

## **Free the imprisoned survivors who have been scapegoated for the Pylos massacre.**

In the early morning hours of 14 June 2023, the overcrowded fishing boat "Adriana" sank in international waters around 50 miles from the port of Pylos, Greece. Hundreds of people drowned under the watch of the Hellenic Coast Guard (HCG). Nearly all of the 104 people who managed to survive were rescued by a luxury yacht after the fishing boat had sunk. The bodies of 82 people killed in the shipwreck were recovered; yet hundreds remain missing and are assumed to have gone down with the ship. Nine of the survivors have been arrested by Greek authorities and have been unfairly blamed as being responsible for the tragedy.

The Adriana left Tobruk, Libya on 7 June 2023, bound for Italy with over 750 passengers, mostly from Syria, Pakistan and Egypt. (footnote a) The fishing boat was massively overcrowded and in clear distress, with no appropriate navigation tools, no crew, nor safety equipment on board. After a week at sea, the boat's engine had malfunctioned and supplies were running low. At least two people had already died of dehydration before the boat capsized. In response to these circumstances, people on board contacted Watch the Med Alarm Phone on 13 June 2023 and informed them that their boat was tilting dangerously and that they were in urgent need of assistance. Alarm Phone in turn informed the Hellenic Coast Guard, as the fishing boat was located within the Greek Search and Rescue (SAR) zone. Rescue never came.

In the weeks and months that followed this massacre of hundreds of people, evidence of the events that ultimately led to the Adriana's capsizing continued to emerge, painting a clear picture of the role of the Hellenic Coast Guard. Not only did the HCG not attempt to rescue the clearly unseaworthy vessel, but it also obstructed potential rescue activities by other vessels for several hours. Many survivors also describe how the HCG actively endangered the passengers' lives by attempting to tow the boat, which likely contributed to its sinking. (footnote b) It has also been reported that several other European authorities were informed of the Adriana's distress situation hours before the shipwreck, but did not intervene. (1)

Despite the mounting evidence of Greece's responsibility, blame was immediately put on the victims themselves. The survivors were brought to Kalamata, Greece, where they were detained and isolated in a warehouse. There, the authorities subjected them to interrogation even before being able to access any independent legal or psycho-social support. Following these interrogations and based on the testimonies of a few survivors only, nine survivors were arrested and unjustly presented as those responsible for the massacre. They were charged with facilitating unauthorised entry ("smuggling"), membership in a criminal organisation, and causing the shipwreck that ultimately killed hundreds of people.

According to media reports, the accusations were based on testimonies indicating that they took on more responsibility for tasks on the vessel, for example distributing water or attempting to crowd control to stabilise the tilting boat. (footnote c) However, it appears that the accused men are themselves migrants who paid a significant amount of money to reach Europe, just like the other people on board. (2) This is not the first time we have seen passengers being pressured into giving incriminating testimonies. Importantly, it seems that none of the nine men arrested were identified by other passengers as financial profiteers or even as part of a crew. (footnote d)

Currently, the accused are held in pre-trial detention at two different prisons in Greece: eight in Nafplio and one in Avlona. The investigation by the interrogator judge is still ongoing, and no date has yet been set for the trial. We do not expect it to take place sooner than spring 2024. The state appointed lawyers requested the release of the traumatised survivors from pre-trial detention, but this request was rejected. Defence of the accused men has now been taken on by a group of seven experienced criminal defence lawyers, including from the Human Rights Legal Project-Samos and the Legal Centre Lesbos.

On 13 September 2023, forty survivors of the deadly shipwreck in Pylos filed a criminal complaint against all responsible parties before the Naval Court of Piraeus. (footnote e) (3)

### **Who is to be held responsible for the deaths of the Pylos shipwreck?**

It is not the people looking for safety, forced to travel incredibly dangerous routes in overcrowded boats. Neither is it the smuggling networks that take advantage of this situation – they are a symptom, not the root of the problem. The real culprit is Fortress Europe. Desiring to control migration and close its borders, it strikes dirty deals with other oppressive governments.

The externalisation of the EU's borders beyond its territory, to other countries bordering the European Union, only leads to more violence. It doesn't stop migration, it only leads to more death along the way.

Over the last three years, the Hellenic Coast Guard has increased its practices of systematic pushbacks at sea, leading to more violence, deaths and disappearances. As a result, more people attempt to cross directly to Italy, which increases both the distance and the risk to life along these routes. (4) The deadly practice of pushbacks, one of the most violent forms of preventing the crossing of national borders, became the norm in Europe and beyond. It should be recalled that already on 7 July 2022, Greece was condemned by the European Court of Human Rights for the HCG's illegal and life-threatening practices at sea (footnote f). (5) Currently, at least 32 cases relating to 8 pushback operations were brought against Greece and are pending a decision before the same court. (6) In this context, the tragedy of Pylos emerges as yet one more case of a long line of non-rescue and crimes at sea.

Whoever survives the journey and doesn't get pushed back is at risk of being arbitrarily arrested by the Coast Guard and randomly charged with facilitating unauthorised crossing of borders ("smuggling"). The criminalisation of people for crossing its borders in boats or cars is systematic in Greece.

According to a recent study by *borderline europe*, more than 2000 migrants are currently in Greek prisons, accused or convicted of "smuggling". (7)

In most cases, the arrests, pre-trial detention, and trial hearings of accused boat drivers are characterised by gross human rights violations and do not comply with the fair trial principles, including: arbitrary detention, violence and coercion, and little to no access to interpreters or legal aid. The Greek authorities applied the very same practices in the case of the Pylos shipwreck.

The criminalisation of people on the move is often invisible, and their voices are silenced by detention and long prison sentences. This allows the authorities of the EU states to further violate their rights. Facing extremely long prison sentences based on arbitrary arrests and trials, people on the move who are accused of facilitating illegal migration are a central target of the violence of the border regime.

As Captain Support Network, a group of activists mainly based in Europe, we stand in solidarity with everyone who is criminalised for so-called "smuggling".

We demand:

- Free the scapegoats for the Pylos shipwreck
- Drop all charges against the Pylos9
- Investigate and hold Greek authorities accountable for their responsibility in the Pylos shipwreck and for crimes against humanity at its borders
- An immediate end to the systematic and deadly border violence
- Stop the criminalisation of migration and the incarceration of people on the move
- Freedom of movement for all

**Please sign and share this statement!**

**If you want to support to cover the costs for the court and legal representation, please donate to this account:**

Support Captain Support  
3011 Bern, Switzerland  
IBAN: CH6209000000162628066  
BIC/ SWIFT: POFICHBEXXX  
Remark/ Reference for payment: Pylos

**or through this platform:**

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

### **SIGNATORIES**

Alarm Phone  
All included Amsterdam  
Baobab Experience  
Birlikte Yaşamak İstiyoruz İnisiyatifi  
Border Forensics  
Border Violence Monitoring Network (BVMN)  
Borderline-europe  
CPT - Aegean Migrants Solidarity  
de:border // migration justice collective  
European Lawyers for Democracy and Human Rights (ELDH)  
Feminist Autonomous Centre for research (FAC)  
Forensis e.V  
Free Humanitarians  
Gruppo Melitea  
Human Rights Association/İnsan Hakları Derneği (Turkey)  
Human Rights Association Istanbul Branch  
In-sight Collaborative  
iuvanta – crew  
La Màquia - Azadî Jin, grupo transfeminista autónomo  
Legal Center Lesbos  
Legal Clinic on Migration and Asylum, University of Roma Tre  
Leave No One Behind  
Linea D'Ombra  
Lungo la rotta balcanica  
Maldusa  
Mare\*Go  
Mare Liberum  
Melting Pot  
Memoria Mediterranea  
Migration Control  
MV Louise Michel  
No Border Boiling Pot  
No Border Kitchen  
RESQSHIP e.V.  
Salvamento Marítimo Humanitario  
Seebrucke  
Sea-Watch

SOS Humanity  
Swiss Democratic Lawyer (DJS-JDS-GDS)  
Würzburg Solidarisch e.V  
YaBasta Bologna  
You can't evict solidarity

*Footnote a: The boat had three decks: a lower, middle and upper deck. All were crammed with people. Around 100 women and children stayed in a separate, guarded room towards the front of the middle deck. None of them survived.*

*Footnote b: While the Aigaion Pelagos, one of Europe's most modern rescue ships, was not too far away from the boat in distress in the port of Gytheio, instead a helicopter was sent from Lesbos, far away. Even though Italian authorities and FRONTEX had informed the HCG several hours earlier about the distress case, no appropriate rescue operation was launched.*

*Footnote c: It is worth noting that the passengers who accused these 9 co-passengers are from Syria and Pakistan, while the accused are all from Egypt.*

*Footnote d: Many of the survivors named the key profiteers (i.e. the people who made a profit from the deadly journey) during interviews with them – confirming that none of them was on board the ship. In Pakistan, 14 people who may have been involved in organising the crossing were arrested shortly after the disaster. In Egypt, the prosecutor has charged 37 people (mainly from Libya) with criminal organisation in this case. Find more information of the investigative research on the structures behind this case:*

<https://www.lighthousereports.com/investigation/smuggler-warlord-eu-ally/>

*Footnote e: The survivors, represented by the Network for Refugee and Migrant Rights, the Hellenic League for Human Rights (HLHR), the Greek Council for Refugees (GCR), the Initiative of Lawyers and Jurists for the shipwreck of Pylos, and Refugee Support Aegean (RSA), denounce a series of violations of the Greek authorities' obligations to protect the lives of those on board and demand an effective investigation into the circumstances of the deadliest shipwreck to occur in the Mediterranean in recent years.*

*Footnote f: In a shipwreck off Farmakonisi island on 20 January 2014, a Greek Coast Guard vessel caused the death of eleven women and children when it dangerously towed the boat carrying 28 Afghans and Syrians in what survivors describe as a pushback operation.*

(1) <https://counter-investigations.org/investigation/the-pylos-shipwreck>

(2) <https://www.bbc.com/news/world-europe-66154654>,  
<https://www.zeit.de/2023/31/seenotrettung-gefluechtete-mittelmeer-griechenland/seite-3>

(3) [https://justice4pylos.org/2023/09/40-survivors-of-the-pylos-shipwreck-file-a-criminal-complaint-before-the-naval-court-of-piraeus-14-9-2023/?fbclid=IwAR24oftPPlpN9WuceSwokIFkJMT\\_cfLMETO1dKi\\_62EIhGSd3iibZGCvJHM](https://justice4pylos.org/2023/09/40-survivors-of-the-pylos-shipwreck-file-a-criminal-complaint-before-the-naval-court-of-piraeus-14-9-2023/?fbclid=IwAR24oftPPlpN9WuceSwokIFkJMT_cfLMETO1dKi_62EIhGSd3iibZGCvJHM)

(4) <https://aegean.forensic-architecture.org>;  
<https://legalcentresvos.org/2021/02/01/crimesagainsthumanityintheaegean/>.

(5) <https://www.refworld.org/cases,ECHR,62de68304.html>

(6) <https://legalcentresvos.org/2021/12/22/european-court-of-human-rights-to-examine-two-cases-filed-against-greece-concerning-illegal-collective-expulsions/>

(7) [https://www.borderline-europe.de/sites/default/files/readingtips/criminalisation\\_of\\_migrants-study\\_by\\_borderline\\_europe\\_en.pdf](https://www.borderline-europe.de/sites/default/files/readingtips/criminalisation_of_migrants-study_by_borderline_europe_en.pdf)