tree branches, punches and kicks. Regarding abusive and degrading treatment, 1,242 persons reported being exposed to various forms of intimidation and humiliating treatment, including being required to strip naked (reported by as many as 267 persons). In addition, two cases of sexual abuse were reported, as well as one additional case where a person was threatened with sexual abuse.

Siljkovaca⁴ pushback incidents – Case Study⁵

Siljkovaca village (in the Municipality of Velika Kladusa, Una-Sana Canton) has recently been in the media due to the improvised, makeshift camps established there – accommodating between 500 and 700 persons – as a result

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⁴ Note: there are two villages named Siljkovaca, one in Croatia, one in BiH. Mentions in the text refer to the village in BiH.
⁵ With due respect to all the persons providing their testimonies to DRC teams during the month of October, this monthly snapshot unfortunately focuses only on the testimonies collected in relation to the series of pushbacks occurring in the vicinity of Siljkovaca village between 12 and 22 October 2020. However, it is to be noted that many more testimonies have been collected describing human rights violations of different forms – and at different points along the border.
of the fully occupied reception centers in BiH. However, in the period between 12 and 29 October, Siljkovaca was associated with horrifying pushback incidents taking place in the border area close to the village. DRC Protection Teams recorded as many as 223 testimonies of pushbacks from Croatia to BiH occurring only in this area.

Pushback testimonies were recorded in Temporary Reception Center (TRC) Miral, where, in the period between 12 and 16 October, 75 persons sought assistance (mainly medical) as a consequence of these events. Only in the night of 19 October 2020, between 4pm and 11pm, 40 persons were identified in the village of Siljkovaca, immediately after reported pushbacks occurred.

Out of 223 persons reporting pushbacks near Siljkovaca village, only 34 persons did not report experiencing physical violence. In one of these testimonies, interviewees reported “only being threatened with a knife not to come back anymore”. These “non-violent” cases were recorded between 23 and 29 October. However, in the period **between 12 and 22 October, as many as 189 violent pushback reports were collected**.

It is however important to note that, prior to October 12, DRC Teams had already recorded 971 persons reporting pushbacks to BiH. It is likewise important to note that pushbacks – albeit with lower incidence of violence – continued to be reported and documented even after concerns around the Siljkovaca incidents were publicly raised, in media and by European Commission officials.

“Men in black uniforms with full face balaclavas”

All 189 persons interviewed by DRC Teams reported suffering physical abuse from “men in unmarked black uniforms with full face balaclavas”. These men in black uniforms were directly associated with police personnel, as interviewees reported being directly handed over to them by police officers – or police officers being present during the incidents, jointly with the men in black uniforms. The interviewees often referred to the men in black uniforms as “special police”. Similar reports on black-uniformed persons, wearing full face covers, had previously been made by persons interviewed by DRC, particularly in reports related to the violent pushback incidents in May.

The following is the testimony of eight persons from Afghanistan, including one unaccompanied and separated child, of an incident that occurred on 15 October 2020 (testimony recorded on 16 October):

“ [...] One police officer opened the door of the van and gave us instructions on how to get out, first he asked who spoke English and then to translate to my friends. We got out of the van with our hands on our backs and our heads bowed to the ground. In the distance we saw police officers in black uniforms again and we guessed what was next. [...]”

Four persons from Afghanistan, including two unaccompanied and separated children, were reportedly handed over by police to “men in black” on 15 October (testimony recorded on 16 October):

“ [...] We were handed over to ten armed persons, dressed fully in black, with full face balaclavas, army boots and with torches on their foreheads. We were blinded by the torches and could not see anything else. The police officers who had transported us to that location had taken our money. The men in black placed us in a van and after a short ride, brought us to another unknown location [...]”

A similar testimony was provided by a group of 13 persons from Bangladesh, including four unaccompanied children (the incident occurred on 19 October, testimony recorded on 20 October):

“ [...] After some time, we were put in the van. We were traveling for about an hour to reach the BiH border. When the police officers opened the door of the van, we saw 10-12 policemen in black, with full face balaclavas. We were taken out of the van. The police officers who brought us to this place immediately went
away. Right after we were taken out of the van, we were sprayed with something in the eyes. Brutal beatings started right away […]

Brutal violence, humiliating and degrading treatment

Note: The following contents may be disturbing to some readers.

All 189 persons reported theft, abusive and degrading treatment and physical violence. In two cases, interviewees reported sexual violence.

The reports of physical violence included brutal beatings with fists, batons, wooden and metal sticks, wooden branches, belts, whips or similar objects, as well as kicking with boots.

The following is part of the testimony of four persons from Bangladesh on the incident that reportedly took place on 16 October, 2020 (testimony recorded on the same day):

“[...] We were ordered to get out of the van one by one. Outside there were ten men in black uniforms with black balaclavas on their heads. Two of these men were standing next to the fire. The first of us that left the van was forced to lie on the ground face down. Four men in uniforms were holding his extremities, and kept him stretched in a “star” position. A fifth man in black kept his boot on his neck, making any kind of movement impossible [...]” Boot prints were still visible on the backs of the shirts of two members of the group, when they were interviewed by DRC teams.

“While lying in that position, he was heavily beaten. The men in black used metal sticks, belts and boots. Most of the blows were aimed to the back and the buttocks. After they stopped beating the first one, they called another one, and treated him in the same way. The same happened to the remaining two of us. Until the end of the beatings, all of us had to stay lying on the ground [...]”

One of the interviewees reported managing to cover himself with his arm. Since the uniformed men continued with the beating, he received several strong blows to his arm. Later on, during the medical examination in TRC Miral, the arm had to be immobilized in a cast.

The same group of four persons gave further details of the abuse:

“[...] We were forced to keep our hands in front of our heads with the palms on the ground. One man in black was standing on our hands, preventing any movement. Our legs were also restrained and spread. Then the beating started. We were hit with fists, kicked and beaten with a branch and something like a ‘whip’. Each one of us suffered brutal beating for at least 15 minutes.

One of the interviewees from this group was exposed to additional cruel treatment – halfway during the beating, one of the men in black reportedly penetrated his anus forcefully with a branch. The penetration was performed over the underwear. As reported to DRC, the rest of the men in black were laughing. The young man managed to release his arm from under the boot and twisted his body to the side, preventing further penetration. He stated however that the men in black continued to beat him all over the body for the next 7-8 minutes. The penetration caused bleeding, which he reportedly became aware of later on. In the medical infirmary of TRC Miral, the medical team confirmed the lesions in the rectal area, consistent with the violent acts described by the interviewee.

While all interviewees presented minor or more severe consequences of the beatings, almost more shocking than the violence itself are the testimonies of cruel and humiliating treatment, that caused additional and
unnecessary suffering to the survivors. The descriptions of events provided to DRC indicate that victims served as props in posed scenarios, for the entertainment of the perpetrators.

The group of eight persons from Afghanistan (mentioned above) reported the following:

“ [...] I went a few meters to two police officers who were by the fire. There they ordered me to strip naked and lie on the ground with my face facing the ground, and then they took batons and beat me on the back. When I turned my head, I saw that my friend was the second one. So I lay there until we were all treated the same way, in turns.

The first four of us were on the ground and we lay next to each other, naked and beaten, and the other four were ordered to lie on us like when trees are stacked, so we lay motionless for 20 minutes.

The last one was the minor. He was from the other group, I saw when the police officer asked him where he was from, that he beat him a lot and when it was his turn to take off his clothes, he was heavily beaten by two police officers. He tried to say that he is a minor to the first police officer […]

 […] The police made two lines of us and ordered to us to keep our hands in front of us. As we were tired, hungry, exhausted and beaten, our hands trembled in the air. As soon as the police officers saw that our hands were trembling, they took us by the shoulders and kicked us in the stomach. It lasted about 15 minutes.

After that they ordered us to run and, while we were running, they beat us with batons; after 20 seconds they ordered us to stop and hit us even harder. This lasted about five minutes. A minor from the second group fainted after many blows; his friends took him in their arms and one of the police officers ordered them to lower him to the ground and started hitting them with batons.

Four persons from Pakistan reported the following episode that occurred on 19 October (testimony recorded on the same day):

“ […] They forced us to strip naked and then they made a circle out of us, we were curled up like a fetus and one of us was inside the circle. We looked like a soccer ball and they beat us with their feet and batons. We only guarded our heads with our hands. We heard only how we moan. After that they ordered us to run and, while we were running, they beat us with batons; after 20 seconds they ordered us to stop and hit us even harder. This lasted about five minutes. A minor from the second group fainted after many blows; his friends took him in their arms and one of the police officers ordered them to lower him to the ground and started hitting them with batons.

The following testimony of an incident that reportedly occurred on 19 October (testimony recorded the same day) was provided by a group of seven persons from Bangladesh:

“ […] After 10 minutes the police stopped beating us for a minute, and asked us to choose where to beat us next. ‘Choose where it hurts less’, one police officer added. As they beat us, they laughed all the time. One of us said: ‘Brother stop please!’ and a police officer replied: ‘I am not a Muslim to call me brother!’ When they were done with us they told us not to come back again or they would kill us. We were deported about 4pm near the village of Siljkovaca.

Two persons from Iran reported the following episode on 19 October (testimony recorded on 20 October):

“ […] After some time, we were ordered to get up, form a line and put our hands on the shoulders of the man in front. Beatings resumed after we made a line, again, with batons and wooden sticks.

During this, a policeman in black asked one of us: ‘Are you gay?’, he told them: ‘No!’ One policeman in black said: ‘Yes, you are’, and he forced wooden stick in his anus. He was moaning and crying, but the police officers didn’t care […]

A group of six persons, including five minors and a 19-year old, described the following incident on 20 October:
“[...] One of the special forces officers approached our van, grabbed me, and threw me on the ground. Four of them started kicking me with boots, hitting me with batons and punching me with their fists. The rest of the group was taken out of the van. They forced four of us to lie on the ground, next to each other; two more, from our group, had to lie on top of us, as well as one of the men from Iran. We were placed in like a “hash symbol” position. In that position, we were beaten for at least 30 minutes.

Besides unaccompanied and separated children, families were also exposed to similar treatment, as per the testimony of a four-member family from Afghanistan (incident occurred on 22 October, testimony recorded the same day):

“[...] The Croatian police drove us for about 45 minutes towards the border with Bosnia. When they opened the door, I was the first out. I immediately got a slap from a police officer. I fell to the ground and then they lifted me up. I tried to say I had two metal bars in my legs and that I was disabled, but they didn’t listen to me and they hit me again. There were two border police officers and I think that they hit me. Then my friend came out of the van (as ordered by the police) and they hit him in the same way. Inside the van were my kids and my wife, she was shouting from inside but one police officer held the door and didn’t let anyone out of the van.

Then a police officer opened the door of the van and yelled at my wife in Croatian. After 10 minutes my wife and children got out of the van, they told us to go to Bosnia and not to come back.

Interviewees reported that their property – including clothes, footwear, sleeping bags and blankets – was taken away and destroyed. Several groups reported that the money they had with them was confiscated, before other items were destroyed.

The consequences

Only between 12 and 16 October, medical doctors working in the Emergency room of the primary healthcare center in Velika Kladusa and medical doctors working in the TRC Miral infirmary run by DRC reported 52 cases treated for injuries and trauma associated with the reported events. In all of the cases recorded by the medical teams, Croatian police were reported as being the perpetrators by the patients. The average age of the patients examined was 25, four of the patients were minors.

All of the observed cases showed visible signs and clear patterns of violence applied:

- 71% had contusions (bruises consistent with blunt force trauma)
- 19% had hematomas
- 15% had wounds
- Almost 10% (five patients) had fractures

31 patients (60%) had more than one injury on different parts of the body, out of which 18 (35% of total) had multiple injuries (on three or more different parts of the body):

- 67% of the observed cases had injuries on the back side of the body
- 52% (27) had injuries on the back, out of which 60% in the upper part of the back
- 44% (23) had injuries on the upper extremities (seven of them on both sides)
- 40% (21) had injuries on the lower extremities (four of them on both sides)
- 27% (14) had injuries of the head and neck
- 17% (9) had injuries of the gluteal area
- 11% (6) had injuries of the chest wall
One recorded case had clear physical signs of rape with a foreign object.

All of the cases observed needed to come back for follow up appointment. Regarding medical treatment:

- 85% of the attended patients required treatment with pain killers
- 19% required further referral for X-ray diagnostics
- 7% required further examination by a medical specialist
- 4% required antibiotic treatment
- 2% required surgery

All of the patients required follow-up monitoring, in case of complications – one of them being the life-threatening “CRUSH syndrome” for severely beaten patients. Additional risks include severe psychological disorders that can develop, such as clinical depression, post-traumatic stress disorder (PTSD), and even psychosis. All of the victims were referred to mental health and psychosocial support (MHPSS) consultations.

OVERALL TRENDS 2019-2020

Migration flows and pushbacks were significantly affected by the COVID-19 crisis as of March 2020. As a result, figures for March do not necessarily reflect overall trends:

Note: DRC began systematizing data collection (incident reports) related to pushbacks in the course of 2019, with the progressive deployment of outreach teams in BiH since May 2019; this ensures accurate recording following daily coverage in all areas where asylum seekers and migrants report pushbacks to BiH.
In response to the COVID-19 crisis, DRC has significantly scaled up the humanitarian health response for refugees and migrants in BiH. DRC has developed preparedness and response planning, in coordination with the BiH health authorities and other agencies, including:

- establishment of isolation areas for COVID-19 prevention in migrant reception centers;
- information dissemination on prevention of COVID-19;
- procurement of personal protective equipment for humanitarian staff and healthcare workers;
- support to healthcare facilities through provision of essential medical equipment;
- development of protocols for screening, identification and referral to healthcare of COVID-19 cases within the refugee and migrant community.

DRC strongly advocates for equitable access to primary and secondary healthcare for asylum-seekers, refugees and migrants affected by COVID-19. As of 9 November 2020, there have been 28 cases of COVID-19 identified in reception centers in BiH. DRC publishes weekly Situation Reports on COVID-19 preparedness and response: [DRC BiH COVID-19 Situation Reports](#).

* The number of persons reporting pushbacks does not necessarily represent the number of unique individuals, as the same individual(s) may experience repeated pushbacks to BiH. However, repeated cases represent distinct instances of pushbacks. Each pushback is recorded as a separate case.

Border Protection Monitoring (BPM) is an integral part of the Danish Refugee Council’s humanitarian assistance to asylum seekers and migrants in out-of-site locations in BiH. DRC operates outreach protection teams and mobile medical teams – in partnership with the Red Cross (RC) of the Federation of Bosnia and Herzegovina – in Una-Sana, Sarajevo, Herzegovina-Neretva and Tuzla Cantons, and in Republika Srpska. In addition to border protection monitoring, the DRC and RC outreach teams ensure identification, profiling and referral of vulnerable individuals and groups, provision of medical first aid, and immediate assistance (food and other essential items such as winter clothing) for asylum seekers and migrants without access to formal accommodation and essential services. The outreach response complements the DRC health and protection program implemented in all reception facilities in BiH.

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Photo credit: DRC, October 2020 (Group of 13 persons from Pakistan and Bangladesh, assisted after reported pushback in Siljkovaca village in Una-Sana Canton on 14 October 2020).