



ДОКУМЕНТОВАЊЕ ЗЛОСТАВЉАЊА
И КОЛЕКТИВНОГ ПРОТЕРИВАЊА
ИЗБЕГЛИЦА И МИГРАНАТА



**DOCUMENTING ABUSE AND
COLLECTIVE EXPULSIONS OF
REFUGEES AND MIGRANTS**

INTRODUCTION

The number of allegations on collective expulsions from Hungary and Croatia, often including abuse of refugees and migrants began to rise gradually since the closure of the Western Balkans Route (WBR)¹, and in particular since summer 2016. Abuse included beatings with rubberbatons and fists, slapping, kicking, dog bites, use of tear gas, use of rubber bullets, insults, humiliation and intimidation. According to the data of NGO Humanitarian Centre for Integration and Tolerance (HCIT), 212 cases of collective expulsions from Hungary and Croatia involving more than 4,000 foreigners were registered in the period 1 May 2016 – 31 March 2017.² The international organization Médecins sans Frontières (MSF) continuously published information related to abuse preceding collective expulsions from Hungary.³

In April 2017, the Belgrade Centre for Human Rights and International Aid Network (IAN) decided to form a special team of lawyers, psychologists and forensic experts to document cases of abuse of refugees and migrants in the neighbouring countries in line with the Istanbul Protocol.⁴ The report before you comprises results of the work of the *Team for Documenting Abuse and Collective Expulsions of Refugees and Migrants from the Neighbouring Countries* (Croatia, Hungary and Romania). The information was collected in May and June 2017. The Belgrade Centre for Human Rights and IAN wish to express gratitude to the Commissariat for Refugees and Migration for their full cooperation in the process of documenting the cases of human rights violations.

¹ The Western Balkans Route comprises the following countries: Turkey, Greece, Bulgaria, Macedonia, Serbia and Croatia

² "Forcible Irregular Returns to the Republic of Serbia from Neighbouring Countries - Hungary and Croatia - Collected through 2016 and 2017", April 2017. Available at: <file:///C:/Users/Nikola/Downloads/HCIT%20report%20on%20expulsions%20to%20Serbia,%20ENG%20version.pdf>

³ MSF, „Hungary: Widespread Violence against Migrants and Refugees at Border“, Brussels/Belgrade, New York, 8 March 2017. Available at: <http://www.doctorswithoutborders.org/article/hungary-widespread-violence-against-migrants-and-refugees-border>

⁴ Office of the UN High Commissioner for Human Rights (OHCHR), "Istanbul Protocol – Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment", UN, New York and Geneva, 2004

METHODOLOGY AND COMPOSITION OF TEAM FOR DOCUMENTING ABUSE AND COLLECTIVE EXPULSIONS OF REFUGEES AND MIGRANTS FROM THE NEIGHBOURING COUNTRIES (CROATIA, HUNGARY AND ROMANIA)

Coordinator: Nikola Kovačević, Belgrade Centre for Human Rights

The duty of the coordinator was to liaise with the non-governmental organizations coming into contact with refugees and migrants - victims of abuse and to detect cases suitable for documenting; to develop questionnaires for documentation of incidents; to contact and ensure presence of interpreters; to provide accommodation and transport to locations of persons subjected to abuse, and to develop a final report.

Lawyer: Nikola Kovačević, Belgrade Centre for Human Rights

The duty of the lawyer was to collect the factual descriptions of each individual case and to legally qualify them as one of the forms of abuse (torture, inhuman or degrading treatment).

Forensic specialists: Đorđe Alimpijević MD, Snežana Pavlekić MD, and Dragan Ječmenica MD.

The team of forensic specialists experienced in working with the victims of abuse and in application of the principles of Istanbul Protocol conducted physical examinations and developed reports on injuries with opinions on consistence of abuse allegations with the objectively established medical findings. Photo documentation collected during physical examinations and body maps comprise an integral part of medical report and this report.

Team of psychologists: Vladimir Jović MD, psychiatry specialist; Bojana Trivunčić, psychologist; Biljana Petrović, special pedagogue– psychotherapist; Tijana Jovanović - Dačić, Master of Psychology.

The team of psychologists was tasked with providing psychological /psychiatric support to victims of abuse and entering all the findings into the report describing - in line with the Istanbul Protocol – the symptoms exhibited in persons who were abused in the neighbouring countries and the consequences of abuse.

RESULTS OF WORK OF THE TEAM FOR DOCUMENTING ABUSE AND COLLECTIVE EXPULSIONS OF REFUGEES AND MIGRANTS FROM THE NEIGHBOURING COUNTRIES

OBSERVED PRACTICES - GENERAL OVERVIEW

HCIT registered several dozens of cases of collective expulsions from Hungary, Romania and Croatia involving a total of 964 refugees and migrants in May and June 2017. The majority of them were expelled from Croatia (601), significant numbers of collectively expelled persons were recorded from Hungary (360), and two cases of collective expulsions (involving 26 foreigners) were registered from Romania.

The majority of collectively expelled foreigners were the nationals of Afghanistan (more than 440) and Pakistan (more than 320). The nationals of Syria, Iraq, Iran, Somalia, Algiers, Tunisia, Palestine, Egypt, Libya, Morocco, Bangladesh and Ghana were also among those expelled. Hence, in more than 50% of cases, these were the persons one may reasonably assume to be in need of international protection (the so called *prima facie* refugees) on the basis of their nationality. Of special concern is the fact that 101 child – 89 of them unaccompanied – and 14 women were among the total number of persons expelled.

The common denominator of all the cases recorded is illegal and arbitrary deprivation of liberty i.e., deprivation of liberty not followed by a decision passed on the basis of national regulations of the state in which such deprivation of liberty took place,⁵ as well as the fact that the foreigners were not informed of their rights to engage a lawyer, inform a third person of their choice and be examined by a doctor in a language they understand.⁶ Also, all the persons were automatically deprived of the right to access the asylum procedure, even when they expressly requested it, implying that their forcible removal was not preceded by a legal procedure of assessment of the risks from treatment contrary to the prohibition of torture, inhuman or degrading treatment or punishment upon their return to Serbia (*non-refoulement*).⁷ More specifically, forcible removal was conducted in such a way that refugees and migrants were returned to Serbia without consideration of their individual circumstances, without the possibility to engage a lawyer and an interpreter for a language they understand, and without the possibility to challenge their removal by a legal remedy with suspensive effect.⁸ In addition, since each of the documented cases involved groups of foreigners, it is evident that the border authorities of Croatia, Hungary

⁵ For this obligation of State, see more in the cases: *Creangă vs Romania*, Application no. 29226/03, para. 84; *H.L. vs. United Kingdom*, Application no. 45508/99, para. 90; *H.M. vs. Switzerland*, Application no. 39187/98, paras. 30 and 48

⁶ See: CPT, “Extract from the 2nd General Report [CPT/Inf (92) 3]”, para. 36

⁷ See: *Chahal vs. United Kingdom*, paras. 73–74; *A. vs. Holland*, Application no. 4900/06, paras. 141 – 143; *Salah Sheekh vs. Holland*, Application no. 1948/04 (2007), para 136

⁸ See: *J.K. and Others vs. Sweden*, Application no. 59166/12 para. 83 and *F.G. vs. Sweden*, Application no. 43611/11, para. 115

and Romania violated the prohibition of collective expulsion every time.⁹ Many forcibly removed persons suffered minor or more severe forms of psychological and physical violence. In other words, the absolute prohibition of abuse (*jus cogens*) was violated¹⁰ in respect of a significant number of persons included in this research. Abuse included beating with rubber batons and fists, slapping, kicking, dog bites, use of tear gas, use of rubber bullets, insults, humiliation and intimidation.

In accordance with the above, it may be concluded that the border authorities of the neighbouring countries introduced a practice of *de facto* suspension of the full set of fundamental human rights to an extremely vulnerable category of persons (refugees and asylum-seekers), although some of these rights are safeguarded by peremptory norms of international common law: the right to freedom and safety of person,¹¹ the right to an efficient and effective legal remedy,¹² absolute prohibition of abuse¹³ and prohibition of collective expulsion.¹⁴

⁹ On prohibition of collective expulsion see more in: *Berdzenishvili and Others vs. Russia*, Application no. 14594/07, 14597/07, 14976/07, 14978/07, para. 79; *Hirsi Jamaa and Others vs. Italy*, Application no. 27765/09, paras. 185, 186, 203 and 205

¹⁰ See: *Grigoryev vs. Ukraine*, Application no. 51671/07, para. 59; *Selmouni vs. France*, Application no. 25803/94, para. 95; *Gäfgen vs. Germany*, Application no. 22978/05, para. 107

¹¹ Art. 5, European Convention for the Protection of Human Rights and Fundamental Freedoms (EC)

¹² Art. 13 and Art. 13 in conjunction with Art. 3 and with Art. 4 of the Protocol No. 4 to the European Convention

¹³ Art. 3, EC

¹⁴ Art. 4 of the Protocol No. 4 to the EC

GENERAL OBSERVATIONS

Most of the documented cases of abuse refer to Croatia. The reason for a large number of cases pertaining to the Republic of Croatia lies in that the Hungarian border has been *physically* closed by a wire fence since September 2015, and guarded by the mixed military-police patrols as well as organised groups of civilian population living in the area bordering Serbia. Thus the migratory flow is largely directed towards Croatia.

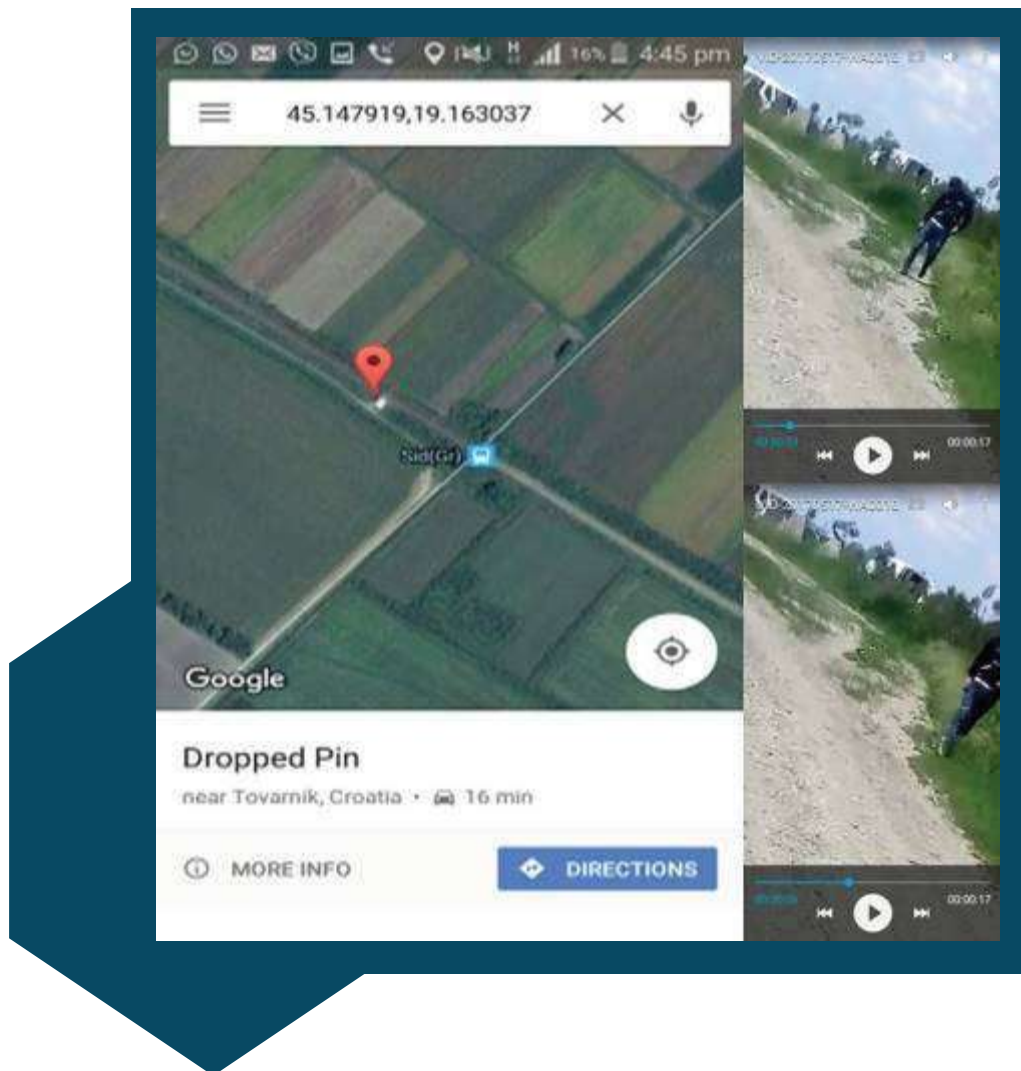
In the period under consideration uniform patterns of behaviour of the Croatian border police were identified. Namely, almost all the foreigners who were crossing the border in the vicinity of the border crossing Šid - Tovarnik, but also in other places (near the border crossing (Berkasovo-Bapska), were being arbitrarily deprived of liberty by the Croatian border police and taken to the same location. This location is in the immediate vicinity of the border with Serbia, and on it are concrete triangle blocks which most probably represent anti-tank obstacles used during the wars in former Yugoslavia (the so called "Dragon's teeth"). The triangles are located on a gravel-covered clearing, in the vicinity of a water canal. Still, it is important to note that several documented incidents took place in the vicinity of the railroad, in uninhabited areas outside main towns.

The persons examined by forensic specialists (as they had visible injuries), as well as the persons exposed to violence which left no visible traces, stressed that the Croatian border police treated them equally. Namely, having deprived them of liberty and put on the white vans, the police transported them to the above mentioned location. Having gathered a larger group of persons there,¹⁵ they would open the van doors and have them come out one by one. Lines of 7-10 police officers would run a gauntlet in front of the van. When an individual got out of the van they would start beating him with fists and rubber batons and/or kicking and beating him with wooden clubs.¹⁶ Each beating session would last for several minutes, and there were always additional three to four police officers at a distance of several meters who would watch lest the foreigners escape until the *beating* is over. The refugees and migrants from one of the groups interviewed by the Team members said that two female police officers stood in the background recording physical violence on their mobile phones. In addition to physical violence, all the respondents stressed that the police officers had shouted at them, laughed and made jeering faces. Several of them remember the words "pička materina" (you mother fuckers).

¹⁵ This sometimes meant that groups of refugees and migrants who were first illegally and arbitrarily deprived of liberty had to wait for several hours closed in vans, in high temperatures, without water and the possibility to go to the toilet, for the Croatian border police to transport other groups apprehended in irregular border crossing.

¹⁶ Wooden clubs were described as pretty thick round wooden logs of diameter suitable for firm human-hand grasp, with small branches cleaned off.

Since the forensic specialists established minor physical injuries in all the respondents they examined, as well as for the fact that physical violence was inflicted with direct premeditation and accompanied by insults and derision, the documented treatment that refugees and migrants were subjected to may be described as inhuman and degrading.¹⁷



*The photograph of a GPS location where the abuse occurred most often; photographs of the place where the abuse is ongoing are part of a video recording made by a group of Afghan nationals collectively expelled around 3 p.m. on 17 May 2017. Two vans of the Croatian border police and the triangular concrete, anti-tank obstacles are visible in the background. The photographs are part of the video recording that the members of the Team for Documenting Abuse and Collective Expulsions of Refugees and Migrants from the Neighbouring Countries obtained from the respondents.

¹⁷ *Kopylov vs. Russia*, Application No. 3933/04, para. 123

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INDIVIDUAL CASES

CASE 1

PHYSICAL EXAMINATION RECORD

General information

Date of examination: 16. 05. 2017; examination started at 14:00 h

Place of examination: Reception centre Šid – Stanica (station)

Initials: A. A. Sex: M

Date/Year of Birth /Age: 14

Country of Origin: Pakistan, Peshawar

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Interpreter: Javeed Khan

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 14:25 h

Event information (based on anamnestic information)

In the night between Sunday and Monday, 14/15 May 2017, A.A. and a group of five migrants tried to cross the border with Croatia. Around 1:00 a.m., some 40 meters into the Croatian territory, they came across a police vehicle. Three police officers carrying flashlights came out of the vehicle and ordered them to sit on the ground. Having searched their bags, they called a van and ordered them to climb into it. They were driven to the railroad, outside the inhabited area, and ordered to get out one by one. On coming out of the van, a police officer hit A.A. in the face - the left eye zone with his fist. Then, two police officers held him by the arms while the other policemen beat him. There were ten police officers in total, so he thinks that eight of them were beating him. They beat him using hands and a baton and continued to kick him (they wore boots with rubber soles) after he fell. He fell onto the ground with grass, on his back. He tried to defend himself and protect his body and head from the blows by drawing in his arms and legs. He was wearing a T-shirt and a jacket, as well as long sweat pants. He could not see the numbers of the police badges as it was dark and he was afraid and emotionally irritated. He cannot recall the faces of police

officers.

The whole event lasted some 10 minutes, whereupon he escaped along the railroad in the direction of Serbia.

◆ Physical symptoms and disabilities

He complains of pain in the region of visible injuries, and the entire torso.

◆ Physical examination findings

1. Average built and nourished, secondary sexual characteristics adequate for the stated age.
2. Both lids of the left eye slightly swollen, the skin on the upper lid and the left half of nose root with bloody marks; the skin of the lower lid along the rim of the eye with some 3 mm wide striped bloody marks - dark red blood suffusion, dimensions 6x5 cm.
3. Skin at the top of the left shoulder in an area of irregular shape, with black and blue blood suffusion, approx. dimensions 3x3 cm.
4. On the palm side of the right forearm, in one spot on the upper third part, a crossed striped pattern, approx. dimensions 5x5 cm, the skin is scraped in stains and splotches, dry and reddish, with occasional remnants of epidermis which is dry and whitish.
5. Skin on the left part of the stomach, at the level of navel, with blood suffusion, bluish in several places with uneven marks in the form of horizontal stripes, approx. dimensions 10x12 cm.
6. Skin on the inner left thigh, lower part, with blood suffusion, bluish, horizontal, approx. dimensions 4x2 cm.
7. On outer side of the right thigh in the middle third, in two places parallel diagonal stripes, approx. dimensions 7x0,5 cm, distance between them approx. 7 mm, skin with slight blood suffusion, bluish.
8. On the posterior of the right thigh in the upper third, directly under the buttock, in two places parallel diagonal stripes, approx. 10 cm long and some 6 cm wide, distance between them approx. 1 cm, direction to the right and slightly upwards, joining in an arch at interior part, skin with blood suffusion, bluish, painful to the touch.
9. On outer side of the right shin, in the middle third, slight blood suffusion, irregularly shaped on the skin, approx. dimensions 6x2 cm, bluish.
10. No other injuries, except the described ones, were established on the torso.

Photographs

1



Diagnostic tests conducted

N/A

Samples taken for traceological analyses

N/A

CONCLUSION

1. The injuries described in items 2 to 9 of the finding represent blood suffusions and abrasions on the skin, the characteristics of which indicate they were inflicted with a blunt mechanical object. The above external injuries individually and summarily assessed, represented a minor bodily injury at the time of infliction.
2. The characteristics of all the above injuries are consistent with the information obtained by anamnesis regarding the time and method of injury (they might have resulted from a blow of fist, palm, and kick by a shoe with rubber sole as well as a baton).

Prof. Snežana Pavlekić MD, PhD

Forensic specialist

CASE 2

PHYSICAL EXAMINATION RECORD

◆ General information

Date of examination: 16. 05. 2017; examination started at 14:30 h

Place of examination: Reception centre Šid – Stanica (station)

Initials: I. A. Sex: M

Date/Year of Birth /Age: 18

Country of Origin: Peshawar, Pakistan

Identity verified by: statement

Interpreter present: YES NO

Interpreter: Javeed Khan

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 14:55 h

◆ Event information (based on anamnestic information)

In the night between Sunday and Monday, 14/15 May 2017, I.A. and a group of five migrants tried to cross the border with Croatia. Around 1:00 a.m., some 40 meters into the Croatian territory, they came across a police vehicle. Three police officers carrying flashlights came out of the vehicle and ordered them to sit on the ground. Having searched their bags, they called a van and ordered them to climb into it. They were driven to the railroad, outside the inhabited area, and ordered to get out one by one. On coming out of the van, he claims he was first hit by a baton in the back of his legs. When he tried to escape, he was hit in the head (he does not say by which object he was hit) and chest, whereupon he fell. There were 10 police officers who beat him all over his body, with hands, legs and batons. He claims that the police officers wore black boots with rubber soles. He cannot remember the faces and the numbers of police badges as it was dark.

◇ Physical symptoms and disabilities

He complains of pain in the region of visible injuries, and the entire torso.

◇ Physical examination findings

1. Average built and nourished; secondary sexual characteristics adequate for the stated age.
2. Skin in the region of the left occipital bone, dimensions 1x1 cm, is swollen, painful to the touch, with blood suffusion, black and blue.
3. Skin in several places in the region area of chin, the size of wheat grain with blood suffusion, bluish, approx. dimensions 3x2 cm. Skin in the middle of this region approx. dimensions 7x3 mm is scraped in one place, dry, reddish, with a visible small trace of coagulated blood at the bottom of this change.
4. Skin on the inner side of the left shin, directly below the knee, in diagonal stripes, approx. dimensions 5x1,5 cm, with blood suffusion, bluish. The surrounding skin is reddish in the form of rim stripes of approx. 3 mm each.
5. Skin on the inner side of the left thigh, some 7 cm above the above described injury, with blood suffusion approx. dimensions 2x2 cm, with slight blood suffusions bluish, reddish along the edges.
6. Skin in the region of the upper posterior half of the right thigh, striped to the right downwards, approx. dimensions 10x1 cm, with blood suffusion, reddish. The skin around it is bluish, slightly swollen, painful at touch in the approximate width of 1.5 cm.
7. Skin in the region of the right popliteal fossa, with stain-like blood suffusions, bluish, the total width approximately 4x4 cm.
8. No other injuries, except the described ones, were established on the torso.

➤ Photographs

2



◇ Diagnostic tests concluded

N/A

◇ Samples taken for traceological analyses

N/A

CONCLUSION

1. The injuries described in items 2 to 7 of the finding are blood suffusions and abrasions on the skin, the characteristics of which indicate they were inflicted with a blunt mechanical object. The above external injuries individually and wholly assessed, represented a minor bodily injury at the time of infliction.
2. The characteristics of all the above injuries are consistent with the information obtained by anamnesis regarding the time and method of injury. They might have resulted from a blow of fist and/or open palm, and kick by a shoe with rubber sole as well as a baton.

Prof. Snežana Pavlekić MD, PhD

Forensic specialist

CASE 3

PHYSICAL EXAMINATION RECORD

General information

Date of examination: 16. 05. 2017; examination started at 15:00 h

Place of examination: Reception centre Šid – Stanica (station)

Initials: A. A. Sex: M

Date/Year of Birth /Age: 18

Country of Origin: Peshawar, Pakistan

Identity verified by: statement

Interpreter present: YES NO

Interpreter: Javeed Khan

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 15:35 h

Event information (based on anamnestic information)

In the night between Sunday and Monday, 14/15 May 2017, A.A. and a group of five migrants tried to cross the border with Croatia. Around 1:00 a.m., some 40 meters into the Croatian territory, they came across a police vehicle. Three police officers carrying flashlights came out of the vehicle and ordered them to sit on the ground. Having searched their bags, they called a van and ordered them to climb into it. They were driven to the railroad, outside the inhabited area, and ordered to get out one by one. On coming out of the van, two police officers took him by the arms, while the others (eight of them) beat him (ten police officers in total). He fell on his knees and hands, but two police officers pulled him up and held him under the armpits. Thus he was leaning on the ground on his knees and shins, with his body hanging on their arms. He received numerous blows all over the body. He was hit by hands (open palms and fists), kicked (boots with rubber soles), and a baton. He could not see the numbers of the police badges as it was dark and he was afraid and emotionally irritated. He cannot recall the faces of police officers.

Physical symptoms and disabilities

He complains of pain in the region of visible injuries, and the entire torso.

Physical examination findings

1. Average built and nourished; secondary sexual characteristics adequate for the stated age.
2. Skin in the region of left cheek, on a relatively rectangular area, approx. dimensions 5x5 cm, scraped in stains the size of a wheat grain in several places, dry, hard, black and blue.
3. Skin in two places on the outer side of the left forearm, the lower third, scraped in lines approx. 2 cm long and approx. 0.5 cm apart, dry and dark red. The surrounding skin of the approx. dimensionsof a child's palm is slightly swollen, painful to the touch, occasionally slightly bluish.
4. Skin on the outer side of the right thigh, the upper third, approx. dimensions 11x1 cm with blood suffusion and reddish, in parallel horizontal stripes of approx. distance 1 cm.
5. Skin in the area of the right shin, in three places in the lower third, diagonal parallel lines, all in the shape of a relatively proper rectangle, approx. dimensions 1.5x2 cm, scraped, dry, dark red and with blood suffusion, reddish.
6. No other injuries, except the described ones, were established on the torso.

📷 Photographs

3



📷 Diagnostic tests conducted

N/A

📷 Samples taken for traceological analyses

N/A

CONCLUSION

1. The injuries described in items 2 to 5 of the finding are blood suffusions and abrasions on the skin, the characteristics of which indicate they were inflicted with a blunt mechanical object. The above external injuries individually and wholly assessed, represented a minor bodily injury at the time of infliction.
2. The characteristics of all the above injuries are consistent with the information obtained by anamnesis regarding the time and method of injury. They might have resulted from a blow of fist and/or open palm, and kick by a shoe with rubber sole as well as a baton.

Prof. Snežana Pavlekić MD, PhD

Forensic specialist

CASE 4

PHYSICAL EXAMINATION RECORD

General information

Date of examination: 18.05.2017; examination started at 14:00 h

Place of examination: Reception centre Šid-Stanica (Station)

Initials: W. U. Sex: M

Date/Year of Birth /Age: 1998

Country of Origin: Afghanistan

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Interpreter: Abdullah Hamid

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 14:20 h

Event information (based on anamnestic information)

He claims that he was injured by the Croatian police officers at around 1 p.m. on 17 May 2017. He claims there were some 15 police officers. Having deprived them of liberty, he and a couple of other refugees were put up in a van in which they were closed for a couple of hours. When the police officers opened the van doors, they were forced to climb down one by one and pass through a gauntlet formed by the policemen. He received several blows with fists and rubber batons. He claims that the police officers kicked him with boots. He was first hit in the back by a baton, and then into the head (points to the eye). He adds that he was also kicked in the chest when he fell on the gravel and grass-clad ground. He says he became disoriented and might have blacked out. The abuse lasted some 7 or 8 minutes. He notes he vomited 3-4 times and had a nose bleed after the incident. Two persons helped him reach Šid. He was wearing a T-shirt and trousers. He cannot remember the numbers of police badges, but he would be able to recognize the faces of several border police officers as it was daylight.

Physical symptoms and disabilities

Pain at palpation on the site of visible injuries.

Physical examination findings

1. An adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the part of the head covered by hair did not show loss of hair strands, any injuries or changes. Nasal cavities empty of any foreign content at the time of examination.
2. Skin on both right eye lids is black and blue, with blood suffusions, very swollen.
3. Skin in the in the region under the right shoulder and waist, blue and red, with blood suffusions in two places, parallel, approx. dimensions 7x1 cm and 8x1 cm respectively, at a distance of approx. 1.5 cm and joining in arch like shape on the outer side.
4. Skin in middle section of the back, the right half is reddish, with light blood suffusion, some 10 cm above the above described injury, slightly diagonal, almost horizontal, in parallel stripes, approximate sizes 4x0.5 cm and 5x0.5 cm respectively and at a distance of some 1.2 cm.
5. Skin in the region of anterior-outer side of the right thigh in the lower third is diagonally and horizontally reddish, with light blood suffusion, approx. dimensions 7x0.5 cm.
6. Skin in the region of posterior inner side of the red thigh, in middle third with light blood suffusion, approx. dimensions 3.5x2 cm.
7. Skin in the area of inner side of the left elbow is with blood suffusion, blue and red, intensifying along the rim of this oval area, approx. dimensions 5x2.5 cm.


No other injuries, except the described ones, were established on the torso.



A – Photographs taken by W.U. immediately after the violent incident.

 **Diagnostic tests**

N/A

 **Samples taken for traceological analyses**

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that W.U. sustained injuries in the form of blood suffusions on the head, torso and limbs.

The above injuries, described in items 2-7 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.

2. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. In other words, they could have resulted from the blows by a rubber baton, fist and by kicking with footwear.

Prof. Dragan Ječmenica MD, PhD
Forensic specialist

CASE 5

PHYSICAL EXAMINATION RECORD

◆ General information

Date of examination: 18. 05. 2017; examination started at 14:25 h

Place of examination: Reception centre Šid-Stanica (Station)

Initials: R. A. Sex: M

Date/Year of Birth/Age: 16

Country of Origin: Afghanistan from Pakistan

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Interpreter: Abdullah Hamid

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 14:45 h

◆ Event information (based on anamnestic information)

He claims that he was injured by the Croatian border guards around 2 p.m. on 17 May 2017. He states that there were some 10 border police officers. Following the same principle as in the case of W.U. (Case no. 4.), he was deprived of liberty and put in a van where he spent several hours in high heat, without water and the possibility to go to the toilet. When he was taken out of the van, he sustained the first injury – a hit in the head with a baton while standing with his arms up. He fell to the ground where he was kicked and beaten with a baton. His brain was foggy. He did not vomit. The event lasted some 5-6 minutes. He wore trousers and a T-shirt. He stresses he would be able to recognize several police officers, but does not remember the numbers of police badges. He describes one of the police officers as some 1.80 m tall man, weighing between 90 and 95 kg, with short hair (shorter on the sides and longer in the back – the so called “US marines hairstyle), without beard.

◆ Physical symptoms and disabilities

Pain on palpation on the site of visible injuries, and the hairy part of the head.

◆ Physical examination findings

1. Adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the hairy part of the head does not show loss of strands of hair, other injuries or changes. He is complaining about the pain in the scalp and the area behind the right ear.
2. Skin in the region of waist, to the left, including the middle section of the back, in two places, diagonal parallel stripes, approx. dimensions 7x0.5 cm and 5x0.5 cm respectively at some 1 cm distance from each other. Joining in the form of arch at the ends, reddish and with light blood suffusion.
3. Skin in the region of the right shoulder blade, diagonal parallel, very light stripes, approx. dimensions 5x1 cm and 6.5x1 cm reddish, with blood suffusion.
4. Skin in the region of the posterior of right shoulder and the outer side of the right forearm, slightly diagonal with very slight, parallel stripes, approx. dimensions 15x0.5 cm and 14.5x0.5 cm respectively, reddish, with blood suffusion.
5. Skin in the region of the outer side of right forearm, in the lower third, diagonal parallel, very slight stripes, approx. dimensions 6x0.5 cm and 7x 0.5 cm respectively, reddish with blood suffusion.
6. Skin in the region of outer, back side of left thigh, in the lower third, diagonal slight stripes, approx. dimensions 6x2 cm, reddish, with blood suffusion.
7. Skin in the region of outer right shin, in the upper third, horizontal slight stripes, approx. dimensions 7x1 cm, reddish, with blood suffusion.

No other injuries, except the described ones, were established on the torso.



◆ Photographs taken by R.A. immediately after the violent incident

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◆ Diagnostic tests conducted

N/A

◆ Samples taken for traceological analyses

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that R.A. sustained injuries in the form of blood suffusions on the head, torso and limbs.

The above injuries, described in items 2-7 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.

2. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. In other words, they could have resulted from the blows by a rubber baton, fist and by kicking with footwear.

Prof. Dragan Ječmenica MD, PhD
Forensic specialist

CASE 6

PHYSICAL EXAMINATION RECORD

General information

Date of examination: 18.05.2017; examination started at 14:50 h

Place of examination: Reception centre Šid-Stanica (Station)

Initials: F. J. Sex: M

Date/Year of Birth/Age: 1992

Country of Origin: Afghanistan

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Interpreter: Abdullah Hamid

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 15:20 h

Event information (based on anamnestic information)

He claims to have crossed the Serbian – Croatian border around 9 a.m. on 17 May 2017. Having been deprived of liberty and taken to the location with triangle concrete barriers, he was ordered to get out of the van (the same practice as that documented in Cases nos. 4 and 5). He sustained injuries by the Croatian border police around 3 p.m. He was standing with his hands on the head. He was beaten while passing through a gauntlet run by the police officers (with batons, fists and legs). At one point he fell on the gravel, and they continued to beat him. The abuse lasted some 7-8 minutes. He vomited upon arrival in Šid. He complains about the pain in the kidney. He stresses he would be able to identify several police officers but cannot remember the numbers on their police badges.

◆ Physical symptoms and disabilities

Pain from palpation on the site of visible injuries.

◆ Physical examination findings

1. Adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the hairy part of the head does not show loss of strands of hair, other injuries or changes.
2. Skin in the in the region under the right shoulder and waist, including middle section of the back, reddish, with blood suffusion in two places, diagonally, in parallel, approximate sizes 6x0.5 cm and 8x0.9 cm respectively, at a distance of approx. 1 cm and joining in arch like shape on the outer side.
3. Skin in the area of outer side of left forearm, in lower third, diagonal, parallel stripes of approx. dimensions 6.5x0.3 cm and 7.5x 0.4 cm, joining at ends, reddish, with blood suffusion. The skin parallel to and under this injury is black and blue, with blood suffusion, approx. dimensions 8x1.5 cm.
4. Skin above the top of the left elbow is scraped in several places in the form of millet. The scraped skin is dry, yellowish.
5. Skin in the region of anterior outer side of the left thigh, in lower third and affecting also the outer side of the left knee, diagonal stripes, pigmented on the surface of approx. dimensions 14x4 cm, black and blue, with blood suffusion.
6. Skin in the region of inner side of the left thigh, in middle third, oval, vertical, approx. dimensions 9x4.5 cm, purple and blue, with blood suffusion.
7. Skin in the region of anterior of the left knee, discreetly bluish, with blood suffusion, approx. dimensions 2x1.5 cm.
8. Complains of painful sensitivity to palpation and brusque percussion of left side waist area and left costal arch. No injuries visible on the skin on these areas.

No other injuries, except the described ones, were established on the torso.



◆ Photographs taken by F.J. immediately after the violent incident

6



◆ Diagnostic tests conducted

N/A

◆ Samples taken for traceological analyses

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that F.J. sustained injuries in the form of blood suffusions on the head, torso and limbs.

The above injuries, described in items 2-7 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.

2. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. In other words, they could have resulted from the blows by a rubber baton, fist and by kicking with footwear, etc.), while the injuries of the left knee and left elbow as well as protruding body parts may have been caused by the fall.

Prof. Dragan Ječmenica MD, PhD
Forensic specialist

CASE 7

PHYSICAL EXAMINATION RECORD

General information

Date of examination: 18.05.2017.; examination started at 15:00 h

Place of examination: Reception centre Šid-Stanica (Station)

Initials: M. S. Sex: M

Date/Year of Birth/Age: 1999

Country of Origin: Afghanistan;

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Interpreter: Abdullah Hamid

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 15:20 h

Event information (based on anamnestic information)

He claims that he sustained injuries inflicted by the Croatian border police around 3 p.m. on 17 May 2017. Following the same method (being taken out of the van one by one, and passing through a gauntlet formed by ten police officers, as in cases 4/5/6), the police officers beat him with batons, fists and kicked him until he fell to the gravel-clad surface. They broke his mobile phone in the process. He wore a warm sweatshirt, so he thinks that only injuries on his legs are visible now. He feels pain when walking and bending his torso. He vomited once. He also claims he would be able to recognize some of the police officers.

❖ Physical symptoms and disabilities / acute symptoms and disabilities

Pain from palpation on the site of visible injuries.

❖ Physical examination findings

1. Adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the hairy part of the head does not show loss of strands of hair, other injuries or changes.
2. Skin in the in the region under the right shoulder and waist, vertically striped and light pinkish and reddish, with blood suffusion, approx. dimensions 12x3 cm.
3. Skin in the region of outer, front side of the right thigh, in the lower half is swollen, reddish and bluish, with blood suffusion, approx. dimensions 16x6.5 cm.
4. Skin in the region of the posterior red thigh, diagonally striped, light reddish and bluish, with blood suffusion, approx. dimensions 10x4 cm.

No other injuries, except the described ones, were established on the torso.


❖ Photographs

7



 **Diagnostic tests conducted**

N/A

 **Samples taken for traceological analyses**

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that M.S. sustained injuries in the form of blood suffusions on the head, torso and limbs.

The above injuries, described in items 2-4 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.

2. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. In other words, they could have resulted from the blows by a rubber baton, fist and by kicking with footwear.

Prof. Dragan Ječmenica MD, PhD

Forensic specialist

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CASE 8

PHYSICAL EXAMINATION RECORD

General information

Date of examination: 18. 05. 2017; examination started at 15:30 h

Place of examination: Reception centre Šid-Stanica (Station)

Initials: S. M. Sex: M

Date/Year of Birth/Age: 1987

Country of Origin: Afghanistan

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Interpreter: Abdullah Hamid

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 15:45 h

Event information (based on anamnestic information)

He claims that he sustained injuries inflicted by the Croatian border police around 3 p.m. on 18 May 2017 in the same way as Cases nos. 4 to 7 that occurred a day earlier. Having been deprived of liberty, he was put in a van together with several other migrants. When he was taken out of the van, he was ordered to stand still, arms by side. He was first hit with a baton on the leg, and then beaten with fists and kicked. The abuse lasted some 3 minutes. He did not fall on the ground or lose consciousness. He did not vomit. He claims he would be able to recognize some of the police officers.

a. Physical symptoms and disabilities / acute symptoms and disabilities

Pain from palpation on the site of visible injuries.

b. Physical examination findings

1. Adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the hairy part of the head does not show loss of strands of hair, other injuries or changes.
2. Skin on the anterior of the right thigh, in the middle third is slightly bluish in two places one under the other, approx. dimensions 7.5x5 cm and under that is a reddish and bluish, vertical almost striped blood suffusion measuring 6x2 cm.
3. Skin on the posterior of the left thigh, in the lower third, horizontally is reddish and bluish, with blood suffusion, approx. dimensions 10x2.5 cm, more intensively purple along the rim, with pale skin in the middle.

No other injuries, except the described ones, were established on the torso.

📷 Photographs

8



📷 Diagnostic tests conducted

N/A

📷 Samples taken for traceological analyses

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that S.M. sustained injuries in the form of blood suffusions on the head, torso and limbs.

The above injuries, described in items 2-3 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.

2. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. In other words, they could have resulted from the blows by a rubber baton.

Prof. Dragan Ječmenica MD, PhD
Forensic specialist

Case 9

PHYSICAL EXAMINATION RECORD

General information

Date of examination: 18. 05. 2017; examination started at 15:50 h

Place of examination: Reception centre Šid-Stanica (Station)

Initials: P. A. Sex: M

Date/Year of Birth/Age: 1976

Country of Origin: Iran

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Interpreter: Abdullah Hamid

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 16:10 h

Event information (based on anamnestic information)

He claims that he sustained injuries inflicted by the Croatian border police around 1 p.m. on 16 May 2017. The first blow of a baton landed on his shoulder and made him fall onto the concrete "cone" (anti-tank barrier). He fell on the right side of the torso. After that, the police officers picked him up and started beating him with batons again. He wore a shirt and jeans. He kept losing his breath and could not breathe from the pain. The abuse lasted approximately 1 minute. He neither vomited nor blacked out. He claims he would be able to recognize several police officers.

❖ Physical symptoms and disabilities / acute symptoms and disabilities

Pain from palpation on the site of visible injuries.

❖ Physical examination findings

1. Adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the hairy part of the head does not show loss of strands of hair, other injuries or changes.
2. Skin in the region of the anterior left forearm in the upper third is purple-black and blue, with blood suffusion, almost circular as if imprinted, approx. dimensions 2x2 cm.
3. Skin in the region of the right side of torso (and the upper segment thorax and the side of stomach) is purple and bluish, swollen and with blood suffusion on the area of approximately 14x13 cm. In several places it is with tiny stains and scraped in the form of millet, the remaining epidermis mostly dry, yellowish, partly with pinkish fluid. This injury was covered by cotton gauze attached to the skin by band-aid.

No other injuries, except the described ones, were ascertained.


❖ Photographs

9



 **Diagnostic tests conducted**

N/A

 **Samples taken for traceological analyses**

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that P.A. sustained injuries in the form of blood suffusions on the head, torso and limbs.

The above injuries, described in items 2-3 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.

2. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. They could have resulted from a rubber baton blow into the area of left forearm. The injuries on the torso could have resulted from a fall on the rough concrete surface.

Prof. Dragan Ječmenica MD, PhD

Forensic specialist

CASE 10**PHYSICAL EXAMINATION RECORD** **General information**

Date of examination: 20. 05. 2017; examination started at 10:30 h

Place of examination: Premises of Belgrade Centre for Human Rights,
Belgrade

Initials: Z. G. R. K. Sex: M

Date/Year of Birth/Age: 1990

Country of Origin: Afghanistan

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 10:50 h

 **Event information (based on anamnestic information)**

He claims to have crossed the border with Croatia at Berkasovo on 16 May 2017 together with several other migrants. Three days later he arrived in Vukovar. Around 9:30 p. m. on 18 May 2017, they were arrested by the regular police which then transported them in a van to the location with “concrete triangles” and turned them over to the Croatian border police around 11:30 p.m. Having been transferred into another van, they were made to wait – without food and water – for the police to start implementing the well known pattern of behaviour. So, approximately one hour after midnight, the border police began taking them out of the van one by one, and beating them with fists, rubber batons and kicking them with boots. There were 11 police officers in total, including two women who recorded the violence on mobile phones. Five police officers were beating him, and four police officers stood aside making sure that the refugees do not escape until the violence is over. They took all their money and mobile phones – some of which they broke. Z. G. R. K. wore long trousers, a T-shirt and a jacket. He describes the surface as earth covered by crushed stone. He was first hit by a rubber baton into the back of the head, which resulted in problems with eyesight in the form of obscuration of vision – a day before the examination. Having fallen to the above described surface, they continued beating him in that position

also with batons and kicking him. He neither lost consciousness nor vomited. The entire incident lasted some 5 to 6 minutes.

a. Physical symptoms and disabilities / acute symptoms and disabilities

Pain from palpation on the site of visible injuries.

b. Physical examination findings

1. Adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the hairy part of the head found a spot on the left half of occiput where the skin is reddish, swollen (so called "bump"). The front of the thorax in the area of both breasts is painful to palpation.
2. Skin on the posterior right thigh, lower third, is black and blue, with blood suffusion, swollen horizontally, oval, approx. dimensions 11x6 cm.

No other injuries, except the described ones, were established on the torso.


 Photographs

10



 **Diagnostic tests conducted**

N/A

 **Samples taken for traceological analyses**

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that Z.G.R.K sustained injuries in the form of blood suffusions of the skin on the head and blood suffusions of the skin on the right thigh.
2. The above injuries, described in items 1-2 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.
3. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. They could have resulted from a rubber baton blow.

Prof. Dragan Ječmenica MD, PhD

Forensic specialist

PSYCHOLOGICAL EVALUATION REPORT - Z. G. R. K.

Z.G.R.K. came to IAN on 22 May 2017 for psychological evaluation related to the alleged abuse he experienced by the Croatian border police. He came with an interpreter and three Afghan nationals, two of whom were with him when the abuse occurred. The interview lasted from 12:00 to 2:00 p.m. Z.G.R.K. speaks English, so the interview was conducted in English without the interpreter.

General information

Z.G.R.K. claims that he is 29 years old and that he comes from Afghanistan. He graduated from primary and secondary schools (12 years). He worked mostly for various foreign agencies before leaving Afghanistan. In the period 2009 – 2013, he worked for NATO in their military base in Afghanistan. He was a warehouse clerk. His brother, whom the Taliban murdered two to three months before Z.G.R.K. left NATO, worked with him. After that, Z.K. worked for another foreign construction company and thereupon left Afghanistan. He is Afghan, Muslim - Sunni. He is married; his wife is pregnant and lives in Pakistan. His primary family lives in Afghanistan: a mother, father, four brothers and five sisters. He says they are safe; they are not at risk because none of them work of American agencies. Z.G.R.K. is currently accommodated in the Reception Centre in Obrenovac. He has not registered with the police, and holds an ID card issued by the Reception Centre in Obrenovac.

Exile

Z.G.R.K. left Afghanistan in late 2014, after he refused to be conscripted by the Taliban. He decided to leave his country of origin when he received a letter with a death threat should he stay in Afghanistan. He believes he could have gone to the United States of America had he applied at the American embassy in good time, because many of his colleagues and compatriots who had also worked for NATO, got visas and left for the USA. He was afraid to wait two to three months for the US embassy to reply and therefore decided to go to Pakistan. He got married in Pakistan, but did not get an official document to prove it. He was arrested by the Pakistani police three times. The first time they arrested him, they slapped him in order to intimidate him and for him to pay for his way out. On one of these occasions, he did not have enough money on him and had to spend between 3 and 4 days in prison until the others paid for him. He was not exposed to psychological and physical abuse during this stay in prison. He remained in Pakistan until the second half of 2016, when - in view of the frequent arrests and the fact that he could not regularize his status - he decided to go to one of the European states. From Pakistan he headed to Iran, then Turkey and Bulgaria where he spent 105 days. He entered Bulgaria on 20 December 2016. He was accommodated in two centres, one of which was of closed type and the other semi-open, according to him. When he was transferred from the closed-type centre into the semi-open one, he left for Serbia. He has been in Serbia for a month and lives in the Reception Centre in Obrenovac.

Allegations of abuse in Bulgaria

Z.G.R.K. spent 105 days in Bulgaria; in two centres for migrants (one of them was called Lubimets). He claims that the conditions in both centres are very bad and that he was

deprived of the basic needs such as food. He claims that the police officers in the centre beat him with batons and kicked him. When in need of medical assistance, he first had to contact the police and this frequently led to physical violence by the police and also by the doctor who once slapped him, as he claims. He managed to escape from the semi-open centre for migrants after 105 days and reach Serbia.

Forms of abuse in reception centres for refugees in Bulgaria

Deprivation of basic needs: Z.G.R.K. claims he had had enough food while he was accommodated in refugee reception centres in Bulgaria. The food was extremely poor, both quality and quantity-wise. He received two meals a day. Sometimes the meals were only at 12:00 and 4 p.m. He was not allowed to buy food at his own cost.

Inhuman and degrading treatment: He claims the policemen in the centre hit him, beat him with batons and kicked him. He was constantly exposed to degrading treatment reflected in frequent insults.

Allegations of abuse in Croatia

Z.G.R.K. claims that he tried to cross into Croatia three times the one month he has been in Serbia. The first time, he tried in a truck but was soon discovered at the border and expelled into Serbia. The second time, he followed the railroad, but was apprehended and expelled into Serbia when he crossed the border.

On 18 May 2017, Z.G.R.K. and a group of seven Afghan nationals entered into Croatia on foot, irregularly and reached Vukovar. There, the Croatian police arrested them around 10:00 a.m. He claims that the police officers were kind; they neither took their phones nor their money. They searched their bags and the telephones and returned everything to them. They allowed them to drink and eat the food they had in their bags. Z.G.R.K. asked that they be taken to the migrant camp to register, but they were refused. After that, they were transported to the border with Serbia in a van and handed over to the Croatian border police. The border police officers transferred them into another van where there were three men from Egypt already. He claims they spent some two hours in that vehicle, without food and water. The vehicle was very dirty and stuffy. He claims they seized a total of EUR 1,000 from them and one mobile phone. After two hours in the vehicle, they started taking them out one by one and forcing them to pass through a gauntlet formed by seven policemen who hit them with fists, rubber batons and wooden clubs. He tried to keep his head down, arms over it in order to protect that part of the body from the blows. When he was taken out of the vehicle, he saw four more persons outside the perimeter, two policemen and two policewomen who recorded the abuse on their mobile phones. One of the policewomen, who were recording, was laughing all the while and the other police officers were swearing. He tried to escape the circle but one of the policemen who stood outside of it, dragged him back. He thinks they beat him 5 to 6 minutes. After that, they pushed him into a nearby canal full of water and showed him the way back into Serbia with a flashlight. They crossed into Serbia and, according to his assessment, walked 8 hours up to the Reception Centre in Šid (from midnight to 8 a.m.).

Forms of abuse in Croatia

Deprivation of food and water: He spent two hours in the police vehicle without food or water. It was very stuffy and hygiene was extremely bad in the vehicle.

Inhuman and degrading treatment: kicking, beating with hands, fists, baton, a wooden club, accompanied by swearing and recording of abuse on mobile phone.

In the opinion of Z.G.R.K, the Croatian border police abused him in order to intimidate and deter him from trying to cross the border again. He believes that the policemen tried to hide abuse, because they drove them some 10 minutes to the nearby forest so that the Serbian police on the other side would not hear what they were doing.

Evaluation of psychological problems

Clinical interview and self-evaluation scale for Acute Stress Disorder (ASD) were used in evaluation of the psychological condition of the victim.

Z.G.R.K. is educated, speaks English, and looks decent. He is very cooperative; he was willing to talk about his experience. He is aware of his rights and disappointed and angry with his experience in Croatia. He believes they have the right to ask him why he irregularly crossed the border, and to punish him but not to beat him.

He says he has vertigo and spells of dizziness after the abuse, which he never had before. Z.G.R.K. experienced abuse four days before the evaluation of psychological problems, so we cannot consider longer term psychological consequences of the concrete traumatic experience as not sufficient time has elapsed – one month from the traumatic event. He has experienced numerous traumatic experiences during the last couple of years: killing of his brother, death threats in Afghanistan, arrest and abuse in Bulgaria, a precarious and dangerous journey through the transit countries, physical abuse in Croatia – all of which make him vulnerable and susceptible to development of psychological consequences. The problems detected indicate presence of acute stress reaction, that often occurs after a traumatic event. In the course of the incident itself, evident presence of dissociative elements in the form of dizziness, disbelief that it is happening to him as well as distancing from his own emotions – which often represents a psychological defense at the moment of experiencing trauma. He experiences unwilling memories and thoughts about the traumatic event. The problems related to avoidance are dominant, i.e., he avoids thinking and talking about the traumatic event and anything that reminds him of it; because every time he remembers he experiences a physiological reaction: he starts to sweat and becomes agitated. There is also a problem of increased arousal, in the form of insomnia (he speaks a couple of hours during the night), irritability, increased sensitivity to sudden stimuli and hypervigilance. A high score on the ASD scale indicates presence of acute stress reaction and a risk of lasting psychological consequences. His present psychological condition is a consequential reaction to traumatic experience and corresponds to the traumatic experience he claims to have experienced.

Psychologist

Bojana Trivunčić

CASE 11

PHYSICAL EXAMINATION RECORD

General information

Date of examination: 20. 05. 2017; examination started at 10:50 h

Place of examination: Premises of the Belgrade Centre for Human Rights,
Belgrade

Initials: S. D. J. Sex: M

Date/Year of Birth/Age: 1998

Country of Origin: Iran;

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 11:30 h

Event information (based on anamnestic information)

He claims to have crossed the border with Croatia at Berkasovo on 16 May 2017 together with several other migrants. Three days later he arrived in Vukovar. Around 9:30 p. m. on 18 May 2017, they were arrested by the regular police which then transported them in a van to the location with “concrete triangles” and turned them over to the Croatian border police around 11:30 p.m. Having been transferred into another van, they were made to wait – without food and water – for the police to start implementing the well-known pattern of behaviour. So, approximately one hour after midnight, the border police began taking them out of the van one by one, and beating them with fists and rubber batons, and kicking them with boots. There were 11 police officers in total, including two women who recorded the violence on their mobile phones. Five police officers were beating him, and four police officers stood aside making sure that the refugees do not escape until the violence is over. He was hit on the leg with a round stick - club (not a baton), approximate diameter 5 cm, and then with a fist on the left temple. They continued to beat him with a baton and to kick him when he fell down. He did not lose consciousness and he did not vomit. It all lasted some 5 minutes. He feels pain in the chest when inhaling.

Physical symptoms and disabilities/ acute symptoms and disabilities

Pain from palpation on the site of visible injuries.

Physical examination findings

1. Adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the hairy part of the head did not reveal injuries.
2. Skin in the region of left temple, towards the hairline 2 cm from the left brow is light blue, with blood suffusion, approx. dimensions 2x1.5 cm.
3. Skin in the region of outer side of the right thigh, in the upper third, is black and blue, with blood suffusion, in horizontal stripes, approx. dimensions 11x7 cm.
4. Skin in the posterior of the right thigh, in the lower third is black and blue, horizontally, with blood suffusion, approx. dimensions 9x5 cm. In several places on that surface, the scraped skin is dry, dark yellowish in the form of millet and distributed in sequence of 4x0.3 cm.
5. Skin in the posterior of the left thigh, in the lower half is blue and purple in two places, one under the other, with two horizontal, parallel blood suffusions. The approx. dimensions of the upper pair of blood suffusions is 7x0.5 cm and 7x0.7 cm respectively, and of the lower pair 8x0.5 cm and 9x0.8 cm. The internal end of the upper pair of blood suffusions joins at the level of internal end.

No other injuries, except the described ones, were established on the torso.

Photographs

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◆ Diagnostic tests conducted

N/A

◆ Samples taken for traceological analyses

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that S.D.J. sustained injuries in the form of blood suffusions of the skin on the head and blood suffusions of the skin on the right and left thighs, as well as bruising of the skin on the right thigh.

The above injuries, described in items 2-5 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.

2. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. They could have resulted from a rubber baton blow, while the injury in the form of bruising of the skin on the right thigh could have resulted from the action of a wooden club.

Prof. Dragan Ječmenica MD, PhD
Forensic specialist

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CASE 12

PHYSICAL EXAMINATION RECORD

◆ General information

Date of examination: 21. 05. 2017; examination started at 11:30 h

Place of examination: Premises of the Belgrade Centre for Human Rights,
Belgrade

Initials: A. H. F. Sex: M

Date/Year of Birth/Age: 17

Country of Origin: Afghanistan

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 11:50 h

◆ Event information (based on anamnestic information)

He claims to have crossed the border with Croatia at Berkasovo on 16 May 2017 together with several other migrants. Three days later he arrived in Vukovar. Around 9:30 p. m. on 18 May 2017, they were arrested by the regular police which then transported them in a van to the location with “concrete triangles” and turned them over to the Croatian border police around 11:30 p.m. Having been transferred into another van, they were made to wait – without food and water – for the police to start implementing the well known pattern of behaviour. So, approximately one hour after midnight, the border police began taking them out of the van one by one, and hitting them with fists and rubber batons, and kicking them with boots. There were 11 police officers, including two women who recorded the violence on their mobile phones. Five police officers were beating him, and four police officers stood aside making sure that the refugees do not escape until the violence is over. He was first hit by a rubber baton on the back of his head, which resulted in problems – vomiting - a

day before the examination. Having fallen on the gravel, they continued to beat him with batons and to kick him. After that, they pushed him into the nearby water canal, with the water waste high. When he got out, he saw his hand was bloody. The injury, recorded by a mobile phone, shows a bleeding wound. As he was dizzy, he does not know how he got this injury. His hand was dressed in Šid.

❖ Physical symptoms and disabilities/ acute symptoms and disabilities

Pain from palpation on the site of visible injuries.

❖ Physical examination findings

1. Adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the hairy part of the head did not reveal injuries. He complains of a pain in the left half of scalp.
2. Left hand dressed. Upon removal of bandage, the gauze is soaked with reddish and yellowish disinfectant.

On the palm side of the root of thumb on the left hand there is a visible horizontal wound with rough and swollen edges and sides; approx. dimensions 1.1x0.1 cm, some 1 cm deep. A deeper skin layer of pinkish, granular, opaque appearance is at its bottom. The skin on the palm, around this wound is scraped in several places, approximate width 4 cm, in diagonal, parallel stripes some 2.5 cm long. The remaining skin is dry, yellowish and the entire surface is covered with disinfectant.

No other injuries, except the described ones, were established on the torso.


❖ Photographs

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 **Diagnostic tests conducted**

N/A

 **Samples taken for traceological analyses**

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that S.D.J. sustained injuries in the form of a shallow wound – laceration of the thumb on the left hand and tearing of skin around it.

The above injuries, described in item 2 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.

2. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. They could have resulted from a fall with the stretched left hand on a solid surface.

Prof. Dragan Ječmenica MD, PhD
Forensic specialist

CASE 13

PHYSICAL EXAMINATION RECORD

◆ General information

Date of examination: 21. 05. 2017; examination started at 12:00 h

Place of examination: Premises of the Belgrade Centre for Human Rights,
Belgrade

Initials: M. N. Sex: M

Date/Year of Birth/Age: 17

Country of Origin: Afghanistan

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 12:25 h

◆ Event information (based on anamnestic information)

The same sequence of events as described in the Cases nos.10 – 12. He was first hit on the legs with a baton, and then in the head by a round wooden club - a tree branch approx. 1 m long. Then one of the police officers grabbed him and, firmly holding him by the wrist, hit him on the hand with a rubber baton. His hand is dressed. He was dizzy with pain. He was wearing trousers and a T-shirt.

◆ Physical symptoms and disabilities / acute symptoms and disabilities

Pain from palpation on the site of visible injuries.

◆ Physical examination findings

1. Adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the hairy part of the head did not reveal injuries.

2. Right hand and forearm dressed. The hand was examined after taking the bandage off.

The back of the right hand is swollen, painful and with blood suffusion, black and blue, approx. dimensions 6x5 cm. At the level of little and ring fingers on this swollen part, the skin is intensive red, with blood suffusion in two places horizontally, striped and in parallel as an imprint. The approx. dimension of stripes 5x0.3 cm and 4x0.3 cm, respectively.

No other injuries, except the described ones, were established on the torso.


📷 Photographs

13



 **Diagnostic tests**

N/A

 **Samples taken for traceological analyses**

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that M.N. sustained injuries in the form of a blood suffusion and swelling of the back of the right hand.

The above injuries, described in item 2 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.

2. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. They could have resulted from a rubber baton blow.
3. X-ray of hand required. In case of fracture, the qualification of gravity of physical injury may be subsequently corrected.

Prof. Dragan Ječmenica MD, PhD
Forensic specialist

14

CASE 14

PHYSICAL EXAMINATION RECORD

◆ General information

Date of examination: 21. 05. 2017; examination started at 12:30 h

Place of examination: Premises of the Belgrade Centre for Human Rights,
Belgrade

Initials: R.N.S. Sex: M

Date/Year of Birth/Age: 19

Country of Origin: Afghanistan

Identity verified by: inspection of SCRM ID card

Interpreter present: YES NO

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 13:00 h

◆ Event information (based on anamnestic information)

The same sequence of events as described in the Cases nos.10 – 13. He was first hit on the head with a fist. He wrapped his arms around the head to protect it. Then he was beaten on the torso and legs with batons. Subsequently, he was pushed into the water canal. He did not feel dizzy; he did not lose consciousness and he did not vomit. He was wearing a jacket, T-shirt and trousers and had a backpack on his back.

◆ Physical symptoms and disabilities / acute symptoms and disabilities

Pain from palpation on the site of visible injuries. His spine hurts at the waist when he tries to bend forward.

Physical examination findings

1. Adult male, average built and nourished, average secondary sexual characteristics adequate to the stated age. The examination of the hairy part of the head did not reveal injuries.
2. Skin on the right shoulder blade is black and blue – reddish, with blood suffusion in two places, horizontally and in parallel as an imprint, approx. dimensions 6x0.3 cm and 8x0.5 cm, at a distance of some 1 cm.
3. The skin in the region of the posterior right thigh, in the lower third is slightly black and blue with blood suffusion in oval shape, with elements of more intensive stripes in this area, approx. dimensions 8x4 cm. In one spot in the area of the back of the right shin, the upper third, the skin is discreetly black and blue, the approx. dimensions 5x2.5 cm.

No other injuries, except the described ones, were established on the torso.

Photographs

14



Diagnostic tests conducted

N/A

Samples taken for traceological analyses

N/A

CONCLUSION

1. Based on the findings of this examination, one may conclude that R.N.S. sustained injuries in the form of blood suffusions on torso and the right leg.

The above injuries, described in items 2-3 of the finding, were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.

2. The characteristics of the above injuries are consistent with the data obtained in anamnesis on the date and method of their infliction. They could have resulted from a rubber baton blow.

Prof. Dragan Ječmenica MD, PhD

Forensic specialist

PSYCHOLOGICAL EVALUATION REPORT FOR R.N.S.

R.N.S. arrived at the Centre for Rehabilitation of the Victims of Torture (IAN) around 11:30 a.m. on 22 May 2017 for psychological evaluation following the alleged by the Croatian border police. The client came in the company of three of his compatriots, two of whom were with him at the time of the incident. They were accompanied by a Farsi interpreter.

General information

R.N.S. is 19 years old, and says he is a national of Afghanistan, practices Islam and is a member of Pashtu ethnic minority. He was born in Afghanistan and he lived there until 2005. A stronghold of Islamic State Iraq and Levant's branch (ISIL) was located in the province where he lived. In such circumstances and for refusal of his older relatives to join the above group, the entire family fled to Pakistan in 2005. His family was traders, both in Afghanistan and in Pakistan. In addition, his father was an electrician which made it possible for him to provide for the family in Pakistan. He completed 11 years of schooling and wishes to continue his education in one of the European countries. In Pakistan, he worked in a computer shop run by his parents. Since the province he comes from in Afghanistan is still under ISIL control, and their family house was demolished immediately after their departure, the family would be at risk of persecution if they went back. This is the reason for the remainder of his family to continue living in Pakistan, i.e., for their refusal to repatriate to Afghanistan. He himself is trying to reach Europe.

Exile

He states that life is difficult for his family in Pakistan since they are refugees and exposed to abuses of refugee status at each turn. For instance, they are not treated equally on the labour market and in the education system; they are less paid and mostly work on the black market. His greatest concern is that the state of Pakistan is not allowing them to integrate legally and thus their life there continues to be temporary and uncertain. He appears very sad while he is telling us these things and so we draw a conclusion that he misses his family very much. He stresses that he is very saddened by the fact that no country in the world accepts them and that they would be in danger if they returned to Afghanistan. All these were the reasons he decided to head to Europe in 2015. In October 2015, he set off with smugglers on a journey to Germany because he has some distant relatives there. His intention was to remain in that country and have the other family members join him eventually. He arrived in Germany *via* Turkey, Greece and Macedonia but he does not know precisely all the countries he transited because he was travelling with the smugglers. He waited for legalization of his stay in Germany for two years. He was served with a rejection 11 days ago. He was deported to the border, and then he decided to try and reach Italy. However, he boarded a train to Hungary by mistake. From Hungary they quickly transferred him to Serbia. He is currently accommodated in the Reception Centre in Obrenovac. He is registered in Serbia. He did not experience any direct trauma or loss in the country of origin, and none of the members of his close family had been in the army or had experienced torture. Talking about his childhood in Afghanistan, he only remembers general insecurity and life under constant threat and possible air raids. During his journey with the smugglers he did not experience any abuse. The first time it happened was the situation at the Croatia - Serbia border three days ago. Namely, three days ago (on 17 May 2017), he crossed the border with Croatia and reached Vukovar in a group with other seven Afghans. In Vukovar, they were apprehended by the local police and returned to the Croatia-Serbia border where they turned them over to the Croatian border police. The officers of the Vukovar police were not violent.

Allegations of abuse in Croatia

Eight of them walked for four days trying to cross from Serbia into Croatia. The police apprehended them in a forest in Vukovar. They were put up in a van and transported to the Croatian border police. The border police beat them, took their phones and their money. They took EUR 600 and an "I Phone" from him. He was beaten on the head with a baton and fists. They did not hit him on the other parts of the body. After they beat him they told him to go and not to return. The group walked back to Šid, where they spent some three hours and then headed for Belgrade. An X-ray of his head was made in Belgrade, but he still did not get the results. He says he does not have any external injuries, but feels something is not right inside. He suffers from headaches he did not have before the beating. These headaches are intensive, but not constant. The doctors in the camp prescribed pain killers.

Forms of abuse in Croatia

Physical abuse: Beating with a baton and fists in the head. R.N.S. believes that the policemen did not care whether they would leave physical traces of abuse for they would not have hit him on the head. He does not know why the police beat them, for he says they are not terrorists.

Evaluation of psychological problems

Clinical interview and self-report measure of Acute Stress Disorder (ASD) were used in evaluation of the psychological condition of the victim.

During the interview R.N.S. seemed agitated, sad and somewhat absent. He was cooperative and tried to respond to the questions adequately.

R.N.S. experienced abuse three days before the evaluation of psychological problems, so it is not yet possible to talk about lasting psychological consequences of that concrete traumatic event as not enough time has elapsed – one month from the traumatic event. Still the results on the self-report scale show presence of acute stress reaction which is a frequent consequence of traumatic event. The problems include all groups of symptoms on the scale (dissociation, intrusion, hyper-arousal), with the exception of avoidance (investing efforts to avoid thoughts about traumatic experience, conversation about a traumatic experience and situations and persons who remind of trauma). We also noted the client's fear that the beating on the head may have caused severe internal consequences that may persist.

R.N.S. is still “in the state of trauma“, i.e., his traumatic experience still prevails. His mental state could be better assessed at a later stage. We believe there to exist a risk of deferred emergence of psychological problems as a consequence of the traumatic events.

When interpreting the results of self-report scale, one should bear in mind the difficulties of communication with the client, for another client who himself participated in the traumatic event served as interpreter. Nevertheless, the results are in conformity with the general impression about the client that we got during the interview.

The client was offered psychological support which he refused because of the distance of the centre.

Psychotherapist – Special pedagogue

Biljana Petrović

CASE 15

PHYSICAL EXAMINATION RECORD

General information

Date of examination: 25. 05. 2017 at 19:00 h

Place of examination: Reception Centre in Adaševci

Initials: V. F. Sex: M

Date of Birth/ Age: 16

Country of Origin: Afghanistan

Interpreter present: YES NO

Name of interpreter: Rajko Matuško

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

General information

1. Personal anamnesis

He negates serious illnesses, injuries or surgeries. He says he does not take any medications. He is right-handed.

Detailed event information (based on anamnestic information)

1. Description of the event based on anamnestic information

He claims that some 10 days before this examination, he and a group of migrants crossed the border into the territory of the Republic of Croatia around 10 a.m. They ran into a group of 5-6 policemen of the Republic of Croatia. The persons he was in the group with managed to escape, while he was apprehended by the police officers. He claims that these police officers beat him with fists on the head and body, as well as with batons on the body. He fell to the ground covered with stones. He claims he was not taken to the police station, but that this group of police officers drove him from the location he was apprehended at to some other place they said represented the border. According to him, then they hit him a couple of more times and told him to go to Serbia and never return.

He explains he did not have a beard at the time of infliction, but that he stopped shaving after he was injured also on the face.


2. Previous medical examinations related to the injuries inflicted during the event

He claims that he was examined in the Reception Centre in Adaševci after he returned there. He says that the doctor examined him one day after he had tried to cross into the Republic of Croatia, as he described above. He has no medical documents from that examination.


Physical examination findings

1. In the upper section of the left earlobe edge, tissue of approx. dimensions 25x10 mm tissue is missing, and the skin along the edges of this defect is scarred, pinkish.
2. Under the described defect, on the outer side of the earlobe, in several places approx. dimensions 2x1mm to 5x3 mm, the skin is covered by light brown scabs which fall off easily.
3. Skin in two places on the left cheekbone, approx. dimensions 5x3 mm and 2x2 mm, is covered by light brown scabs that fall off easily, and the surrounding skin is slightly swollen.
4. The face covered with dark brown beard, some 1 cm long. The skin on the left jaw, with diagonal stripes running from the back to the front and downwards, approx. dimensions 30x20 mm, is covered by light brown scabs that fall off easily.
5. Skin on the back of the right hand, in two places of oval shape, approx. dimensions 7x10 mm and 9x12 mm, as well as on the back of the left hand in one place, approx. dimensions 15x3 mm, is covered by light brown scabs that fall off easily. The skin in the immediate proximity is tender, light pink, slightly swollen.
6. Skin in the front of the right knee, on the interior half, of oval shape, approx. dimensions 10x10 mm, as well as in the front of the left knee on the outer half, of oval shape, approx. dimensions 20x10 mm, covered by light brown scabs that fall off easily. The skin in the immediate proximity is tender, light pink, slightly swollen; soft tissues on the front of the left knee are slightly swollen.



 **Diagnostic tests conducted**

N/A

 **Samples taken for traceological analyses**

N/A

CONCLUSION

1. Based on the finding of the clinical examination, V.F. sustained injuries in the stage of healing—a superficial wound on the left ear lobe, face, palm and knees.
2. The above injuries were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.
3. The injuries were inflicted by repeated action of a blunt mechanical object, possibly in the way that V.F. describes the subject event.

Prof. Đorđe Alempijević MD, PhD

Forensic specialist

CASE 16

PHYSICAL EXAMINATION RECORD

◆ General information

Date of examination: 25. 05. 2017; examination started at 20:15 h

Place of examination: Reception centre in Šid

Initials: K. U. Sex: M

Date of Birth/ Age: 23

Country of Origin: Pakistan

Interpreter present: YES NO

Interpreter: Rajko Matuško

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

◆ General information on the case

1. Personal anamnesis

He negates serious illnesses, injuries or surgeries. He says he does not take any medications. He is right-handed.

◆ Detailed event information (based on anamnestic information)

1. Description of the event based on anamnestic information

He claims that he crossed into the Republic of Croatia in the evening (around 10 p.m.) in a group of 11 migrants, some three days before this examination. They ran into a police patrol of the Republic of Croatia on a local road marked "57". He explains that the patrol included several uniformed police officers, women among them. These police officers detained them, and then put them into a police van. He claims that the police officers were not violent but did shout at them prior to putting them into the van. They were not handcuffed. The ride lasted some time, and after the van stopped, they remained closed in it for approximately half an hour. He notes that the van was very hot and airless. When the doors opened, he saw they were on a gravel-clad area and that several concrete pyramids about 1.5 m high were on it. He claims that the police officers "dragged them out" one by one and he saw them hitting with batons and kicking. He explains he remained the last one in the van, and had listened to the beating and the cries of the men the policemen had taken out in the way he described earlier. According to his assessment,

when they took him out of the van, there were 12 policemen, almost all with batons in their hands. Having dragged him out of the van, they started beating him. He fell face down. Then they started beating him on the head and the back. He says he was trying to cover his head with his arms. After numerous blows on the head and the torso, they pulled him up and let him go. He set out in the direction in which earlier all the men from his group headed – towards Serbia. He explains he suffered injuries to his right leg while he lay face down on the ground covered with stones, as he described earlier.

2. Previous medical examinations related to the injuries sustained in the event

He states he was examined upon return to the camp in Šid on 23 May 2017. He was examined by the same doctor the next day – on 24 May.

He has medical documentation which reads:

- a) The medical report of Médecins du Monde of 23 May 2017¹⁸ states that he came for an examination in Šid at 12:13 p.m. because he was “beaten by the Croatian police“ in Croatia. It says that the “lacerated – contused wounds were established on the knee and under the knee“, as indicated on the body map – form which is an integral part of the report. The map shows that the established injuries are localized on the right leg. The doctor recommended ambulatory care and concludes that “the examination of patient established marks on the body and psychological reactions compatible with his claims “.
- b) The medical report of Médecins du Monde of 24 May 2017¹⁹ states that he came for an examination in Šid at 10:30 a.m. It says that a group of 12 police officers beat the group of 11 persons – Palestinians and Arabs with “fists, batons and boots“. The time of the event is indicated as 10:00 p.m., 22 May 2017. The report states that the injuries established were in the form of “a big hematoma and a swelling of the right knee“ and a “lacerated wound under the knee“, as indicated on the body map - form which is an integral part of the report. There is no recommendation regarding future treatment.

Physical examination findings

1. On the front of the right knee, interior half, the skin is oval shape covered by dark brown scab which is not loose, approx. dimensions 20x10 mm.
2. On the interior side of the right shin, in the upper part, is a dark brown wound of rough, contused edges and sides, with blood suffusions, vertical, approx. dimensions 40x30 mm. The bottom of the wound is with subcutaneous soft tissue which is swollen, blurred, with scabs and occasionally covered with puss-like content.

¹⁸ The report submitted on the form in English. The data entered in English.

¹⁹ The report submitted on the form in English. The data entered in English.



Diagnostic tests conducted

N/A

Samples taken for traceological analyses

N/A

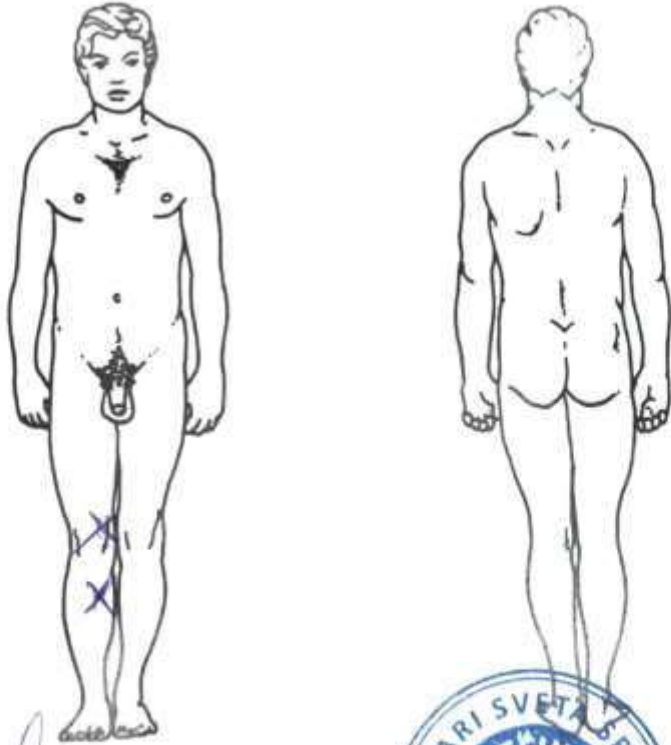
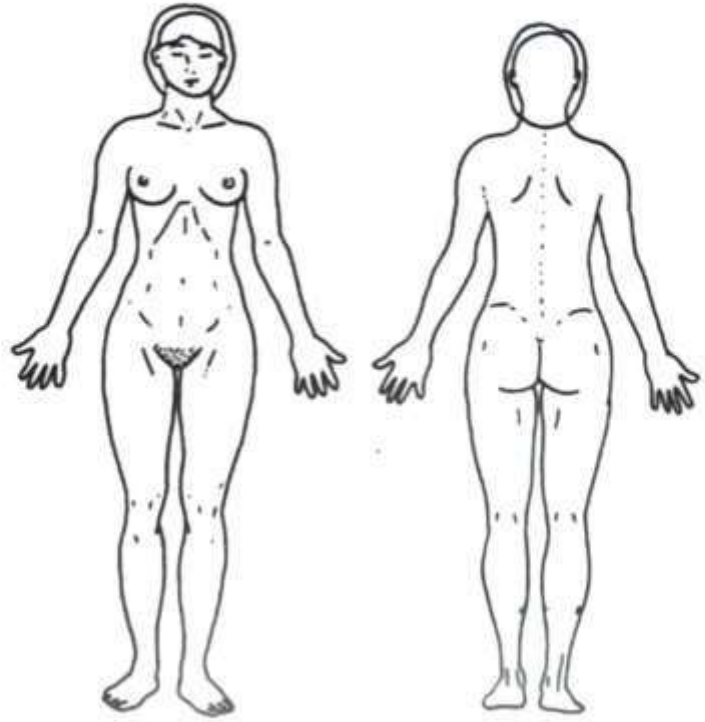
CONCLUSION

1. Based on the finding of the clinical examination and the available information from the medical documents, K.U. sustained injuries – contusion of skin in the area of the right knee and a lacerated – contused wound of the right shin after the event of 22 May 2017.
2. The above injuries were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.
3. The injuries were inflicted by repeated action of a blunt mechanical object, possibly in the way that K.U. describes the subject event.

Prof. Đorđe Alempijević MD, PhD
Forensic specialist



Use arrows to indicate the parts of the body and specify your conclusions in writing



Signature and stamp of the clinician:



MEDICAL CERTIFICATE FOR ADULT

Confidential document covered by medical confidentiality

I, the undersigned: Name: [redacted] Surname: [redacted] Title: *dr Sid*
On this date: *24/05/2017* On this time: *10:30* At this Place: *Sid*

Certify having examined at his/her request the patient:
Name: [redacted] Surname: [redacted]
Date of birth: *1/1/23 years* Gender: Female Male
Taxistan

The patient presents the following signs:

General examination:

Physical examination:

Present big haemorrhage and swelling of right knee, and lacerobutus. wound on under knee

Other examinations carried out and samples taken:

Material circumstances

The patient abstained from giving details on the circumstances of his condition
 The patient asserted that his condition was caused by the following circumstances with the following details:

On this date: *22/05/2017* On this time: *12:00* At this Place: *Croatia*

Account of Circumstances:

Group of 12 police officers beat group of 11 people from Taxistan and took people. they used least, stick and foot.

The medical condition of the patient requires:

Hospitalization Ambulatory care/ treatment Other: to specify

Optional conclusion:

The examination of the patient revealed physical marks and a psychic reaction that are compatible with his/her assertion

Certificate drawn up this date *24/05/2017* in duplicate, one of the original being handed over to the patient for the attention of whom it may concern ; one copy is kept by MDM.

Signature and stamp of the clinician:

[Handwritten signature]
[Faint circular stamp]

MDM Stamp



GENERAL OBSERVATIONS

The documented cases of collective expulsions from Romania refer to the first week of the Team operations only. According to the information obtained by HCIT, the practice of collective expulsions from this country was not as pronounced as in the case of Croatia and Hungary. In May 2017, expulsion of two groups involving 26 foreigners was recorded. Not a single case of collective expulsion was recorded in June.²⁰ The Team documented three cases in line with the principles of Istanbul Protocol. The injuries diagnosed in the third case were not suitable for forensic specialists' analysis. Nevertheless, they were relevant for this report. The gravity of injuries in documented cases indicates that the Romanian border authorities are not prone to the same level of physical violence as the Croatian border authorities, for instance. In other words, the traces of abuse that the Team identified are of considerably lower intensity. Certainly, this assertion does not mean that graver cases do not occur in practice. Nevertheless, the facts that the victims of abuse - refugees and migrants - are constantly on the move, that it is not always possible to visit the locations and conduct detailed examinations, does not preclude the possibility that abuse was more intense in some cases.²¹

²⁰ This is not to say such incidents did not happen.

²¹ One of such cases recorded by HCIT – a broken nose.

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INDIVIDUAL CASES

CASE 17

PHYSICAL EXAMINATION RECORD

◇ General information

Date of examination: 02. 05. 2017; examination started at 20:51 h

Place of examination: Premises of the Belgrade Centre for Human Rights, Belgrade

Initials: A. A. Sex: M

Date/Year of Birth/Age: 15 May 1972

Country of Origin: Syria

Identity verified by: presentation of passport issued in Syria

Interpreter present: YES NO

Interpreter: Ivan Idris

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 21:30 h

◇ Event information (based on anamnestic information)

1. Personal anamnesis

He claims that he was arrested by opposition forces in Syria approximately one year ago, and that he was incarcerated in prison in the city of Aleppo. He also claims that he sustained the injury of thorax from a firearm. As a result of this injury, he underwent a surgery and recuperated. He says he has a gastric ulcer. He is not taking any medications at present.

2. Description of the event based on anamnestic information

He claims that he arrived by bus in Vršac on 30 April 2017. From there in the company of

three persons, he headed on foot towards Romania. He claims that he, with two compatriots and one national of Egypt, entered the territory of Romania around 1 p.m. on 01 May 2017. Soon thereafter they ran into uniformed police officers. He claims there were nine police officers: five in one and four in another vehicle. Two police officers had masks, and the others did not.

He explains that he and the others hid in a shallow canal - some 0.5 meters deep. There was no water in that canal and its bottom was covered by gravel. He claims that the police officers came to the edge of the canal, illuminated them with flashlights, swore at them in English, beat them with batons, flashlights and rifle butts and kicked them. He claims to have sustained numerous hits on the head and the torso. He explains that while beating them, the police officers forced them to lay on the bottom of the canal and then kicked and stepped on them. He then explains they were pulled out of the canal and put in a police van, but were not tied up. He claims that after driving for a while, the police officers dragged them out of the van and showed them the direction they should take. He explains they walked some 30 minutes with the Romanian police officers behind them, kicking them in the back and on the legs occasionally. When they arrived at the border crossing Vatin, they saw the police officers of the Republic of Serbia who showed them the way to Vršac. He claims they arrived in Vršac around 10 a.m. on 01 May 2017, and then headed to Belgrade.

Previous medical examinations related to the injuries sustained in the event:

He claims that he was examined by Mèdecins sans Frontières (MSF) for the event around 3:30 p.m. on 01 May 2017, and then in the Emergency Centre, Clinical Centre of Serbia.

He presented medical documentation which reads:

Physical examination report:

- a) The medical report of the organization Mèdecins sans Frontières, no. MDxxxxxxxxxxxx458 of 01 May 2017, states that A. A. came for examination due to violence suffered by the Romanian police. The clinical examination established lung "crackles right auscultatory", blood pressure was taken 110/70 mmHg. The auscultatory finding of heart showed "rhythmic action, clear tones". He claims: "Around 3 a.m. last night, I was beaten by the Romanian police, with rifle butts in the area of the right side of the lungs, where visible redness and a slight swelling as well as painful sensitivity exist". The doctor prescribed the medicine Brufen as needed.
- b) The medical certificate issued on the MSF form shows that the examination was conducted by Marko Isailović MD on 01 May 2017. The injuries established are "redness and swelling on the right side of lung, size 10x4 cm", as well as "redness of right forearm, size 6x3 cm". The report also states that, according to the patient's allegations, the incident occurred in Romania around 3 a.m. on 01 May 2017. It clarifies that "with four friends, he illegally crossed the Serbian border into Romania. They had been walking for approximately seven hours when the Romanian police apprehended them, beat them with rifle butts and kicked them all over the torso, took his phone and the money. They put them in a vehicle and transported to Serbia". This certificate is accompanied by a body map denoting injuries corresponding to the description given in the certificate.
- c) The report of the specialist doctor of the Emergency Centre, Clinical Centre of Serbia, Protocol no. PO-xxx48/17 of 01 May 2017, states that the patient was examined in the general surgery at 4:47 p.m. It was followed by an X-ray and a general surgical out-patient department at 7:24 p.m. It reads "The patient was beaten by the Romanian police last

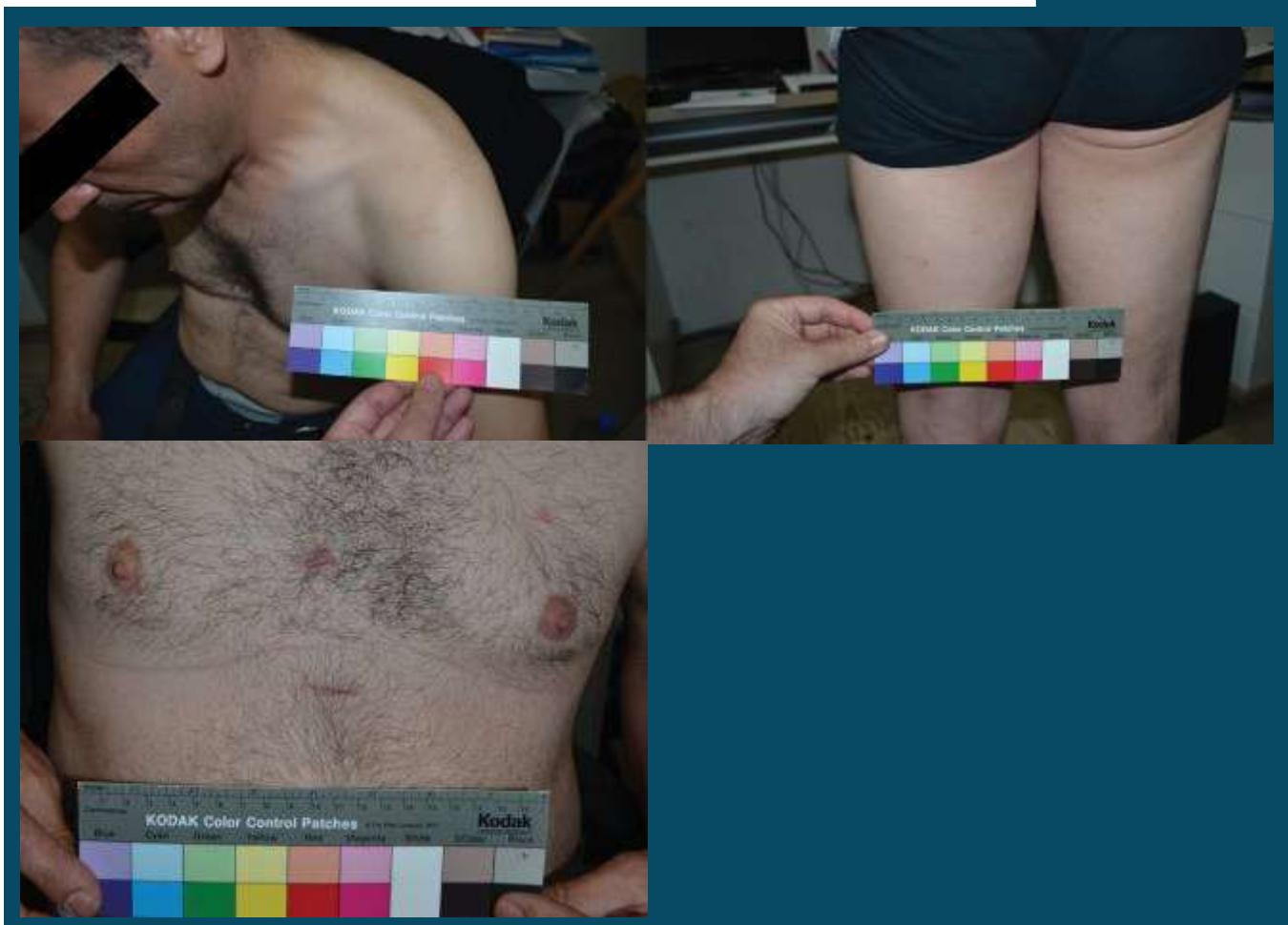
night. He complains of the pain in his ribs“. Abdominal ultrasound exam and chest X-ray were conducted and the finding reads “visible ultrasound signs of fissure of the frontal edge of the angle rib on the right without detectable perifocal oedema nor hemotopneumothorax“.

Physical examination findings

1. Skin in several places in the front of the left shoulder with blood suffusion, black – blue and purple, approx. dimensions 25x15mm.
2. Skin on the back of the left thigh, middle part is with slight oval blood suffusions, light purple, approx. dimensions 10x5 mm.
3. In the upper part of the left breast, almost circular, dia. Some 8 mm; in the middle of the thoracic region, horizontal stripes, approx. dimensions 15x5 mm, slightly above the level of the surrounding skin; the skin in the upper part of the stomach, horizontal stripes, approx. dimensions 20x2 mm is scarred, whitish and shiny.

Photographs

17



Diagnostic tests conducted

N/A

Samples taken for traceological analyses

N/A

CONCLUSION

1. Based on the finding of the clinical examination and the available information from the medical documents, A.A. sustained injuries as follows: blood suffusions on the skin of torso and a fissure of one right rib after the event of 01 May 2017.
2. The above injuries were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.
3. The injuries were inflicted by repeated action of a blunt mechanical object, possibly in the way that A.A. describes the subject event.
4. The changes described in item 3, part 4 represent scarring of skin, possibly resulting from injury and the surgical intervention that A.A. reports about in his personal medical history.

Prof. Đorđe Alempijević MD, PhD

Forensic specialist

PSYCHOLOGICAL EVALUATION REPORT- A. A.

A. A. came to IAN at 2 p.m. on 05 May 2017 for psychological evaluation related to the alleged abuse he suffered by the Romanian border police.

General information

A. A. is 44 years old, comes from Aleppo, Syria. He completed six years of schooling and he is a driver. In Syria, he worked as a driver and co-owned a shop with his brothers. The brothers remained in Syria and still own that shop. He states that he is a Syrian, Arab, practices Muslim religion. He is married with five children: two sons and three daughters. The eldest child is 20 and the youngest 10 years old. His wife and children are in Austria where they arrived in 2015, when the so called Balkan Route was still open. A. A. currently lives in a rented apartment in Belgrade. He registered with the police upon arrival in Serbia and expressed the intention to seek asylum. He was then referred to the Asylum Centre in Sjenica. He spent 4 to 5 days there but left because of the cold and the poor conditions. He lived in his own house with the wife and children before the war in Syria. That house has been destroyed now.

Exile

A. A. left Syria 5 to 6 months ago. He paid the smugglers to take him to Europe. He knows he entered Turkey and spent some time there – two months as he claims – he also arrived in Greece and therefrom to Italy. In Italy, he was fingerprinted and returned to Greece. From Greece he again returned to Turkey and with the assistance of smugglers reached Serbia. He

states he does not know which countries he transited as he was travelling on a truck. Sometimes they would throw them out of the truck and they would walk for a long time, spending time out in the open until the next truck would take them in. He claims to have arrived in Serbia some 25 days ago.

◆ Allegations about torture in Syria

A. A. was captured by the rebel army in Syria and he spent six months in prison in Aleppo. The rebels stopped him while he was driving, and took him to prison at gunpoint. None of his family members and friends knew what had happened. He was not able to say the exact dates, but that it happened in 2015. A month before he managed to escape from prison, the members of the rebel army broke into his house and told his family he was dead, killed by the regime army in Syria. As a proof of his death, they showed his family some documents and papers he had had on him at the time of arrest and which they had seized. They requested that the eldest son join their ranks, arguing he should vindicate the death of his father. After this incident, the entire family left Syria. A.A. assesses that he escaped from prison one month later. The rebels had taken all the captors – 100 odd men and shot them. A. A. was shot in the chest. Four of them survived the execution. They crawled and were helped by the passers-by who took them to a hospital. He thinks he spent one to two months at the University hospital. When he recuperated he hid in mosques and with friends. He thinks he left Syria five to six months ago.

◆ Forms of torture

A. A. claims that perpetrators put the persons imprisoned with him in Syria in different rooms. They were separating people into those under 30, over 30 and women. He was in the group of men over 30 years old.

Deprivation of basic needs: He stresses he used to be deprived of food and water. He was getting one meal a day. The water he was given to drink was dirty. He did not have adequate medical care, i.e., no medical care at all when he needed it. He was deprived of sleep, as they would break into the room to wake him and beat him half an hour after he fell asleep. They kept the prisoners in the dark; there was no power. The whole group was together in one room, he was never in solitary confinement. If someone was taken into solitary confinement it meant he would never come back, i.e., that he would be executed.

Infliction of pain: He stresses he was beaten every day, sometimes for several days on end. He was beaten with a stick, metal bar; he was hit on the feet and had swollen feet (falanga) for a long time as a result. They tortured him by immersing his head into the water and asphyxiating him. They tied him with a rope very tightly and let him in a painful position for several hours.

Degrading treatment: He was constantly exposed to threats, mostly directed at his family. They threatened they would kill his family. He suffered constant, degrading comments about him and his family. He was always tortured in a group, and was present when the others were tortured.

As to the reasons for torture, A.A. states only *torture for the sake of torture*. He thinks that the perpetrators did not care whether they would leave traces – evidence of torture.

◆ Allegations about abuse in Romania

A.A. and three Syrian nationals he met in Turkey headed to Romania on Sunday, 30 April 2017. The group included two brothers: 12 and 20 years old and a 37-year old man. They arrived in Vršac on a bus at 7:30 a.m. and then walked towards Romania. They walked for some seven hours. Around 2 a.m. they ran into a Romanian police patrol. He thinks they were about half an hour distance from a Romanian village they were heading to with the intention of registering and being referred to a camp. Seeing a police vehicle, they hid near a stream, but were caught soon. There were three police officers in the car. Three police officers beat them. They had left the car lights on and very soon another border police car arrived. He is not sure how many police officers were in that car (he thinks there were 4 to 5). All the policemen beat them. He describes he was hit with hands, a baton and kicked. They made them lay on the ground and then kicked them. He was also hit with a baton on the back. When he said he had been shot in the chest and asked they do not beat him there, one of the police officers hit him with a rifle butt into the ribs on the right side. They swore in English, they cursed at his family and his mother. When he told them he is from Syria and that he has a passport, one of the policemen took the passport, inspected it and returned it to him. They took his phone and his money. Still kicking them, they put them into the car and transported them to the Serbian border, where they kicked them out. They told them Serbia was there, showed them the direction to take and told them to go back to Serbia.

◆ Forms of abuse:

Deprivation of water: The Romanian police refused to give him water although he asked for it.

Physical abuse: kicking, beating with hands, baton, rifle butt into the ribs on the right side and with a flashlight.

Degrading treatment: Insulting him and his family.

A. A. is under the impression they were trying to hide the traces, and that they beat him in such a way as to leave as least traces as possible. He concludes this because he was under the impression that they were beating him more on the parts of the body with more clothes on. He was warmly dressed because it was cold outside.

He believes the reason for abuse to be intimidation.

Evaluation of psychological problems

Clinical interview and self-report measure of Acute Stress Disorder (ASD) were used in evaluation of the psychological condition of the victim.

A. A. is very cooperative; he willingly agreed to talk about his experience. He is very bitter for what has happened to him, but at the same time makes peace with this experience and is not very surprised with the incident. He has suffered grave trauma in the country of origin; was incarcerated for six months; managed to escape death by a firing squad; had been shot in the chest; had difficult experiences of exile and uncertainty; bad experiences with the smugglers, etc, which certainly makes him more vulnerable and prone to developing lasting psychological problems.

A. A. experienced abuse five days before the evaluation of psychological problems, so it is not yet possible to talk about lasting psychological consequences of that concrete traumatic experience as not enough time has elapsed – one month from the traumatic event. Still the results on the self-report scale show presence of acute stress reaction which is a frequent consequence of traumatic event. The dominant problems include the symptoms of avoidance (investing efforts to avoid thoughts about the traumatic event, as well as situations and persons who remind him of the event). When recalling the traumatic event, he sometimes has a physical reaction such as sweating, fast heart rate or shivering. A.A. describes he felt intensive fear and the presence of dissociative symptoms (feeling of dizziness, emotional indifference as if it were happening to someone else) during the traumatic event. These were more of a psychological defense from the horrors he was suffering, and have not appeared after the event. He dreams often; he has nightmares that he relates to the torture he survived in Syria and notes that these have become more frequent and intense after the incident in Romania. It is possible to assume that A. A. developed the PTSD symptoms immediately after torture in Syria since he notes that he had many problems after that experience, but negates having them now.

A. A. is still in “the state of trauma“, his traumatic experience is ongoing, he is still in exile and has not reunited with the members of his family. He has mobilized all his energy in order to achieve his objective. There is a risk of deferred emergence of psychological problems as a result of his traumatic experiences including the latest experience of torture /abuse in Romania.

Psychologist

Bojana Trivunčić

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CASE 18

PHYSICAL EXAMINATION RECORD

◆ General information

Date of examination: 02. 05. 2017 at 21:34 h

Place of examination: Premises of the Belgrade Centre for Human Rights, Belgrade

Initials: H. R. Sex: M

Date/Year of Birth /Age: 20

Country of Origin: Syria

Identity verified by: statement;

Interpreter present: YES NO

Interpreter: Ivan Idris

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 22:00 h

◆ Event information (based on anamnestic information)

1. Personal anamnesis

He says he sustained minor injuries during the bombing in Raqqa in 2015. He has neither had any surgeries nor was he hospitalised. He does not take any medications.

2. Description of the event based on anamnestic information

He claims that he arrived by bus in Vršac on 30 April 2017. From there in the company of three persons, he headed on foot towards Romania. He claims that he, with two compatriots and one national of Egypt, entered the territory of Romania around 1 p.m. on 01 May 2017. Soon thereafter they ran into uniformed police officers. He claims there were nine police officers: five in one and four in another vehicle. Two police officers wore masks, and the others did not.

He explains that he and the others hid in a shallow canal - some 0.5 meters deep. There was no water in that canal and its bottom was covered by gravel. He claims that the police officers came to the edge of the canal, illuminated them with flashlights, swore at them in English, beat them with batons, flashlights and rifle butts and kicked them. He claims to have sustained numerous hits on the head and the torso. He explains that while beating them, the police officers forced them to lay on the bottom of the canal and then kicked and stepped on them. He then explains they were pulled out of the canal and put in a police van, but were not tied up. After some time driving, he claims the police officers dragged them out of the van and showed them the direction they should take. He explains they walked some 30 minutes with the Romanian police officers behind them, kicking them in the back and on the legs occasionally. When they arrived at the border crossing Vatin, they saw the police officers of the Republic of Serbia who showed them the way to Vršac. He claims they arrived in Vršac around 10 a.m. on 01 May 2017, and then headed to Belgrade. He is complaining of the pain in the back.

Previous medical examinations related to the injuries sustained in the event

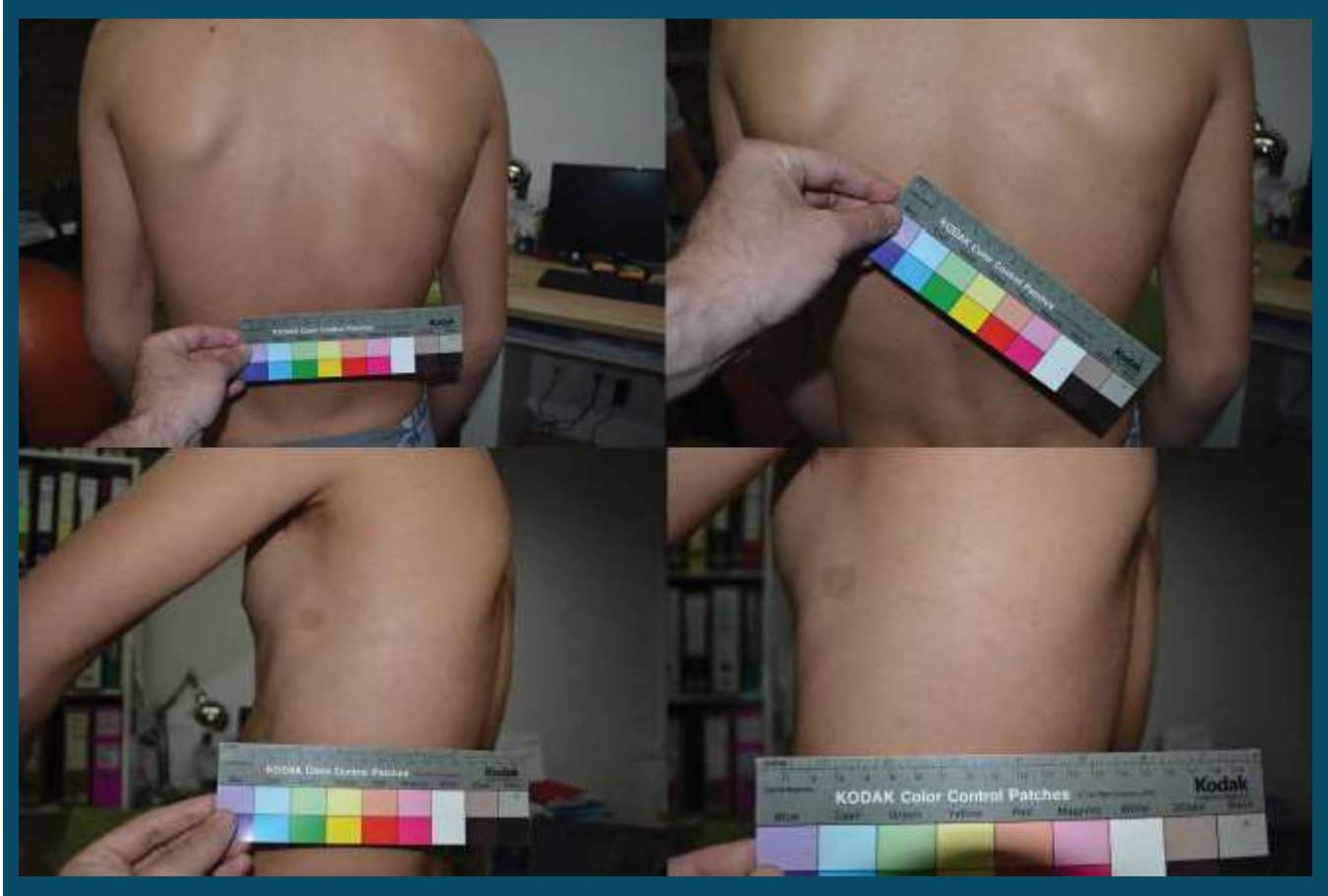
He says he was examined by Médecins sans Frontières (MSF) in Belgrade following the subject event. He presents medical documentation showing:

Physical examination report:

- a) The medical report of the organization Médecins sans Frontières, no. MDxxxxxxxxxxxx309 of 02 May 2017 states he came to be examined because of the police violence and back pain. There is no description of injuries. The patient was recommended Paracetamol (3x1).
- b) The medical certificate issued on the MSF form shows that the examination was conducted by M. Radovanović MD on 02 May 2017. It states that no "visible bruises" were ascertained and that he feels pain in the thoracic region of the back. The report also states that, the patient claims that the incident occurred in Romania around 2 a.m. on 02 May 2017. It further offers a clarification that "when they entered Romania, the police chased after them, and they hid in the fields. They were apprehended and the police officers started to beat them. The police officers beat him with a flashlight and kicked him with boots. After that, the police officers put them in a vehicle and returned them to Serbia". The certificate is accompanied by a body map indicating the region in the back, under the left shoulder blade which has been identified as "pain in the back".

Physical examination findings

1. Skin in the lower dorsal region, and in the right region under the shoulder blade, in several places with blood suffusions, slightly black and blue, in the shape resembling rectangle of approx. dimensions 190x70 mm, running from the left to the right and top to bottom, stripes in the same direction and partly as stains.
2. Skin on the lower part of the side of left chest region, between the middle and posterior armpit line, in several places with blood suffusions, slightly black and blue, in the shape resembling a square of approx. dimensions 80x70mm, stained.



Diagnostic tests conducted

N/A

Samples taken for traceological analyses


N/A

CONCLUSION

1. Based on the finding of the clinical examination and the available information from the medical documents, H.R. sustained injuries as follows: blood suffusions on the skin of torso after the event of 01 May 2017.
2. The above injuries were inflicted by a blunt mechanical object and are individually and summarily assessed to have represented a minor bodily injury at the time of infliction.
3. The injuries were inflicted by repeated action of a blunt mechanical object, possibly in the way that H.R. describes the subject event.

Prof. Đorđe Alempijević MD, PhD
Forensic specialist

CASE 19

CLINICAL EXAMINATION RECORD General information

Date of examination: 02. 05. 2017 at 22:04 h

Place of examination: Premises of the Belgrade Centre for Human Rights,
Belgrade

Initials: F. A. I. Sex: M

Date/Year of Birth /Age: 14 January 1980

Country of Origin: Egypt;

Identity verified by: statement

Interpreter present: YES NO

Interpreter: Ivan Idris

Objective of examination: forensic medical expertise of injuries

Informed consent to examination: yes

Examination completed at 22:34 h

 **Event information (based on anamnestic information)**

1. Personal anamnesis

He says he sustained minor injuries during the bombing in Raqqa in 2015. He has neither had any surgeries nor was he hospitalised. He does not take any medications.

2. Description of the event based on anamnestic information

He claims that he arrived by bus in Vršac on 30 April 2017. From there in the company of three persons, he headed on foot towards Romania. He claims that he, with two compatriots and one national of Egypt, entered the territory of Romania around 1 p.m. on 01 May 2017. Soon thereafter they ran into uniformed police officers. He claims there were nine police officers: five in one and four in another vehicle. Two police officers had masks on their faces. He explains that the he and the others hid in a shallow canal, some 0.5 meters deep. There was no water in that canal and its bottom was covered by gravel. He claims that the police officers came to the edge of the canal, illuminated them with flashlights, swore at them in English, beat them with batons, flashlights and rifle butts and kicked them. He claims to have sustained numerous hits on the

head and the torso as well as on the right foot. He was wearing ankle-high chunky shoes in which he also came for examination. He explains that while beating them, the police officers forced them to lay on the bottom of the canal and then kicked and stepped on them. He then explains they were pulled out of the canal and put in a police van, but were not tied up. He claims that after some driving, the police officers dragged them out of the van and showed them the direction they should take. He explains they walked some 30 minutes with the Romanian police officers behind them, kicking them in the back and on the legs occasionally. When they arrived at the border crossing Vatin, they saw the police officers of the Republic of Serbia who showed them the way to Vršac. He claims they arrived in Vršac around 10 a.m. on 01 May 2017, and then headed to Belgrade.

He now complains about the pain in the back.

3. Previous medical examinations related to the injuries sustained in the event

He states he was not examined after the subject event.


➤ Physical examination findings

1. Epidermis on the upper side of the right foot, in the root of thumb is grayish and whitish, thickened, separated from corium, approx. dimensions 3x2 cm; the surrounding soft tissue is slightly swollen and with blood suffusion.


📷 Photographs

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 **Diagnostic tests conducted**

N/A

 **Samples taken for traceological analyses**

N/A

CONCLUSION

1. The clinical examination of F.A.I. established no signs of physical injury. The change on the upper side of the right foot described in item 1, part 4 represents a blister caused by footwear.
2. On the basis of the clinical examination only, one cannot exclude that the event occurred in the way described by F.A.I. but that claim cannot be corroborated.

Prof. Đorđe Alempijević, MD, PhD
Forensic specialist

ABUSE AND COLLECTIVE EXPULSIONS DOCUMENTED BY HCIT COORDINATORS AND THE COORDINATOR OF THE TEAM FOR DOCUMENTING ABUSE AND COLLECTIVE EXPULSIONS OF REFUGEES AND MIGRANTS FROM THE NEIGHBOURING COUNTRIES

The Coordinator of the Team for Documenting Abuse and Collective Expulsions of Refugees and Migrants from the Neighbouring Countries interviewed a three-member family N. from the town Maidan Wardak, Afghanistan on 3 May 2017. They claimed they were collectively expelled back into Serbia on that same day in the group with three more persons, including one pregnant woman. During the interview with the Coordinator, the refugees stressed they had spent the previous six months in the Reception Centre in Preševo waiting for their turn on the list for Hungary. Having realized that the rules related to the waiting list had changed, i.e., that they could not predict exactly when their turn would come, they decided to try and leave Serbia for Romania on their own, without the help of smugglers. They arrived in Belgrade around 2:30 p.m. on 2 May 2017 and headed to Vršac, where they arrived around 7 p.m. Using GPS they set on foot to Romania around 8 p.m. As it was dark, they could not remember exactly the location and the exact time of crossing. They do know that tired, hungry and thirsty they stopped in a village some 6 km into the Romanian territory around 9 a.m., trying to get some rest. The villagers spotted them and called the police. At first, one navy blue vehicle with the word “police” arrived with two police officers. Later, two more identical vehicles carrying seven police officers arrived. As they were sitting on the floor, some of them with legs crossed Turkish fashion, others squatting, the police surrounded them and ordered them to stand up all the while shouting, hitting and kicking them. All of them obeyed except D.N. who was too exhausted and could not get up. He asked them for water, but several police officers started beating him with fists and kicking him, taking him by the hands and locking his elbow, turning him on his stomach, pushing him face down. He blacked out, but his son helped him come around pouring water over him. They tied him, and forced him into a vehicle although he had not come around completely. Trying to close the back doors not seeing that N.D. had not entered completely i.e., that his right leg was still outside, one of the police officers slammed the door and trapped his leg. In this way, D.N. suffered an injury of the right shin and ankle joint. Then the police had transported him with his group to the border area, and he was had to walk back into Serbia injured. None of the respondents had any visible injuries from violence, but the MSF doctors ascertained painful sensitivity of the different parts of the body in all the members of the family N.

 Photographs



Specialist Report after RMA Referral
Izveštaj lekara specijaliste

Medicinski fakultet
 Klinika za ortopediju
 11000
 +381(0)11

Ime i prezime: **nesrat davud**
 Prezime: **RFZG - lično**
 Datum rođenja: **04.05.2017. 16:13**
 Polikliničke delatnosti/Ambulanta HITNE SLUŽBE

Adresa: **04.05.2017. 16:13**
04.05.2017. 17:20

Adresa: **04.05.2017. 16:13**
04.05.2017. 17:20

Identifikacija: **3333**
 Datum rođenja: **01.0**
 LBOC:
 Amb. br. protokola: **399**
 Kategorija ovisi:
 Broj kartona: **401**

Contusio partium cruris aliarum, non specificatarum et art. TLC dex.

Pacijent povređen noćas na Rumunskoj granici kada je prelučen. Zali se na bolovu distalnoj potkolenici i desnom ekstremitetu / gležu.

Obj. Otok, hematom i palpatorna bolnost u predelu lateralnog dela distalne potkolenice i gležu.

2: Nema akutnih znakova akutne koštane traume

3: Der. savet.
 Dokolena gipsa čina; hod uz pomoć štaka bez oslonca na povređenu nogu, otevac lekarija, analgetici po potrebi; Rantudil forte 3x1, dat savet. Uređanje imobilizacije lekara kampa za izbegicu za 10 dana. Kontrola ortopeda po potrebi.

12/05/2017 16:13
 Dr. Miodrag

Objavljeno pacijentu u skladu sa članom 11. Zakona o pravima pacijenta. Uput za više važnih informacija od dana prvog javljanja lekarni specijalisti. Detaljnije informacije na www.ighhp.edu.rs

 PATIENT ID: **MD.02.014503202745**

MEDICAL FILE
 Confidential
 Serbia Mission for Non-European Migrants

Place of arrival: **MZ Čičak (Belgrade) Serbia**
 Date of arrival: **05/05/2017** / Year: **17**
 Seen by: **N. KATUNOVIC**

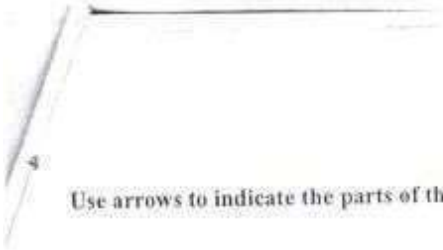
I. General Information of the Patient
 Name: **[REDACTED]**
 Sex: **M** Age: **16** Country of origin: **AFGHANISTAN**
 Time in the country: **7 days** / **more** Time of traveling: **11 days** / **more**
 For children:
 Name and surname of the child's accompanying person:
 Nature of the relationship between patient and accompanying person (mother, father, other...):

II. Background information
 Vulnerable Group: No, elderly (80+), pregnant, single parent with child of recent age, or (UAM) single woman
 Born in a Refugee Camp outside Country of Origin: **SURMAN - WITANOW - OZANOWA - POLSKA**
 Visit to Other health services: **Specify**

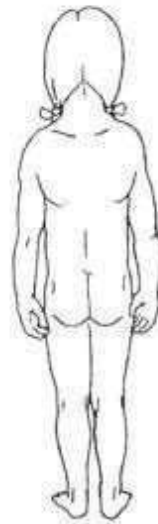
III. Medical Assessment
 Reason for Consultation: **trauma left side of chest in the zone of the left side of the chest, swelling, pain, bruising, left side of the chest, swelling, pain, bruising**
PREACTHUSE 321

Past medical history
 Major Diseases/ Chronic Diseases: **/**
 *Surgeries: **/**
 Current Medication (M/M): **/**
 Known Allergies (M/M): **/**

Page 1/1



Use arrows to indicate the parts of the body and specify your conclusions in writing



high
pitch

Back
pitch



PATIENT ID: NO 020170503195523

MEDICAL FILE
Confidential
Serbia Mission for Non-European Migrants

Place of session: MSF Clinic in Belgrade/ Subotica/ BELGRADE
Date of session: Day 03 / Month 05 / Year 17
Seen by: N. RABANOWICZ

I. General information of the Patient:

Name: [REDACTED]
Sex: F Age: 15 Country of origin: AFGHANISTAN
Time in the country: 7 days/ month Time of Travelling: 11 days/ month
For children:
Name and surname of the child's accompanying person: [REDACTED]
Nature of the relationship between patient and accompanying person (mother, father, other...): FATHER

II. Background information:

Vulnerable Group: No; elderly (>65); pregnant; single parent with child of minor age: US; UAM; single woman:
Been in a Refugee Camp outside Country of Origin: PROSOP
Visit to Other Health Services: Y / No Specify: _____

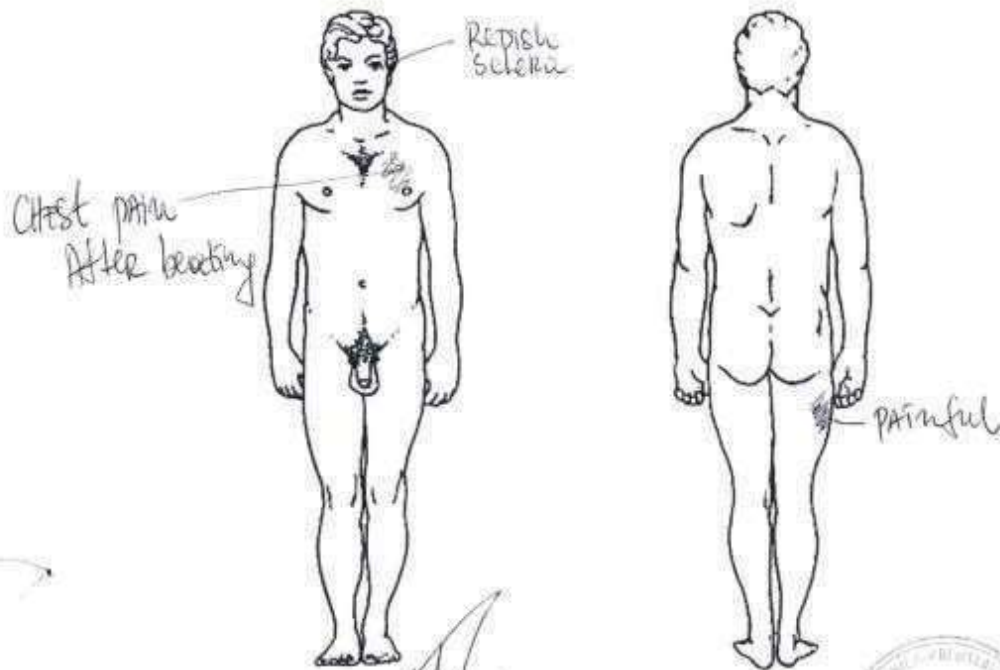
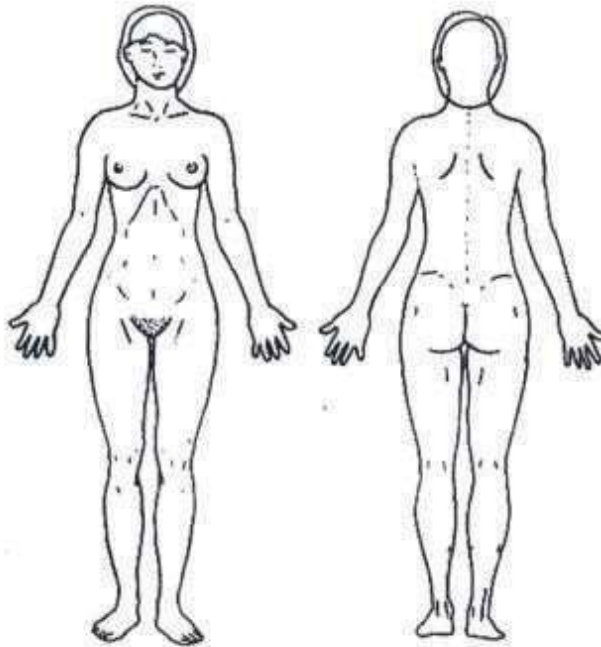
III. Medical Assessment:

Reason for Consultation: DAM on right thigh on back SIDE NO visible bruise
CHEST PAIN after punch NO visible bruise
REDISH scema, left SIDE
PARACETAMOL 5X1
NO ALLERGY

Past medical history

Major illnesses/ Chronic Diseases No/Yes: _____
Surgeries No/Yes: _____
Current Medications No/Yes: _____
Known allergies No/Yes: Dust

Use arrows to indicate the parts of the body and specify your conclusions in writing



Date
03.05.2017.

Signature of MSF medical staff





PATIENT ID: MD020170503215214

MEDICAL FILE
Confidential
Serbia Mission for Non-European Migrants

Place of session: MSF Clinic in Belgrade/ Subotica/ Belgrade

Date of session: Day 3 / Month 5 / Year 17

Seen by: _____

I. General information of the Patient:

Name: _____

Sex: M F _____ Age: 45 Country of origin: Afg.

Time in the country: 6-7 days/months months Time of Travelling: 11 days/month months

For children: _____

Name and surname of the child's accompanying person: _____

Nature of the relationship between patient and accompanying person (mother, father, other...): _____

II. Background information:

Vulnerable Group: No; elderly (>65); pregnant; single parent with child of minor age; US; UAM; single woman

Been in a Refugee Camp outside Country of Origin: had YES, preserve

Visit to Other Health Services: Y / N. Specify: preserve, common cold

III. Medical Assessment:

Reason for Consultation: Back pain, lower part Paracetamol 3x1
knee pain, left leg 8 tablets 2-3x1
throat irritation Diclofenac gel

Past medical history

Major illnesses/ Chronic Diseases No / Yes: _____

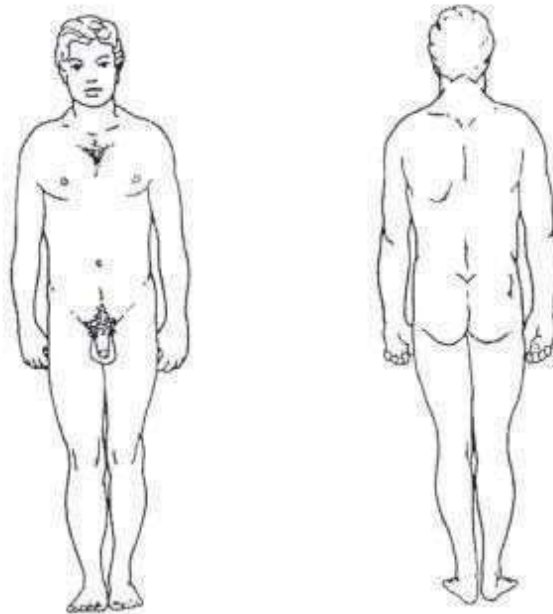
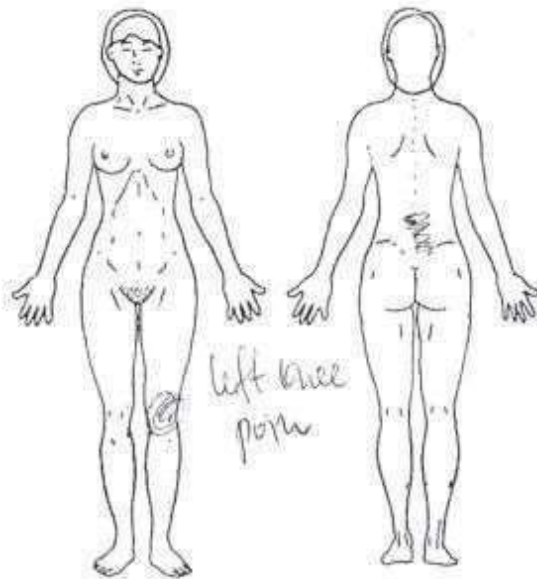
Surgeries No / Yes: _____

Current Medications No / Yes: _____

Known allergies No / Yes: _____



Use arrows to indicate the parts of the body and specify your conclusions in writing



On 4 May 2017, HCIT lawyers interviewed S. A, A. M. and G. I. , nationals of Syria who stated they had irregularly crossed the border around 9 p.m. on 24 April 2017. Having entered some 7 km into the territory of Romania, they were deprived of freedom by four Romanian soldiers wearing green uniforms and berets. They began to beat and kick them. S. A. got hit on the head which resulted in fracture of the nasal bone whereafter he was unconscious for 5 minutes. Several minutes later, they were ordered into a van which arrived in the meantime at the call of the soldiers who apprehended them. The van took them to the border with Serbia where they were told: “Go back to Serbia and don’t come back“.

 Photographs



GENERAL OBSERVATIONS

As already mentioned in the introduction, according to the information of HCIT, a total of 360 foreigners were collectively expelled from Hungary in the period May-June 2017. The practice of Hungarian border authorities in this period did not always involve physical violence. Nevertheless, several incidents involving severe forms of abuse were registered. The gravest among them involved dog bites, alleged use of rubber bullets and beating with rubber batons. Importantly, most of the incidents documented occurred in June, but the victims did not agree to be examined by forensic specialists. In other words, they were not willing to wait for our Team to arrive at the location (entailing travel to the north of Serbia, to the areas around Subotica and Sombor). Therefore, we present the findings of HCIT, which documented (on UNHCR reporting forms - "UNHCR Incident Reports") three cases of collective expulsions (involving 66 foreigners) that were preceded by abuse perpetrated by Hungarian border police and military.

ABUSE AND COLLECTIVE EXPULSIONS ON 5 AND 8 JUNE 2017

On 5 June 2017, a group of 18 migrants from Afghanistan and Pakistan jumped over the fence at the border with Hungary. They were spotted immediately by the helicopter border patrol, whereafter they started to run to the nearby forest. They were intercepted by four police officers with dogs who immediately used tear gas and unleashed the dogs. S. M. N. from Afghanistan was bit by the hand. Having called back the dogs, the police officers escorted them to a field in the vicinity of a village road where another 12 police officers awaited. They were ordered to sit and were immediately subjected to blows by batons and intimidation by leashed dogs. Then the police officers started interrogating them about their countries of origin, location of border crossing, taking photographs and inspection of mobile phones (serial numbers). Soon thereafter, a woman appeared in civilian clothes accompanied by four soldiers in camouflage uniforms (all policemen were dressed in navy blue uniforms) and in their presence all the officers behaved in accordance with the law. As some 15 more police officers arrived at the location, the group was escorted to the gate at the transit zone Roszke and expelled into Serbia.

An identical incident happened on 8 June 2017, when a group of 18 migrants from Pakistan and Afghanistan was expelled into Serbia. Police dogs, tear gas and rubber batons were also used.

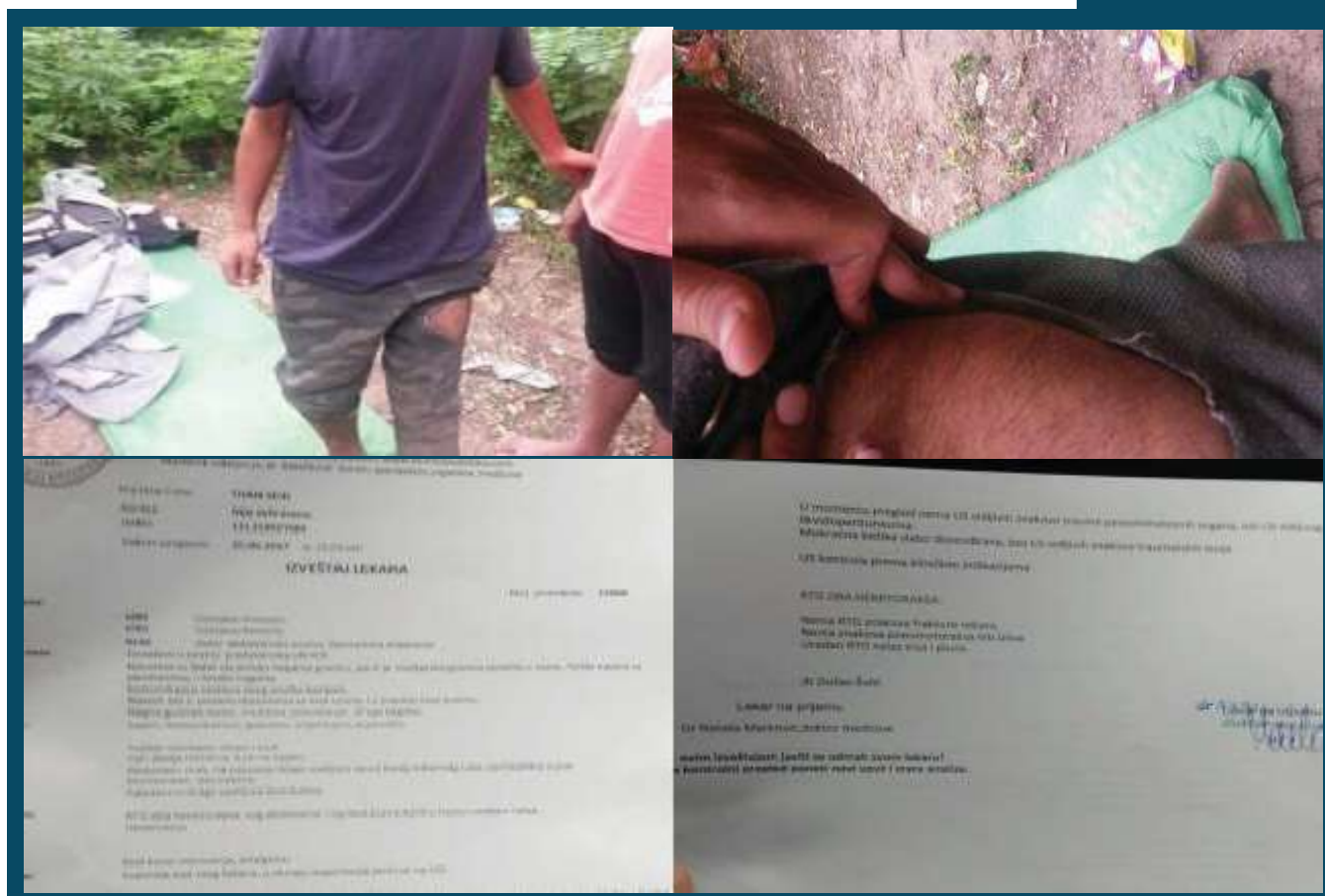
Photographs



ABUSE AND COLLECTIVE EXPULSIONS ON 25 JUNE 2017

On 24 June 2017, a group of 32 migrants from Pakistan crossed the border into Hungary jumping the fence around 11:30 p.m. They were led by Afghan smugglers whom they each paid EUR 1,000. After some time, they separated into groups of 8 and 24 men and proceeded deeper into the Hungarian territory. Soon thereafter, the group of 24 men ran into a group of some 50 Hungarian officers (army, police, interpreters), armed and with dogs. They were ordered to lie on the ground and some 10 members of Hungarian security forces approached them and started kicking them and beating them with batons, calling them pejorative words (e.g. terrorists), while the others laughed and shouted words in Hungarian. After this, they were transported to the border in four vehicles and ordered to return to Serbia through the gate.

Photographs



Handwritten medical form with fields for patient name, date, and medical history. The text is in Cyrillic. At the bottom, it reads "МОДЕЛЪТЪ НА ЦЪЛЪТА МЕДИЦИНА СЪПЪРНАТОРИЕ ВЪВЕДИТЕ" (Model of the whole medicine support center).



Medical report form titled "ИЗВЕЩАНИЕ ЗА БОЛЕСТИ" (Report on diseases) and "ИЗВЕЩАНИЕ ЗА БОЛЕСТИ" (Report on diseases). It includes fields for patient name, date, and a section for the doctor's report. The text is in Cyrillic.

Continuation of the medical report form, containing text in Cyrillic. It includes a section for the doctor's signature and date.

Another view of the medical report form, showing handwritten entries in the patient history and examination sections.



