

## Joint Statement:

### *Call for the acquittal of Homayoun Sabetara and all migrants criminalized for alleged smuggling!*

**More than two years ago, Homayoun Sabetara was unfairly imprisoned and tried in Greece. In the past years, he is just one of more than 2.700 People on the Move who have been denied their basic human rights and instead have been criminalized in Greece on the charges of smuggling. These numbers highlight the harrowing reality that innocent people are increasingly being targeted by political agendas and subjected to arbitrary judicial action under the guise of migration control. Homayoun Sabetara's appeal hearing is scheduled for 22 April 2024. As we are waiting for the trial to start, we unite our voices and demand his acquittal!**

On 25.08.2021, Homayoun Sabetara, a 57 year old father fleeing Iran, was arrested by Greek authorities in Thessaloniki after having driven a vehicle across the Turkish-Greek border. Following an unfair trial, on 26.09.2022, Homayoun was then sentenced to 18-years in prison for alleged smuggling. Homayoun was reportedly coerced into piloting the vehicle from their departing point at the Turkish-Greek border, having to transport seven additional persons. Since his arrest in August 2021 he has been held in prison in Greece. At the time of his escape from Iran, Homayoun had no legal and safe passage available to travel to Germany, where his children currently reside.

Homayoun's case is just one piece of the mosaic in a much bigger picture of the systematic injustice and postcolonial violence that has been produced by the EU and its member states for nearly 40 years now. These policies do not only affect individuals like Homayoun in their freedom and rights but divert the gaze from the failures of the EU government. Some examples include the so-called "Moria6", who are held responsible for the fire in the Moria refugee camp in 2020 and have been imprisoned ever since, as well as the "Pylos9", who are held responsible for the tragic shipwreck that cost the lives of hundreds of People on the Move in June 2023. These people are not only being criminalized for their own flight but must also have to bear the consequences of a failed European migration policy that is rooted in systemic racism and postcolonial border securitization.

Failures in Greek and European migration policy have resulted in tragic outcomes like the normalization of the loss of lives and brutal and illegal tactics like push- and pullbacks. These policies have left asylum seekers in precarious situations, often without access to asylum procedures. Due to isolationist measures and inadequate reception facilities, People on the Move have to resort to dangerous routes or pay large sums of money to reach Europe. The lack of EU measures for safe migration routes, forces individuals to take extreme risks in search of safety and better prospects.

As a consequence, European policies make it easy to convict individuals like Homayoun for claiming their universal human right for seeking safety. The anti-immigration double standards apply not only when crossing borders, but similarly in court. Record materials confirm that individuals like Homayoun are consistently denied translation services, while exculpatory evidence is ignored, and witnesses are not called to testify. Instead of a fair presentation of the circumstances, their trials last approximately 37 minutes and result in an average prison sentence of 47 years.<sup>1</sup> This is a breach of all fair trial guarantees.

Once more we want to stress, it is not a crime to seek protection in Europe. The real crime is the isolation and inhumane accommodation in Closed Controlled Access Centers or closing individuals off in prisons for several years. It is the life-threatening practices of the Greek coast guard and Frontex towards boats of people seeking protection, such as the failure to provide assistance and pushbacks or maneuvers like the one that caused the ship to sink off Pylos. The real crime is the European policy in which the lives of migrants have little value, while billions are invested in isolation measures. Migration is not the problem, European isolationism is.

**We, the undersigned organizations, stand in solidarity with Homayoun Sabetara, as well as all People on the Move who are criminalized for 'smuggling' and demand their acquittal. Until the trial, we are calling on the European and Greek authorities to respect human rights for every individual and for an immediate end to the criminalization of migration.**

**Signing organizations:**

r42-Sail And Rescue  
 Solinetz Luzern  
 iuventa-crew  
 Melitea Italy  
 Captain Support  
 Human Rights Legal Project  
 Yoga and Sport with Refugees  
 CPT - Aegean Migrant Solidarity  
 borderline-europe - human rights without borders e.V.  
 frach collective  
 Abolish Frontex  
 #LeaveNoOneBehind  
 United4Eritrea e.V.  
 Solidarity with Refugees in Libya

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<sup>1</sup> Borderline Europe, 2022:  
<https://www.borderline-europe.de/unsere-arbeit/griechenland-familienvater-zu-18-jahren-haft-verurteilt-weil-er-ein-auto-mit>

Collective Aid

Sea-Eye e.V.

forRefugees

Seebrücke

Europe Cares e.V. / Paréa Lesbos

ELPIDA e.V.

United4Eritrea

Solidarity with Refugees in Libya

No Name Kitchen

3 Rosen gegen Grenzen Basel

Kampagne "Kein Abschiebegefängnis in Glückstadt und anderswo!"

I Have Rights.

Collective Climate Justice, Basel