

## **Migrants falsely accused of human smuggling condemned in Greek prisons**

*Court observers and researchers reveal that the Greek court system is condemning asylum-seekers and impoverished Turks to scandalously long prison sentences — without having received adequate legal representation — for steering refugee boats to Greek islands.*

The Greek criminal justice system is giving lifelong prison sentences to people crossing the Aegean into Europe, according to a shocking new report, *Incarcerating the Marginalized*, co-authored by Aegean Migrant Solidarity, *borderline-europe* and *Deportation Monitoring Aegean*.

The report compiles from five years of trial monitoring for those accused of ‘facilitating illegal entry’. It reveals a hidden scandal of harsh imprisonments and analyses the strategies of prosecutors and judges who have deliberately misinterpreted and misapplied European and Greek law, resulting in courts defining persons seeking refuge in Europe as smugglers. The courts do not provide a fair trial to Turkish citizens who drive the boats from Turkey to the Greek islands for a few hundred euros, who are at the bottom of smuggling networks. Court verdicts based on a zero-tolerance policy yield outrageous results, while failing to dismantle smuggling networks.

*Incarcerating the Marginalized* exposes the extent to which migrants disappear into Greek prisons without receiving a fair trial. As of January 2019, those convicted of ‘facilitating illegal entry’ to Greece were the second largest category of prisoners in the country, a figure that has increased by 100% since the 2016 implementation of the EU-Turkey deal. Those persons steering boats from Turkey are routinely denounced as smugglers. But in fact, smuggling networks coerced many of them to steer the boat, sometimes at gunpoint. Some were accused after making distress calls to the Greek Coast Guard while their boat was sinking. Others were accused only because of their nationality. The criteria for accusations are arbitrary. In any case, people report that they were immediately found guilty and faced violence from the police and Coast Guard as soon as they were accused. According to one interviewee: “I was beaten from the moment I was arrested at sea until arriving at the police station.”

The report shows how defendants are put on trial at breakneck speed without adequate legal representation. In 48 trials, all persons charged with human smuggling were found guilty and handed extraordinarily severe prison sentences and money penalties, averaging 48.65 years in jail and nearly 400,000 euro in fines. Many of the accused did not receive an individual trial, but were grouped and then condemned together. The average length of time in these trials was 27 minutes for an individual trial and 48 minutes for a joint trial with more than one defendant.

According to Runbir Serkepkani, one of the report’s authors:

‘It does not matter if there is no evidence against you, or if nobody saw you steering the boat. If the Coast Guard scapegoats you, the courts will imprison you. Even if there are mitigating circumstances, the prevailing attitude of the judges makes it impossible to get a reduced sentence.’

Download the report in English or German here:

<https://www.dmfk.de/ams-stigmatisiert-kriminalisiert-inhaftiert>

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