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**ASGI - the Association for Juridical Studies on Immigration** - Associazione di Promozione Sociale - APS with registered office in Turin (Italy), is an association founded in 1990, and brings together lawyers, university professors, legal practitioners, and jurists with a specific professional interest in legal issues related to immigration in Italy and abroad.

The association works in the defence of migrant citizens through: information, research and training on the legal aspects of immigration, international protection, discrimination and citizenship in Italy and concerning national, European and international legislation; the production of documents to disseminate correct information and necessary tools to ensure an increasingly prepared and effective intervention in the protection of rights; advocacy actions with recommendations and proposals to change in national and international legislation; proposals for changes in legislation and policies at national, European and international level; strategic litigation; cooperation with other organisations at national, European and international level to achieve these objectives.

In recent years, the association has addressed issues related to border management and access to asylum procedures by working on several projects, including the **Medea** project, an action based on field research, strategic litigation and advocacy aimed at defending the rights of foreign citizens arriving in Italy through internal borders and the Balkan route both by land and sea. The actions carried out include monitoring, the elaboration of fact sheets and in-depth legal

studies, which are essential to facilitate the promotion of strategic litigation and to promote and support advocacy activities.

On Saturday, 6 November 2021, a delegation composed of four ASGI members, Italian citizens, visited Idomeni, Greece, on the border with North Macedonia, to collect information on national asylum systems, on the role of the various domestic and international actors involved in the management of the migration phenomenon and, more generally, to contextualise the role of individual countries in the migration dynamics affecting the Western Balkans, with a specific focus on border areas. The delegation was stopped by a mixed patrol of Greek policemen, border police and Frontex agents, taken to the local police office and then forcibly escorted to the external EU border and forced to return on foot to North Macedonia.

The delegation entered the Greek territory through the Evzoni border crossing, accompanied by a Macedonian taxi driver, underwent border controls, and presented on request all the necessary documents in addition to the passport and identity card, also the Digital passenger locator form/DPLF and the green pass. After a short inspection around the tracks near the railway station of Idomeni, while returning to the station, the delegation was approached by a Frontex agent who asked for their documents and the reasons for their visit. Immediately, a Greek police officer arrived and, in an angry and intimidating tone, asked for an account of their presence, accusing the group of having entered Greece illegally via the Macedonian border, without considering the delegation's explanations on how they had entered Greek territory legally. Within a few moments, several other officers, some from the Greek police authorities and others from other police forces, including at least two other Frontex officers, appeared and surrounded the delegation. Finally, an armoured Greek police van, with tinted rear windows, arrived and the group was forced to get in, in a verbally violent manner, without any information being given or any questions being asked. At the same time, the police authorities retained possession of their identity documents.

When they reached the police station, the Greek police officers, still in an aggressive and intimidating way, checked the documents, while the border police and Frontex officers, who had also arrived in the meantime, remained outside the building watching the operations in progress. At the end of these controls, the delegation was taken by the same truck to the Evzoni border crossing point to return to Macedonian territory, walking a few kilometres.

Two Greek policemen, escorted by Frontex agents in two vehicles, took the delegation to the border and handed over the identity documents to the border police officer at the border crossing.

The procedure was carried out without any reasons being given for the detention, the temporary deprivation of liberty and the forced accompaniment to the border. It was implemented with



completely informal procedures and without any kind of order being given to the persons concerned.

The undersigned association wishes to denounce the unlawfulness of:

- the overall treatment suffered by its members who, without having committed any violation, have been deprived of their freedom of movement by deliberate verbal violence, without receiving any explanation as to the reasons for their detention, despite of express and repeated requests in this regard;
- the forced removal of European citizens from an EU state to a third country and the informal procedures employed.

Given the seriousness of above-mentioned treatment to the detriment of EU citizens by the police forces of a Member State, with the presence and cooperation of agents of the European Border and Coast Guard, in violation of the rights guaranteed by the laws in force, ASGI requests the competent bodies of the Agency on the monitoring of human rights violations to:

- exercise powers of verification and control over the actions of its agents directly involved in the detention and forced removal of EU citizens in a third State;
- activate the internal investigation mechanisms aimed at highlighting the direct responsibilities of the Greek border police in carrying out such operations and, in this regard, ascertain whether there are any laws in force in Greece on security and/or border control that give the police the power to carry out such detention operations without any intervention by the judicial authorities, without giving access to a lawyer, including a Greek one, or any report to the Italian consular authority so that it can exercise the necessary diplomatic protection for its nationals.

The treatment suffered by the members of the delegation is in complete violation of the principle of free movement and is an example of the illegitimate practices that characterise border areas and the repressive tendency of the authorities not only towards migrants but also towards all those who act in defence of their rights.

A similar request for clarification was also sent to the Ministry of Foreign Affairs and International Cooperation, the Ministry of the Interior, the Italian Embassy in Athens.

The association and the persons directly concerned are available to provide any further information deemed necessary for a better understanding of the case and, also in this regard, are waiting for a courteous and prompt reply.

The legal representative  
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