

**VIRTUAL  
TEACH-IN**

# **#FREEPYLOS9**

**15 MAY 2024**

**19:00-21:00 EEST**



**JOIN US IN DEMANDING FREEDOM FOR THE NINE  
SURVIVORS OF THE ADRIANA SHIPWRECK WHO HAVE  
BEEN CRIMINALISED BY THE GREEK STATE**

**FEMINIST  
AUTONOMOUS  
CENTRE FOR  
RESEARCH**

# #FREEPYLOS9 TEACH-IN

**On Wednesday, 15 May, 2024, we held a virtual teach-in to #FreePylos9 in solidarity with the nine criminalised survivors of the Pylos shipwreck and with all people on the move facing spurious charges of “facilitation.”**

The nine defendants accused by the Greek State for the Pylos shipwreck of 14 June 2023, were tried on 21 May 2024 before the three member Appeal Court of Kalamata, Greece. They were exonerated since the court decided that the Greek state had no jurisdiction to prosecute the Pylos 9 for “participation in a criminal organisation” and “causing the shipwreck which resulted in people losing their lives”, since the events that led to the Adriana shipwreck occurred in international waters. The court also acquitted them of the charges of “smuggling” and “illegal entry in the national territory,” since the passengers of the Adriana never entered Greek territory, nor did they ever intend to do so. Despite this verdict, Greek police did not immediately release the nine survivors, but held eight of them in administrative detention pending their asylum claims, whilst the ninth person, whose previous asylum claims had been rejected, was placed in pre-deportation detention. After lawyers lodged objections, the eight were released, but the ninth person remains behind bars.

**A teach-in is sharing knowledge, information, and ideas, whilst collectively occupying a space of resistance and refusal to accept the dominant narrative.**

In this teach-in, which took place virtually the week before the trial of the Pylos 9 began, we were joined by defendants’ lawyers, organisers, and people facing criminalisation to understand how this case has unfolded, and why it is crucial to show solidarity with people on the move criminalised as “smugglers” or “traffickers”. We discussed this specific legal case, linking it to and contextualising it within ongoing practices of resistance to border violence, which is the real cause of deadly shipwrecks.

**With: #FreePylos9 campaign, #Free Homayoun campaign, Legal Centre Lesvos, Aegean Migrant Solidarity, Watch the Med-Alarm Phone, Captain Support Network, Refugees Platform in Egypt, Feminist Autonomous Centre for research**

Follow the campaign: <https://captainsupport.net/freepylos9/>

Sign the petition: <https://chnng.it/FyDK6wjwLM>

Donate: <https://whydonate.com/en/fundraising/freedom-for-the-pylos-9-campaign>

## **AILA - FAC**

We would like to acknowledge that today is Nakba Day, which marks 76 years of ongoing colonial violence, dehumanisation and occupation of the people in Palestine. We take this opportunity to stand in solidarity with the people of Palestine, and to denounce this colonial violence and the ruthless forms it has taken in the last months. Since this is a teach-in, we think it's very important because we envision a teach-in to be a collective space to share our ideas, exchange knowledge and attempt to build alternative narratives and resistant views to the hegemonically constructed narratives by states and governments. We need to acknowledge that as part of this bombardment of the Palestinian people, also educational centres, universities, and schools have been destroyed in Palestine, in what has been referred to by Palestinian Civil Society as an "epistemicide" or "scholasticide."

Since our focus is on criminalisation, we would also like to acknowledge the intensification of criminalisation of students within academic spaces who are occupying universities showing their solidarity, how they have faced police repression and incarceration. We need to ask universities and institutions to stop being compliant with the Israeli state colonial project. We need to think about the connections and emphasise the fact that our struggles against borders are also, anti-colonial, decolonial and anti-carceral struggles.

Today, we made this urgent call to stand with, and to show our solidarity with the Pylos 9, survivors of the horrific, murderous shipwreck that took place almost a year ago, on 14 June 2023. What happened, once more, unfortunately, is not unique or exceptional, contrary to how European states and the Greek state have tried to construct it. What happened is part of systemic border violence that takes place in different forms and across different locations at EU borders and beyond. The accusations, arrests, incarceration of people on the move who are then being categorised and criminalised as so-called "smugglers" or "facilitators of illegal entry" is central to this systemic violence. The nine criminalised Pylos survivors have been in pre-trial detention for almost a year, and their trial is scheduled to take place next week (21 May 2024).

We thought it was important to gather with people who have been supporting them, like the defendants' lawyers, the "Free Pylos 9" campaigners and others, to discuss the specificity of this case and how it has developed, as well as to connect it with other similar cases of criminalisation and struggles against border violence. We also want to open the discussion to what is happening in other locations, and draw on a more transnational perspective to understand what criminalisation does and how it affects resistance and dissent against borders.

This is part of the work that we have been doing at the Feminist Autonomous Centre for research (FAC) over the past years, including the online spring course on resisting the criminalisation of facilitation we held last year (2023). We drew on abolitionist, transfeminist and intersectional and anti-colonial approaches on the criminalisation of migration and of autonomous forms of solidarity with and among

people on the move. Also, for the past 6 years, we have been running the Feminist No Borders Summer School, and as this year it will not take place, we thought this is an opportunity to gather and think together, to continue our conversations and our visions for a world without borders and prisons, and to highlight that in order to create a feminist world we have to envision a world without borders and prisons.

**As much as states are trying to oppress us, incarcerate us and separate us into different categories and containers we will always be resisting this and practising solidarity in any ways we are able to.** And hopefully this is another example of this.

We are now going to listen to Nefeli who is part of the Free Pylos 9 campaign and is going to update us on the campaign, and afterwards we will have some legal updates from Vicky, who is one of the defendant's lawyers. We will then move to a round-table discussion with organisations and collectives that have been involved in legal struggles against criminalisation or other forms of struggles against border violence.

## **NEFELI - FREE PYLOS 9 CAMPAIGN**

This campaign started a bit after the shipwreck that happened one year ago, on 14 June 2023. We are people, individuals and activists, groups and organisations who stand in solidarity with the 9 survivors of the Pylos shipwreck who are criminalised for so-called "smuggling." This criminalisation has been happening in the past and it is still happening, targeting people on the move who are accused of boat driving or car driving. The 'Pylos 9' have been unjustly arrested and accused for this state crime, for which the Greek authorities are responsible. Extensive investigations by many civil society actors, even from Frontex data, demonstrate that the Adriana boat was in a distress situation and that the Greek authorities were obliged to rescue this boat.

The fact is that they denied rescue, and then attempted to shift the blame by accusing 9 of the survivors, the Pylos 9, when the boat capsized. The Pylos 9 were arrested and have been in pre-trial detention since then.<sup>1</sup> This is another example that the Greek state, the government, announced immediately that they arrested the 9 people who were considered responsible for this crime. The requests from the defence lawyers, to have more evidence, have been repeatedly rejected by the court. They asked the mobile phone from the passengers, the mobile phones of the Coast Guard officers who were involved. All the evidence disappeared and was found, after many, many months, in different places; it is not even submitted to the file for next week's trial.

1. At the time of the recording, before the trial, the Pylos 9 were still in pre-trial detention. At the time of transcription, on 4/6/2024, the nine survivors have been exonerated and eight of them have been released; one is still in administrative detention due to rejected asylum claims and is threatened with deportation.

These 9 survivors—because we always have to remember that they are survivors—started their journey from Libya to arrive in Europe. They chose a very dangerous route and they were lucky to be saved, but eventually they are in prison in inhumane conditions, they do not know the language. Even if they survived this terrible journey, they ended up in prison, and next week they are going to be tried by a court. We do not know how this will go, but the important point for us is to stand in solidarity with them, and we call everyone to stand in solidarity with them, in Kalamata, Greece on Tuesday 21 May 2024. Many of us will not be able to be there, but even raising awareness means being in solidarity. From wherever we are, we can show that this is an injustice and that a crime was committed by the Greek state. **From our side, it is important to show that we do not only stand in solidarity with the Pylos 9, but with everyone who has been accused of so-called “smuggling,” because we fight for freedom of movement for everyone, for safe routes, and to open the borders.**

## **VICKY - LAWYER, LEGAL CENTRE LESVOS**

**In my opinion, the Pylos shipwreck was not an accident, it was a conscious and organised state murder. It was the result of a pushback that went totally wrong. We have been witnessing these practices for years in the Aegean Islands.**

The Greek state decided to push these people out of its territory so that they would not be obliged to save them, and unfortunately, this way they caused the shipwreck and the death of more than 600 people.

Because of that, they found 9 random people who were travelling towards a better life. And they call them traffickers to lock them down in 2 great prisons, without any evidence for almost a year.

The juridical authorities were doing their best, as they closed their investigations without taking any action after the first 15 days. They only gathered the testimonies of 9 witnesses, nothing else. They rejected, without any reason, all the actions and objections proposed by the defendants’ lawyers, asking for a production of more evidence.

Next Tuesday they will try to prepare a summary condemnation for the 9, so that they can continue their death policies with Europe’s blessing.

Out of 9 people who were asked to testify and whose testimony is the only evidence that the judicial authorities have against the Pylos 9, only 2 will appear in court. All the other people are now outside Greece and no serious effort was made to find them and to ask them to come to court. Also, most of the 9 people who testified at the beginning took back their testimonies. They argued that they testified under a lot of pressure by the coastal policeman, and that they received threats about their asylum cases and their life in Greece.

## DEANNA - FAC

We have invited representatives of six organisations to discuss their perspectives both on this specific case, as well as the connection with the broader struggles they're involved in. In particular today we are joined by Marion and Lorraine from the Legal Centre Lesvos; Varvara and Nefeli from the Aegean Migrant Solidarity; Anne from the Free Homayoun campaign; Lolo from Alarm Phone and Captain Support network; as well as Nour from Refugees Platform in Egypt. We had also invited Kathrin of the luventa crew, but unfortunately she cannot join us.

Marion and Lorraine, from the Legal Centre Lesvos, we would like to ask you **how does the case of the Pylos 9 connect to other legal cases concerning border violence that you work on and that you document in your daily practice?** And specifically, we were wondering if you could also explain to us how it connects to the trial of the "Moria 6" that was concluded recently.<sup>2</sup>

## MARION - LEGAL CENTRE LESVOS

I will start to speak about the broader legal context and legal cases. **The Pylos 9 case is not an isolated case in any way. And it connects to a countless number of other cases of border violence in the Aegean Sea that we have seen and that have been documented over the last decade.** Some of them were also brought to court. And we know that the use of excessive force and also lethal force as part of dangerous pushback policies is very common and nothing new for the Hellenic coast guard. There are many efforts by the Greek government to highlight in the mainstream media that they are carrying out life saving sea rescue operations, and that they are generous on the reception of migrants over the years. But in reality, we also know that Greece was condemned recently, actually twice by the European Court of Human Rights, for events similar to those of the Pylos shipwreck. One of the cases was a shipwreck around Farmakonisi island that had taken place in January, 2014 and that led to a condemnation of Greece under Article 2 and Article 3 on the 7th of July, 2022. In this case, eleven people had lost their lives due to the Hellenic Coast Guard's dangerous operation at sea, just like in the Pylos case. In that case, additionally, one of the passengers of the boat was also accused for the shipwreck and was condemned to 145 years in prison, but was declared innocent in the appeal.

Another case of condemnation of Greece that is worth highlighting, also from 2014, is a case around Pserimos island, where, also, a Syrian man on board of a migrant boat was killed, was shot in the head and another one severely injured, again, during an operation by the Hellenic Coast Guard to supposedly intercept the boat.

2. The "Moria 6" are six young people from Afghanistan who were living in Moria and were blamed by authorities for starting the fire that burned down the camp in September 2020. See "Free The Moria 6" Campaign, <https://freethemoria6.noblogs.org/>; Legal Centre Lesvos, Moria 6 – Prosecution For The 2020 Destruction Of Moria Camp, <https://legalcentrelesvos.org/litigation-of-the-legal-centre-lesvos/criminalisation/moria-6-prosecution-for-the-2020-destruction-of-moria-camp/>

So we see that the Pylos case is very much part of a broader context of many other cases of violence and dangerous actions during sea operations. We know that there are dozens of other cases that are pending before the courts. The problem before the Greek court is that there is no investigation or most of the cases are archived. Whilst before the European Court it can take 8 to 10 years to get a result. And yes, Greece gets condemned for violating the right to life, for inhuman and degrading treatment, torture and pushbacks of course. But it takes a lot of time to get a decision.

Back in December 2021 there were also 32 cases of pushbacks that were communicated to Greece by the European Court of Human Rights, two of which the lawyers of the Legal Center are representing. This gives hope, but it is also only a handful of cases of violence at the sea border that people are able to bring forward. The only case we can bring forward is where there is enough evidence, which is very, very challenging for survivors to obtain, given the fact that the Hellenic Coast Guard does everything to operate in a clandestine way and to also steal everything from survivors. It is difficult to get evidence and it is also difficult for people to get legal assistance.

We know there are other legal cases that are ongoing, and that they are very similar or that have a very similar pattern with the Pylos 9 case. However, the actual extent of border violence is way broader than that and only a very few cases are actually taken to court and will be decided upon.

Then, if we want to link the Pylos 9 case and their criminalisation with the Moria 6 trial—just as a reminder, the Moria 6 trial was recently concluded in Lesbos, and it was a trial of 6 young Afghan men who were accused of having put fire to the Moria camp in September 2020—we see many parallels between these two cases. First of all, the politicised nature of both trials is striking. In the case of the Moria 6, just like for the Pylos 9, the defendants were accused publicly in the press by Greek officials of being the arsonists even before they were arrested and tried. There was definitely a clear intention to divert the attention from the responsibilities of the authorities in the destruction of Moria, but also in the creation of Moria and the disastrous hotspot policies that had been taking place for the last 10 years.

In the same way, following the shipwreck of Pylos, the pictures of the 9 defendants were circulating and were exposed in the Greek media. There were also several public statements that focused on the responsibility of the so-called “smugglers” and “traffickers,” also trying to divert the attention from the real culpability. Another clear parallel that we can make between both cases is the fact that the investigation and prosecution were rushed. As it was already mentioned before, there was a clear intent to obstruct the way evidence can be obtained.

In the Moria trial, several witnesses in the defence side wanted to testify and were not allowed to. There was also an important investigation by a forensic expert, Forensic Architecture, about the fires that actually contradicted the main prosecution witness, but that was actually not really taken into account during the trial. We see a parallel here with the Pylos 9, where there is also clear mounting



evidence produced by Amnesty International and Human Rights Watch, among others, showing that the Greek Coast Guard are actually at the origin, and the main cause of this tragedy. But still, we fear that this will also be disregarded or not taken into account as it should in this trial. The investigation was closed only after 6 months in the Pylos 9 case, and as Vicky already mentioned there were repeated refusal to take into account evidence. In both cases, there are also clear procedural issues about translation, for instance, about the charges against the defendants that are not translated in their language. It's just one example of procedural issues that already show that a miscarriage of justice will most probably happen in the near future. To conclude, maybe it is good to mention that there is definitely a pattern in Greece, and **Pylos 9 and Moria 6 are only a few examples of people on the move being unjustly convicted, tried, and accused just because they are taking part in acts of resistance in protest or simply for crossing borders.** And this is always happening on very limited and questionable evidence, as it can be clearly seen in the cases of the Moria 6 as well as of the Pylos 9. We are just concerned that next week, given the rushed nature of the investigation and of the prosecution, the same miscarriage of justice will happen in this case, as happened in the Moria 6.

## **LORRAINE - LEGAL CENTRE LESVOS**

Marion covered quite well what we wanted to say as Legal Centre Lesvos. I would like to add that we are focusing a lot on the responsibility of the Hellenic Coast Guard, but **I think it is important to mention the responsibility of Frontex and the European Commission. They have heavily funded the Greek Coast Guard, who increase their operations in the Aegean Sea exactly in 2020, when we saw the systemisation of the pushback policy; and who, in the specific case of the Pylos shipwreck were aware of the boat in distress for approximately 14 hours, until it capsized.** They did not do anything besides alerting the Greek authorities despite its own obligations under international law to carry out search and rescue activities or to ensure that lives are not lost at sea. And they continue to operate in Greece despite its own regulations, which indicate that it should suspend its activities if there are severe fundamental rights violations, which has been the case, and continues to be the case in Greece.

## **SPYROS - AEGEAN MIGRANT SOLIDARITY**

I would like to start from the reasons why we consider the Hellenic Coast Guard as the main responsible body behind this tragedy and then speak about the pushbacks and their role in the criminalisation process. We need to understand that the Hellenic Coast Guard had a double role in the tragedy that happened that day. First of all, it didn't carry out a rescue operation, although it was its legal obligation to do so. It wasn't up to anyone else to decide if they needed to carry out a rescue operation for these people. There is evidence on what happened starting from the 13th of June. The Joint Rescue Coordination Center, which is located in Piraeus in Greece and runs under the provisions of the Hellenic Coast Guard, were informed about the situation of the Adriana vessel, and the distress situation it was in since 11



o'clock in the morning. It is very important to understand that until 2 a.m. the next day, about 13 to 15 hours passed without anyone trying to start a rescue operation. We know that even though they knew about the situation from 11 a.m.—as they were informed by the coordination centre of Italy, Rome—it took 3 hours before they sent one of their means to start looking for the vessel. They knew at least for 3 hours that the vessel was in a situation of distress. They were also informed that there were dead children on board, but they never started an operation. When they did that, 3 hours later, they did not send any of the means they had close to Adriana, which could have saved many hours. They sent a helicopter from Lesbos, which is located in the north part of the Aegean Sea.

That helicopter needed 3 hours to reach and spot the Adriana. They had the locations from Frontex drones that had already located the Adriana. They had other means that were much closer to Adriana. But, intentionally, they try to delay any operation. And why is that? Because we know that they were hoping that Adriana would continue its way and would go out of the Greek rescue operation zone, so that the responsibility would pass to Italy.

Then, it would turn out to be an Italian problem and not a Greek problem. When they sent the helicopter from Lesbos and when they later sent the vessel from Crete, and not from other places in the Peloponnese that would be closer to them, they knew this would delay any rescue operation. When they reached them, they did not start any operation. They tried to guide Adriana towards the Italian Search and Rescue zone. All this is totally contrary to any search and rescue protocol.

No one has given explanations as to why they acted this way. Their spokesperson came out and said that they asked the people in distress if they needed help, and they denied. They need to explain and to testify about what kind of help they offered.

Who do they consider as a responsible person on board of Adriana who could take a decision like that. Who did they speak with? They haven't made this clear to us nor to anyone. They just picked 9 people from the survivors, blaming that they were the smugglers. Did they talk to them? They never answered any of these questions by civil society, media actors and political groups.

Although they denied a rescue operation, in the afternoon they decided to send some of the merchant vessels that were close to the Adriana to provide them food and water. This is not written into any search and rescue protocol. In these kinds of situations, sending merchant vessels that are ten times bigger than the Adriana, would have clearly put them in a bigger danger.

The merchant vessel approached the Adriana boat and of its passengers to provide food and water. People didn't need food and water. People needed to be rescued. People were asking to get rescued. We have their telephones, so we have the logs of the people who were in contact both with the rescue coordination center in Piraeus, and with the Alarm Phone activists. They were asking to be rescued.

They never started a rescue. At 11pm, the Greek vessel, “920,” had reached the Adriana, they ordered the “Faithful Warrior,” one of the merchant vessels that had approached the Adriana, to sail away, so they could be there on their own. Even when Frontex—who is also of course responsible for what happened—provided them with their drones, they redirected all this assistance far away from the spot. They acted this way because their political intention was to tow the Adriana away from the Greek territory.

We should not consider what happened with the Adriana as an accident, as a unique or single event that went wrong. As people said before me, it is the result of a very systematic policy in Greece, the systematic policy of pushbacks. And we are not talking about some “deterrence” policies that push away people back to Turkey, back to Libya. We’re talking about people dying in the Greek Sea and at Greek borders. We have never seen anyone responsible for these operations be held accountable. And this is what they try to do now.

**We need to understand that this is the deadliest incident that comes from the direct actions of a state actor in post-war Europe. And this is why everyone in Europe and around the world should care about it. It’s not about “just another incident.” We’re talking about 650 people that lost their lives due to the direct actions of the Hellenic Coast Guard and the Greek government.** It was a transitional government those days, but we need to understand that they are the same people that push these policies before, but they are trying to cover up this case again. This is where we find the connection between the Adriana shipwreck and the pushback operations. The same systematic policies have been repeating themselves, and they do that because they have access to political power. This is where the movements can jump in. We need to get back the political power, so we can finally find justice for all the victims of all the past years. And finally, all the people who carried out these operations, and who took the decisions for this operation, would finally be held accountable for this. And this is the only thing we can do apart from running behind all these cases. Again and again and again and again.

## **ANNE - FREE HOMAYOUN CAMPAIGN**

With the #FreeHomayoun campaign, we are drawing attention to another case of criminalisation of migration in Greece. I would like to briefly summarise the case and then give an update on what happened at the appeal trial last month to give an impression of what these trials mean for the people affected and for the social network.

Homayoun has been sentenced to 18 years in prison in Greece during his run from Iran to Europe to join his children who live in Berlin. He had to drive a car across the Turkish-Greek border. And when the car arrived in Thessaloniki, he was arrested for smuggling and he has been in prison ever since. This was in August 2021. At the time of his escape from Iran, Homayoun had no legal and safe passage available to

travel to Germany, and we have been campaigning for a year in view of Homayoun's appeal trial, which was due to take place on April 22, 2024.

In April we were in Thessaloniki with over 30 supporters to follow Homayoun's appeal process. The trial was set for a Monday and on that day there was a demonstration outside the court. Homayoun's daughter, Mahtab, prepared her testimony and we had a team of 3 great lawyers there. But there are various reasons why it was likely for the trial not to happen on that day. On the one hand, Homayoun's first trial had been postponed 3 times, and on the other hand his case was assigned trial number 22 out of 25, and the court closes at 3 p.m.. So it seemed almost impossible that our case would still be processed. In the end, the appeal was postponed, but our lawyers managed to get us an appointment for the next day.

So we were all back on court on Tuesday and it looked very good at first. I don't think it's an exaggeration to say that after our lawyers' moving arguments, it was clear to everyone in the courtroom that Homayoun was not a smuggler. After an hour, the trial was interrupted and we waited another hour so that the trial would be continued, but instead there was the next postponement for 5 more months, until September 24th 2024. So that means 5 more months for Homayoun to remain in prison as a nearly 60 year old person with serious health problems. Requests for him to stay out until the next stage of the trial was rejected. The court's reason for the postponement was that the key witness on whose testimony Homayoun's conviction was based had not been called to court. And in any appeal trial it's not valid to simply read out the statement from a key witness. If he cannot be questioned, his testimony cannot be used. So the court is now taking 5 months to find him. That means 5 more months in prison for Homayoun, under bad conditions about which I would also like to say a few words.

**At the moment, migrants convicted of unauthorised entry make up the second largest group of people in Greek prisons.** A Committee of the Council of Europe has described the living conditions in these prisons as a violation of human dignity. So for example, the prisons are overcrowded. Homayoun reported that for a duration of 16 months he had to share a small room with up to 26 persons in Korydallos Prison. Many inmates are forced to sleep on the floor. There is a lack of hot water and even drinking water is limited. During the floods last year there was for example only 1 h of drinking water per day for weeks and the prison was not even evacuated. The quality of food is poor and usually there is not enough food there for the number of inmates. It is also hard for people in prison to stay in touch with friends or family. Homayoun's daughter, Mathab, can sometimes talk to Homayoun through the phone, but she has to wait until he calls from the prison. Visits are a bureaucratic act to organise and they can only be planned very short term. So, Homayoun is quite isolated there. And in addition, he is not allowed to receive letters in the prison by post, they can only be handed to him personally.

To come back to our experiences in Thessaloniki: what we witnessed this day is exemplary of the way migrants are treated in Greek courts. We have seen poor organisation, missing or inadequate translations, a short trial, and we have seen the court ignoring its own rules and laws. To give an example, and that might be

really a detail, but seeing court staff in court smoking next to the non-smoking sign could be a symbol of that. We experienced that Mathab was not allowed to visit her father during our entire stay in Thessaloniki, although he had already been there for days. We experienced that the authorities did not allow a translator for a pre-meeting between Homayoun and his lawyers. And we have also experienced that the court does not have to give any reasons for refusing a suspended sentence. And that all makes clear why so many people enter a guilty plea. It is random how the courts decide. It is not possible to say how long you will have to wait again for the next visit, for the next court hearing, or even for a final decision and every wait means more days, weeks or months in prison.

To come back to the systematic side. The EU creates the need for smugglers and accuses them at the same time. So there are currently over 2,000 people in detention in Greece accused of smuggling, and for every boat or car that arrives at least one person is arrested. In short trials lasting an average of 37 min people are sentenced to an average of 46 years in prison according to a study Borderline Europe published last year.<sup>3</sup>

Criminalising people in the context of their own migration has become part of Europe's policy of deterrence. People usually have no alternatives, so if there were safe passages, people would make use of them.

The basis for the imprisonments is in Homayoun's case the Greek legislation which states that every person who drives a vehicle to Greece with people in it without valid residence documents is automatically subjected to be a smuggler. This legislation stands in contrast to every person's right to apply for asylum. The problem is that one can only apply for asylum in a specific state while being in its territory. Making it impossible to reach the territory, while criminalising the entry has been part of Europe's anti-migration policies for years. It turns people on the run first into involuntary smugglers and then into criminals. **So, for the #FreeHomayoun campaign, that means we have to continue to raise awareness on the topic over the coming months.** We focus on social media outreach and try to involve the growing network of supporters through petitions, letter writing, donation collection or solidarity events.

**You can help by spreading the word.** You find all information on our Instagram account or our website,<sup>4</sup> and we continue to demand the release of Homayoun and all migrants criminalised for smuggling.

## **LOLO - WATCH THE MED-ALARM PHONE AND CAPTAIN SUPPORT NETWORK**

I will try to elaborate a bit more on the transnational perspective. Many important

3. Borderline Europe, A Legal Vacuum: The systematic criminalisation of migrants for driving a boat or car to Greece, July 2023, [https://www.borderline-europe.de/sites/default/files/readingtips/criminalisation\\_of\\_migrants-study\\_by\\_borderline\\_europe\\_en.pdf](https://www.borderline-europe.de/sites/default/files/readingtips/criminalisation_of_migrants-study_by_borderline_europe_en.pdf)

4. [freehomayoun.com](https://freehomayoun.com), [instagram.com/freehomayoun](https://www.instagram.com/freehomayoun)

things were said, including the notion that this was not an accident, which we cannot say enough, and we should repeat it again and again. But also the detailed description of how criminalisation happened which is crucial for our understanding of the current situation.

Criminalisation is another form and another dimension of maybe not-so visible violence. But it is very violent and a very inherent element that has been integrated into today's border regime. And it's not only about criminal law, but about all forms of violence that the states and the border regime inflicted on people on the move, meaning pushbacks, pullbacks, physical violence, detention in hotspots, other forms of detention, all linked to the general illegalisation of migration.

This links also to the Captain Support Network, a transnational network consisting of different groups and organisations, that tries to shift the main focus from the criminalisation of solidarity towards the broader criminalisation of facilitation and of movement.

I will try to bring together on the one hand, the perspective of Captain Support, but also the experiences we have as Alarm Phone: a transnational hotline for people in distress at sea, which can receive calls from many different routes and regions. We focus mostly on four regions, which are the Aegean Sea, but also other routes—including the one that was taken by the *Adriana*—the Central Mediterranean Sea, including departures from Libya and Tunisia towards Italy or Malta; as well as the Western route towards Spain, including the Atlantic route towards the Canary Islands and the Channel between France and the UK.

As Alarm Phone we witness many cases across the different regions with very similar patterns in which people reported criminalisation of the ones that were in one way or another accused of facilitating the journey. This can take very different shapes and forms. It can be the ones driving, which may be the most obvious ones, but it is not limited at all to them. It can also involve the ones holding the compass, the ones that were seen in any way assisting people who were driving, it could have been people who were helping the drivers, but also people who were seen contributing with any kind of help or took over responsibility in emergency situations. Sometimes they were doing life-saving work.

One striking example is the one of the "El Hiblu 3," who are 3 young men, very heavily criminalised in Malta and who have an important upcoming decision on the 30th of May and it is important to keep in mind also their struggles and to keep them involved in our thoughts and support network.<sup>5</sup>

**For us, it is very important to strengthen a transregional perspective and a transcontinental point of view. This means not only looking at the criminalisation after arrival in Europe, but also to keep in our minds the criminalisation in the Southern part of the Mediterranean.** This indeed is also increasing and has very different forms of support to the different locations. I will try to give a short zoom in - just to give people an idea on what places and how this happens.

5. See <https://www.elhiblu3.info/>

But first, **it is also important to highlight this transcontinental perspective in order to view it from an anti-colonial perspective, so as to understand the violent impact of colonial borders and of the colonial border regime up until today, which continues to have a very strong impact on people on the move.** This, as many friends have said this in the past, is strongly connected to what they call “authoritarian turns” in the region, through the militarization of migration control as well as through criminalisation practices. This way, local regimes also get strengthened as they can use migration and people on the move as part of their negotiation practices with EU states.

To go a bit deeper into the transregional perspectives, a starting point I want to make a reference to Pylos as for Alarm Phone and also for myself personally this was an important and very tragic moment.

For us it's important to underline that the shipwreck was not an accident, but the consequence of different attacks and worsening conditions against migration routes. This forces people to take more and more dangerous routes, to board overcrowded boats and to become more and more invisible in their journeys because of the many risks of attacks and violence that they face. This is closely linked to systematic pushbacks and violent attacks not only in the Aegean region, but also in the central Mediterranean Sea. In the statement that we wrote on the day of the shipwreck, we clearly referred to a pushback that happened in the central Mediterranean Sea—back to Libya—only a few weeks before the Pylos shipwreck happened.

It's exactly these kinds of practices, these kinds of pushbacks and attacks in the open sea against people, that forces people to board these kinds of boats. Otherwise they would obviously choose safer ways. This connects also to the criminalisation of facilitation, which is another form of violence within this regime

When we look into the Western Mediterranean and the Central Mediterranean, there are important reference points. On the one hand, we just witnessed an important victory, as the Luventa trial was dropped; but at the same time it is important to keep into account that hundreds of people are still in prison for facilitation, and some of them face life sentences.<sup>6</sup> For this reason we need to push further, to fight against the detention of these many people in prison. This applies also for the Western Mediterranean, where we estimate that more than 250 people are being detained in the Canary Islands only, on charge of smuggling and facilitation of illegal entry.

I also want to make short reference to a point we collected at our last transnational Alarm Phone meeting, when people active in different regions shared with us some inputs on the situation in the places that they work on. In relation to the Western Mediterranean route and the Canary Islands, it was importantly mentioned that the work resisting criminalisation does not only include legal work but also many other daily tasks to support people. For example, it has been reported that people

6. The Luventa crew was exonerated of all charges on 19 April 2024. See <https://luventa-crew.org/en/>.

are put under much pressure to testify, on the promise of receiving papers. People are forced to give testimonies against the people accused. Interviews take place in the 48 hours after the arrival, when people are exhausted and in a bad state. This is how testimonies are collected to then convict people in the following criminal procedures. The same happens in the other regions.

Another striking example is the one of Senegal, showing the externalisation of the EU border regime, which the EU pushes deep into African states. Parents are criminalised for paying for their children's journeys. This entails the criminalisation of the entire community around people who are forced, for one reason or another, to move.

On the other hand, in Niger, an important law that criminalised mobility, and that had been introduced in 2015 has recently been abolished. This means that criminalisation attempts were also weakened. Also in the UK, our friends are making huge efforts to build networks between the people criminalised and those in solidarity with them. They are building a very effective campaign against the UK government's attempts to imprison people for boat driving.

For me it's important to close with something powerful. Seeing, today, so many people here following this debate is a very important sign, as building strong networks against this border regime, the sharing of best practices has an effect and it's very inconvenient for the border regime and also the local authorities. We need to continue strengthening these exchanges and try to not only counter the narrative of the debate but also to practically establish strong counter practices that allows us, again, to bring people out of prison and to push forward an abolitionist view, a vision of the world without borders and with freedom of movement for all.

## **NOUR - REFUGEES PLATFORM IN EGYPT**

I agree with what has been said: that we cannot name what happened in Pylos as an accident. It is a very clear crime and what we saw is not an individual case, not just in the Greek water or Italian water, it is a pattern, it is everywhere on the sea and land borders. The EU takes and pushes back people to a dangerous place where they came from and it is the same we are seeing with the externalisation in North Africa with the deals rising now. And that is what we have been seeing years and years ago in North Africa. What happened with the passengers of Pylos is not far from what happened with the passengers of the Rashid case, in 2016, when the Egyptian government left people dying in front of our coast, and after that criminalising a group of people for driving this boat and causing the shipwreck while the Coast Guard did not carry out any action, rescue operations and the Egyptian media tends to blame the victims and ignore the truth. It is not far from what the Egyptian government is doing now on the borders between Egypt and Sudan and the pushback mechanism is funded by the EU. And it is not far from what the Egyptian government is doing with the Gaza borders now and how much the EU and the international actors are involved in this ongoing and live genocide we are seeing now in Gaza. And it is not far from what happened in Sudan while



the EU supported and funded the RSF to protect the borders in 2014 through the Khartoum process and now is a part of the conflict causing the biggest humanitarian issue in the world. And it is not far from what is happening with the refugees in the camps in Tishad or in Darfur right now; while we are speaking they don't have water or food.

And it is the same what we saw from the Egyptian government after the Pylos case and how he dealt with the families, it is not far from what all the governments are doing when we have a similar case right now. What we documented from the Egyptian government's response was that the families were left for two days without any information, without any involvement and after that as a social media related to the government media and also the talk shows related to the government and also the immigration minister blaming the families while the families didn't have any information about where their sons are.<sup>7</sup>

And there is different information about the rescue missions, there is a problem with communicating in a different language, connecting with other people on the other side, such as support groups in Greece, to understand what happened with their relatives in this crime. And after that the Ministry of Immigration said ok the families are the reason they put their sons on this boat and they have to take the responsibility about that. That is, the Ministry of Immigration was blaming the victims and the families and continued to leave the families without any information about their loved ones, whether survivors or missing persons. Not using the law, because the Egyptian law, even the new one not criminalising migrants,<sup>8</sup> at the same time puts the responsibility of supporting the families and relatives as a priority for the government.<sup>9</sup> And they didn't do that. Until this moment, after a year has passed, the families in Egypt are still struggling to obtain a single piece of information about their loved ones, while misinformation and exploitation are spreading. The Egyptian authorities did not provide any support. And when some of them went out in the media and spoke about the case, the Egyptian government treated them and the Egyptian security forces investigated them and told them "we could charge you for sending your minors to this dangerous journey."

After one month we documented how the so-called "combating illegal immigration" department, which is a part of the interior ministry, made a huge campaign under the name of anti-irregular migration on the borders between Egypt and Libya and close to the borders. The campaign carried out by the security administration was in the Marsa Matrouh area, close to the border between Egypt and Libya. During

7. Refugees Platform in Egypt, Cairo's Response to the Disaster, 20 June 2023, <https://rpegy.org/en/editions/second-report-cairos-response-to-the-disaster/>

8. See (in Arabic): <https://t.ly/frlGJ>

9. Refugees Platform in Egypt, No Protection Under Legislative Inertia and Discrepancy: Legal Analysis Paper On Prime Ministerial Decree No. 369 of 2023 Establishing a Protection Fund for Victims, Whistleblowers, and Witnesses, 18 March 2024, <https://rpegy.org/en/editions/no-protection-under-legislative-inertia-and-discrepancy-legal-analysis-paper-on-prime-ministerial-decree-no-369-of-2023-establishing-a-protection-fund-for-victims-whistleblowers-and-witnesses/>

this campaign, the security forces killed an Egyptian man, named Farhat Mahfouzi, and after that the public prosecution made a statement saying that Farhat Mahfouzi was stopped by the officers during combating irregular immigration and he didn't stop so the officers shot at him and after that they released the officers.<sup>10</sup>

The Italian government, through the Italian police with involvement from Frontex and other EU agencies, are making the second phase of training and supporting equipment for this department under the ATIPA project launched in Cairo to provide the necessary support and training to officers from Egypt and other African countries. In the meantime we saw the EU funded Egypt with more than 80 million euros to the Egyptian coast guard while the EU said that there were no boats arriving from Egypt since the end of 2016. They are funding the Egyptian coast guard, the one that left the people without any rescue mission in 2016 and after 2016 under so-called rescue missions, when the failure of the Egyptian Coast Guard to rescue caused the killing of hundreds in Egyptian waters.<sup>11</sup> And in the meantime the EU is funding the Egyptian border guard and is also funding the Egyptian government under so-called hosting refugees and migrants displaced from Sudan with more than 25 millions in the last funding lines.<sup>12</sup> And after that what we saw through our last investigations the Egyptian government is using secret military bases for detention for children, women and all the people and sending them back without any process, without any access to the asylum process. And that is what we are seeing in Tunisia now.

So when we are speaking about Pylos 9, we are not just speaking about Pylos 9; we are speaking about violation, systematic violation is happening on the international borders, on the EU borders and outside the EU borders in the last year funded by the EU Commission and the EU member states. And when we are looking at Pylos 9, we are also seeing the discrimination against Egyptians from the EU agencies and the investigations departments. And what we see in Italy now is that there are more than 300 Egyptians accused of smuggling because they were taking their journey from North Africa to Italy. And what we saw in Lampedusa also, when the boat arrives, the investigators and Frontex, the first thing that they are doing is dividing the Egyptians alone from other nationalities because the Egyptians, maybe they were driving the boat, that is, potential suspects of driving boats. So with that, how can we trust this kind of investigation built on discrimination and how can we trust this kind of investigation not investigating the real criminals, the ones leaving

10. Refugees Platform in Egypt, Monitoring Report: Egyptian Authorities Expand Violations in the Name of "Migration Control" Following "Pylos" Boat Capsizing, Resulting in Citizen's Death in Matrouh, 17 July 2023, <https://rpegy.org/en/editions/monitoring-report-egyptian-authorities-expand-violations-in-the-name-of-migration-control-following-pylos-boat-capsizing-resulting-in-citizens-death-in-matrouh/>

11. Refugees Platform in Egypt, EU funding for the Egyptian Coast Guard (Strengthening a Partnership That Violates Human Rights), 27 October 2022, <https://rpegy.org/en/editions/eu-funding-for-the-egyptian-coast-guard-strengthening-a-partnership-that-violates-human-rights/>

12. Refugees Platform in Egypt, From Sudan to Egypt: Egyptian Decisions Spark High-Risk Irregular Migration Movement, 14 March 2024, <https://rpegy.org/en/editions/from-sudan-to-egypt-egyptian-decisions-spark-high-risk-irregular-migration-movement/>

the people on the sea without any rescue or in the desert without any rescue, and in the meantime criminalising those who are supporting them and stopping their work. In Egypt now we have the law 82 and the updates of the law 82. If you give any kind of support to a refugee or migrant you can get criminalised because of that.

And in the meantime what we see as a response for the families is just blaming and increasing their pain more and more every time in the public media who are responsible for Egypt and continue the same campaigns arresting people from different places accusing them for smuggling or facilitating. And now we have these new crimes, through our last investigation Sudanese people are getting criminalised (on the pretext) of being part of a criminal group, the target is smuggling people which gives them the opportunity for the officers and prosecutors to accuse more and more of the migrants because the charge is no longer only smuggling, they can accuse a person for buying a train ticket, accusing another person for driving, accusing another person for guiding on the desert route.<sup>13</sup>

And we have documented hundreds of cases like this and after the public prosecutor made the statement saying that I received a lot of complaints regarding the smuggling cases and asking a specialised prosecution in Egypt to re-investigate. From these cases we don't have any results. The security agencies continue to arrest people and after that recycling them in new cases after release from the public prosecution disappearing them and showing them in the prosecution again, in a new case they continue their smuggling activism.

So what is the last thing I want to mention here if we are seeing all that and the international system is not useful and the international law is falling down in Sudan, in Darfur, in Gaza and the companies and the governments are collaborating in controlling people and criminalising them and don't give them their rights, **I think our responsibility is collaborating together against the violation and asking: free them all. And "all": that means all. We can't feel free without everyone being free, including Pylos 9 and the other people who are criminalised because of supporting human rights or fighting for human rights.** Freedom for all means freedom for those imprisoned because of their opinion. Freedom for all means freedom for the Sudanese people and the Palestinian people. It was important to remember all of them and to remember the continued violence and criminalisation at the borders, and the impact of this criminalisation and these measures on human lives. I believe that we all need to do more cooperation and work together to combat all forms of violence, criminalisation and racism that people on the move face, at the borders of the European Union or in the countries they cross in an attempt to reach a safe place.

Thank you very much.

13. Refugees Platform in Egypt, Inside Egypt's secret scheme to detain and deport thousands of Sudanese refugees, 25 April 2024, <https://rpegy.org/en/editions/exclusive-inside-egypts-secret-scheme-to-detain-and-deport-thousands-of-sudanese-refugees/>

## **ANNA - FAC**

Each of the speakers in the Teach-In alluded, in one way or another, to the consequences for people accused and for those found guilty of these spurious and unacceptable charges. Anne mentioned that people facing criminalisation for facilitation constitute the second largest group of people in Greek prisons. And, indeed, they serve the longest prison sentences. And I think one of the things that we might reflect on is how our resistance against border violence, of which, obviously, the Pylos shipwreck is a horrific instance, as was mentioned by Spyros, of a state killing during ostensible “peace time.” One of the things that I think we could reflect on is how we can connect our struggles against borders and border violence with our struggles against prisons and the ways in which often the distinctions between incarceration and “administrative detention” are used to obfuscate their connections. People are, as has been stated, as a result of this institutionalised racism being subjected to this kind of indiscriminate violence. And I think there’s another aspect to this that strikes me, when we think about it through the lens not only of racist violence, but also of gendered violence: it was reported that all of the women as well as all of the children on board the Adriana lost their lives—were killed—in the shipwreck. There were no survivors of this group, who apparently were located in the hold of the ship; this was seen as a safer place to put them. I think here we can see the intersection between patriarchal protection and patriarchal violence embodied in bordered violence. And I wonder to what extent we can trace in the response both of the Hellenic Coast Guard and of the criminal legal system a strategy of denying accountability and reversing who, here, is the victim and who, here, is the perpetrator that we see is characteristic also of responses to patriarchal interpersonal violence, but here enacted on the level of the state and its institutions. The Pylos massacre has these characteristics of the intersections of various forms of violence, which are institutionalised and normalised. And continuously, we see states denying responsibility for perpetrating this deadly violence, instead placing the responsibility on the people who experience it, and lose their lives to this violence.

### **We demand:**

**The immediate release of the 9th defendant from the ‘Pylos 9’ case**

**That European and Greek authorities are held accountable for their responsibility for the Pylos shipwreck and for crimes against humanity at the borders**

**Justice for the Adriana victims and survivors**

**An immediate end to systematic, deadly border violence and to the criminalisation and incarceration of people on the move**

**Freedom of movement for all!**