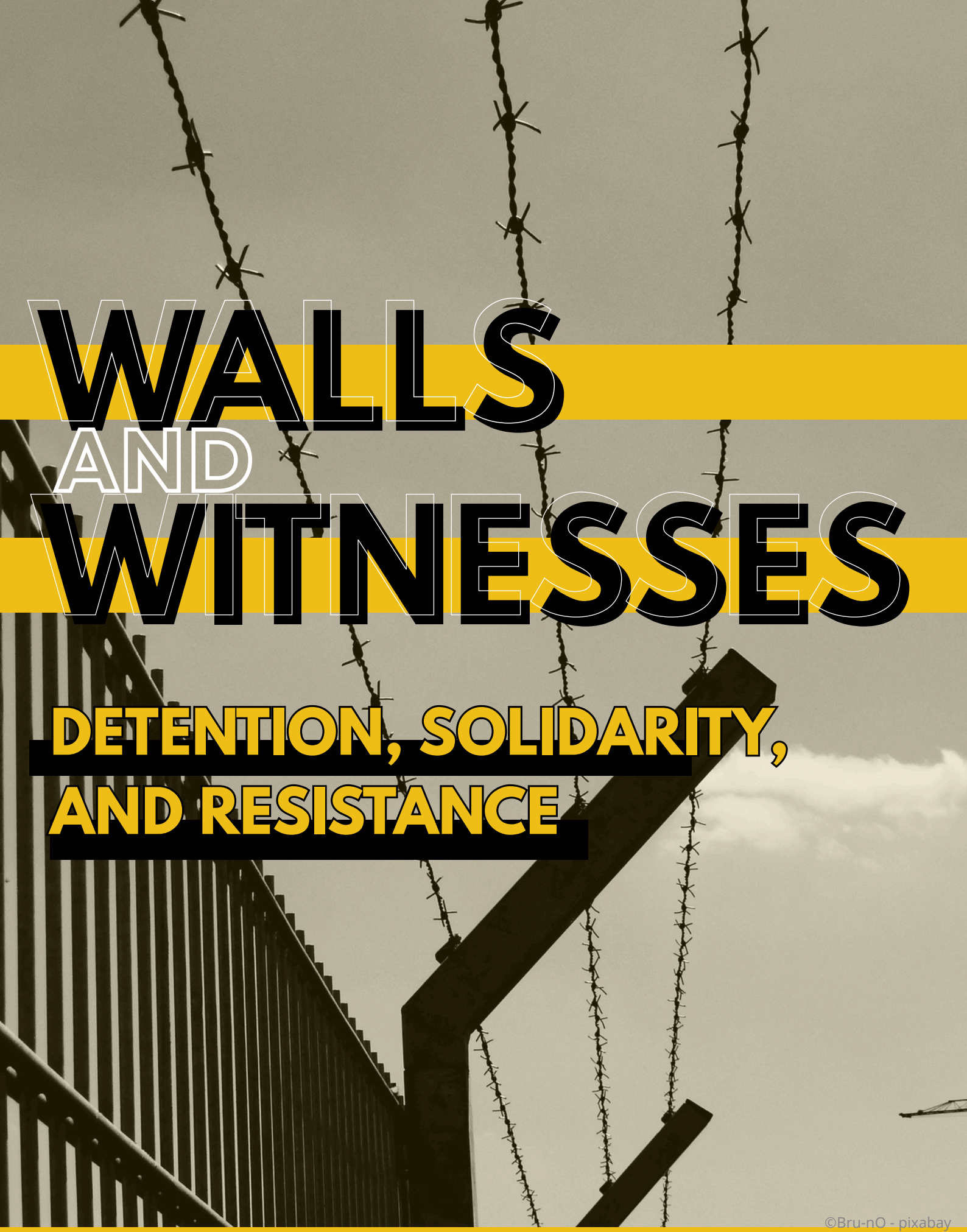

WALLS AND WITNESSES

DETENTION, SOLIDARITY, AND RESISTANCE

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A report concerning detention and criminalisation is particularly poignant at this moment in Europe. The EU's New Pact on Migration and Asylum comes into full effect on the 12th June 2026, representing the most significant overhaul of European migration policy in a decade.

The Pact introduces a series of measures designed to accelerate the processing of asylum claims and increase the rate of deportations (often called 'returns'), including mandatory border procedures, expanded use of detention, and a new pre-entry screening system. In practice, this means a substantial expansion of detention and deportation infrastructure across the EU.

This report explores how these policies are already taking shape, and what they mean for the people caught within them, as well as for those who refuse to look away.

In Bulgaria, we examine the planned construction of new closed detention centres across the country, and how the State's efforts to site these facilities in small peripheral municipalities is promoting a discourse saturated with fear and the criminalisation of people on the move.

In Italy, we look at how the Pact's health screening provisions are previewed by the existing CPR system and how doctors are resisting their involvement in detention structures. We then turn to the detention of minors, a practice the Pact continues to permit despite constituting a violation of the UN Convention on the Rights of the Child.

Finally, we examine the criminalisation of solidarity itself: the prosecution of volunteers, activists, and ordinary citizens across Greece and Poland who stepped in where states failed, and who were subsequently treated as criminals for doing so.

Running through all of these cases is a common thread: the policing and criminalisation of human movement, and the framing of asylum seekers as threats rather than as people in need of protection.

But running alongside it is another thread, one of resistance. Courts have acquitted. Doctors have refused. Communities have protested. This report documents both threads.

OUT OF SIGHT AND OUT OF TOUCH: LOCKING PEOPLE UP IN BULGARIA

To implement the EU's New Pact on Migration and Asylum (which will apply from June 12 this year), Bulgaria has submitted complementary funding applications to the Asylum, Migration and Integration Fund (AMIF) and to the Border Management and Visa Instrument (BMVI). Together, these applications reflect a determined contribution to the policies of repression, detention and deportation promoted by the Pact[1]. Here, we take a look at the planned construction of migrant detention centres across Bulgaria, driven by the EU New Pact, and how it is generating local opposition rooted in the criminalisation of asylum seekers.

The plans for the following years include the refurbishment of existing residential centres and the construction of new ones, with an emphasis on closed (detention) centres. The new facilities will be developed starting in June 2026, after establishing the relevant contracts. The whole program includes:

- **Two new closed centres**

These new closed centres will be used for both "asylum border procedures" (processing asylum applications, which will mostly be rejected) and "return" procedures (deportations from Central Europe to third countries). The "asylum border procedure" is managed by the Bulgarian State Agency for Refugees (SAR) and the "return" procedures by the Ministry of Interior.

Both new centres will be built in locations which host existing State residential facilities for migration management, such as the Busmantsi district in Sofia and the municipality of Pastrogor. Each of these new centres will have a capacity for 400 people. The Busmantsi location is praised for its proximity to Sofia airport and to the border with Serbia, which makes it appropriate for "border procedures", including Dublin procedures (transferring people back to the country through which they entered the EU). Both centres are expected to be functioning by October-November 2027.

[1] The details below on plans for building and refurbishment of facilities in Bulgaria are extracted from documents for AMIF and BMVI applications, kindly provided by the EU's Migration Management Coordination Unit.

- **Two screening detention centres**

The Bulgarian government aims to construct two "screening" detention centres at the external borders, one in Elhovo (with a capacity for 100 people) and one in Dragoman (with a capacity for 50 people). In these centres, screenings will be done for periods of 7 days, during which it will be determined whether someone is allowed to apply for international protection or they will be directly "returned" (deported).

- **Two screening detention centres for unaccompanied minors**

These centres will be set up after repairing and extending the construction of already existing buildings in Elhovo (with a capacity for 90 persons) and in Sofia (with a capacity for 50 persons).

- **An additional detention centre for undocumented people**

One more "screening" centre will be an extension of the Special Home for Temporary Accommodation of Foreigners in Lyubimets, with a capacity for 540 persons. This centre will specialise in processing "foreigners residing illegally in the interior of the country".

- **Refurbishments**

1. The refurbishment and reconstruction of the existing reception centres: These include Harmanli, the three centres in Sofia (Voena Rampa, Vrazhdebna and Ovcha Kupel) and Pastrogor, which, with a current capacity for 250 people, will still be dedicated to "border asylum procedures". These renovation works are planned to be implemented between January 2026 and May 2027.
2. The refurbishment of buildings and infrastructure in a temporary reception centre in Senovo, which was built in 2022.

DETENTION, CRIMINALISATION AND THE PRODUCTION OF PUBLIC FEAR

Even though Bulgaria's application to the AMIF fund is directed towards the construction of the two new detention centres in Sofia and Pastrogor, the last few months have brought some controversy concerning plans to build the new centres in different towns in the periphery of the country. The Mayor of the Bulgarian Municipality of Sredets, Ivan Kichev, confessed he had learnt about the decision of the Council of Ministers to build a detention centre in his municipality through the media. He assumed residents of the municipality would be strongly opposed. His town, he claimed, was not the best place for such a facility.

Through later negotiations between the municipality and the SAR, the Sredets municipality made it clear that a decision on the construction of the Refugee Centre should be made after a wide public discussion. Kichev and SAR agreed that the project would be explained to local citizens after the elections (held last on 19 April).

A survey done this February by BNR news, concluded that residents of Sredets disapprove of the plan to build a detention centre on the basis that it would accommodate "criminal refugees". The assumption that these asylum seekers would be "criminals" was based on public officials claiming that the people in detention would mostly be returned from Central Europe, following the return procedures established by the New Pact on Migration, making the simple equation that associates expulsion from a country with criminality. Through this public debate, SAR highlighted the benefits of creating jobs in the city and argued that security is ensured by a prison-like building structure with three-meter-high fences, thus further reinforcing the "criminals" narrative.

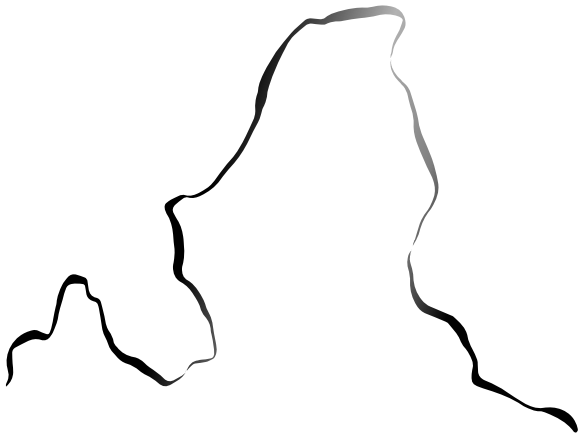
Similar resistance was met in the city of Simeonovgrad, another location where the SAR proposed to build a closed centre. The new centre would be built on the premises of a military headquarters which has not been used for years. At the end of February, the Simeonovgrad town council adopted a declaration strongly opposing the construction of the centre. In Simeonovgrad, political representatives resisting the decision referred to refugees as a "criminal contingent".

There has also been an instance of resistance by the local population in the Vetovo municipality, which led the Ministry of Defence to abandon the initiative to build a closed detention camp in the Senovo neighbourhood, near the border with Romania. The mayor of Senovo, Inna Georgieva, declared her concern that "if the centre is really closed type, there should be no problems, but if this is not strictly observed, there may be some concerns."

This tense process of negotiations between the Bulgarian government and different municipalities suggests that building migrant detention centres in small municipalities is a chosen State policy (even if it is not reflected in Bulgarian applications to the AMIF). This is evidenced in moments such as when the Chairman of the State Agency for Refugees, Ivan Ivanov, makes various public statements to reassure the unconvinced, reminding them that these measures will mean jobs for the local population and that the planned centres are closed.

By and large, these initiatives and the discourse implemented to justify them or resist them suggest three things:

1. The treatment of asylum seekers as a collective to be feared by local populations (in a manner reminiscent of local resistance against the building of prisons or centres for heroin addicts);
2. A related imaginary that the segregation of foreigners from locals would bring safety to the locals[2];
3. The reliance on manipulative arguments, such as that a detention centre will bring jobs to a location. In a more explicit invocation of repressive policies to justify the interest of detention centres, the mayor of Pastrogor (which already hosts a detention centre and is planning the development of a further one) has expressed that a benefit for the local citizens is the decline in crime, as police presence has sharply increased in the town since the current centre was built.



Inky Europe Border ©Kiarra - sketchify

In short, government initiatives to build detention centres to comply with the requirements of the New Pact have become an opportunity to sustain discourses promoting hatred against and segregation of asylum seekers. Much of this discourse is manipulative and builds on wrong assumptions about the realities of Bulgaria and migration. Immigration can indeed bring employment to big and small cities if it is taken as an opportunity to develop welfare systems for all, but this would mean receptive and inclusive policies, which the New Pact is only very partially promoting.

Meanwhile, the displacement of detention centres to the periphery is already jeopardizing Bulgarian people's efforts to support refugees. The recent transfer of most people in detention from Busmantsi (in Sofia) to Lyubimets (near the Turkish border) meant a serious reduction in the number of visits which Migrant Solidarity Bulgaria used to pay regularly and consistently to people in detention. Bulgarian solidarity with people on the move will have to adapt to the current policies, which are increasingly combining preventive detention with geographic dispersion. Migrant solidarity will keep following up and reaching out to people in detention, in tangible contrast with the obsessive and unfounded concerns of those associating detained asylum seekers with criminality.

[2]In our recent report The Bulgarian Way we include graphic descriptions of these segregation practices, e.g., closing down a residential reception centre during Christmas or national holidays to prevent refugees from contact with the local population during these celebrations.

THE DETENTION OF MINORS

The abhorrent practice of detaining young people on the move in Europe remains a contentious issue, raising concerns about human rights and well-being. Many undocumented minors seeking protection face detention in immigration facilities in the EU, despite international standards emphasising that this is a violation of the rights of the child, which is a topic we recently covered in our 2025 report on Love and Family Across Borders. This section takes a look at figures in recent years across Europe, and discusses the proposed regulations aiming to be implemented with the introduction of the pact in June.

Civil society organisations have been highlighting the need for greater attention to be shown to the area of child immigration detention in the EU for the last number of years. A 2019 report published by The Initiative for Children in Migration (ICM), a collaboration between migration, asylum and child protection actors, gives an overview of the situation at that time. PICUM, a member of the ICM, reported that 6,555 children were detained in 2016 in the 14 EU countries that provided data.

However, the ICM report highlights the difficulty in accessing information around child immigration detention and the lack of consistency between member states in the methodology of collecting data; in some countries, children who were detained with heir parents are not counted separately, as they may not always have been subject to a detention order but deprived of liberty to keep them together with their parents. The report also called for three key changes to be implemented, back in 2019:

› **Need for improved data collection**
› **Need to invest in alternatives**
› **Funding through the next MFF (2021-2027)**

Sadly, however, seven years on, there is still a lack of consistency and transparency around reporting figures of child immigration detention. Furthermore, the situation hasn't improved. The new EU migration pact, which is set to be rolled out in June 2026, contains provisions where detention of children is allowed under certain circumstances.

An analysis of Children's rights in the 2024 Migration and Asylum Pact, published by PICUM, explores children's protection from harm within the new regulations laid out in the pact, including examining the proposals for detaining minors. It notes that, while

"The Reception Conditions Directive (RCD) states that children and families should "as a rule" not be detained (art. 13(2))... it is possible to detain them in exceptional circumstances, as a measure of last resort and after it has been established that other less coercive alternative measures cannot be applied effectively, and after detention is assessed to be in their best interests."

These exceptional circumstances are: "**(a)** in the case of accompanied minors, where the minor's parent or primary caregiver is detained; or **(b)** in the case of unaccompanied minors, where detention safeguards the minor" if it is assessed to be in their best interests **(art. 13(2)).**

Given what we have highlighted in the previous section of this report, the term "best interests" seems to be hugely inapplicable here. Moreover, PICUM's brief also states that: "The UN Committee on the Rights of the Child and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families deem child immigration detention to be in violation of the UN Convention on the Rights of the Child. However, the EU allows for immigration detention of children and thus does not meet these international standards."

In advocacy terms, several civil society organisations have called for alternatives to child immigration detention, with initiatives working to oppose the practice of child immigration detention[3]. RELEASE, a project led by the International Commission of Jurists along with other collaborating organisations, just finished a two-year programme which highlighted a need for greater support to lawyers in strengthening their ability, along with civil society more generally, to engage in strategic litigation to end the immigration detention of children. With the new pact on migration continuing to permit the practice, it is vitally important to keep casting a light on this issue.

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[3] Advocacy Brief: End Child Immigration Detention .pdf.; Urgent protections needed to prevent child detention in Europe - International Detention Coalition; EU: Unaccompanied children must not be placed in asylum border procedures | ICJ;

CRIMINALISATION AS A DETERRENT TO SOLIDARITY

THE GREEK CASE OF SEÁN BINDER, ATHANASIOS KARAKITSOS, AND 22 OTHER HUMAN RIGHTS ACTIVISTS

Since 2015, the war in Syria has driven countless people to flee their homes, many risking their lives on dangerous journeys to Europe, including the treacherous crossing of the Aegean Sea. As state responses proved insufficient, volunteers from across Europe stepped in to fill the gap, carrying out life-saving search and rescue operations at sea where authorities had fallen short.

Yet, in a striking contradiction, some of those same individuals were later treated as criminals for their actions. In 2018, Seán Binder, Athanasios Karakitsos, and 22 other humanitarian workers were arrested by Greek authorities and held in pretrial detention for more than 100 days. They were subsequently charged with serious offences, including membership of a criminal organisation, facilitating irregular entry, and money laundering, charges that carried potential prison sentences of up to 20 years.

These prosecutions form part of a broader trend across Europe: the criminalisation of solidarity. Rather than targeting the structural failures that left people at risk in the first place, legal systems have increasingly turned their attention to those attempting to prevent loss of life. The irony is stark. During court proceedings, the defendants explained that their work with the Emergency Response Center International (ERCI) consisted solely of rescuing people in distress at sea. They emphasised that their operations were not only humanitarian in nature but also conducted in coordination with the Greek Coast Guard. This was corroborated during hearings in December 2025, when a Coast Guard official confirmed that ERCI had worked closely with state authorities. The investigating officer admitted to having no knowledge of this cooperation.

After years of legal uncertainty, the Mytilene Court of Appeals acquitted 24 activists on 15 January 2026. The ruling marked a long-overdue recognition that their actions were not criminal, but humanitarian.

The case underscores a deeply paradoxical reality whereby state actors withdraw or fail to act, and those who step in to save lives may find themselves prosecuted for doing so.

THE CASE OF THE 'HAJNÓWKA FIVE'- BIALOWIEZA FORREST, POLAND

A similar pattern can be observed along the Polish-Belarusian border, where acts of basic humanitarian assistance have likewise been reframed as criminal offences. In March 2022, five Polish residents, who were later referred to as the 'Hajnówka Five',

encountered an Iraqi family with seven children and an elderly Egyptian man who had crossed irregularly into Poland and had been stranded for days in the forest. Facing exhaustion, exposure, and the risk of being pushed back across the border, the group was given food, water, and clothing. The five individuals then attempted to drive them a short distance (13 kilometres) to the nearest town. They were intercepted by border guards before reaching their destination.

What followed reflects a broader hardening of state responses at Europe's borders. Prosecutors initially sought the immediate detention of the activists, a request rejected by the court. However, after prolonged proceedings, the five were formally charged and faced up to five years in prison. The prosecution argued that by assisting the group and transporting them further into Poland, the defendants had acted for the 'personal benefit' of the migrants, despite the limited, humanitarian nature of their actions.

This case unfolded against a stark backdrop. In 2025 alone, data recorded from 'WeAreMonitoring' reported 14,754 pushbacks at the border. In such an environment, the actions of the Hajnówka Five can be seen less as facilitation of irregular migration and more as a response to the immediate risks faced by people left stranded between borders.

On 8 September, the District Court in Bielsk Podlaski acquitted all five defendants, concluding that the prosecution had failed to demonstrate any intent of personal gain—an essential element of the charges. The ruling was widely welcomed as a rare judicial pushback against the criminalisation of solidarity.

Yet the story does not end there. In January 2026, prosecutors filed an appeal against the acquittal, signalling a continued willingness by authorities to pursue those who provide humanitarian assistance. This persistence underscores a troubling reality: even when courts reject such prosecutions, the broader trend of targeting individuals who offer basic aid to people on the move shows little sign of abating.

Ending on a positive note, following sustained advocacy from civil society organisations, alongside the strong public support demonstrated by those who signed our petition on 16 March 2026, the prosecutor's office ultimately decided to withdraw its appeal, thereby finalising the acquittal of the Hajnówka Five.

FIT FOR THE DETENTION: AN EXAMPLE OF RESISTANCE FROM ITALY

The new Pact will introduce at the European level a "pre-detention" screening that entails preliminary health and vulnerability checks to identify people in need of health care, vulnerable people and people who might pose a threat to public health.

Such screening could be seen as a way of identifying people on the move who have health or mental health needs that should be addressed in an appropriate setting or facilities.

However, as seen in Italy with the case of CPRs (Pre-removal detention centres), what this actually translates into is a medical doctor certifying that a person, whom they actually have only limited information on, is fit enough to be detained in a setting that has been recognised as highly damaging (for more information, also see our previous report). In the Italian system, in fact, before a person can be admitted to one of these centres, a physician working for the national health system has to certify that person as fit for detention. Thus, making doctors and many others in the health system structurally embedded in the detention workflow and complicit in the criminalisation of migration, as evidenced by the fact that this medical visit usually takes place under police scrutiny and in the setting of an emergency department.

In the context of the latest European Pact on Migration and Asylum, this assessment would take place at the European borders and would be part of the procedure to decide who can enter the European system and how, or in which detention setting, either in or outside Europe. Furthermore, health data collected upon arrival would feed into the Eurodac database.

In Italy, we can already see the playing out of the ethical conflict that such a procedure would create: a health professional who has the duty to protect health is asked to certify that someone is fit for a treatment that has been compared to torture.

Despite the new pact, this isn't a new criticism. In 2023, the Italian Society of Migration Medicine (SIMM) launched a campaign to help medical doctors resist this practice and stop declaring people fit for detention, framing this as evidence-based medical practice, given the documented harmful nature of CPRs. However, the topic has come to light again in the public discourse in Italy when a police investigation found out that in a hospital in Ravenna, in the period between September 2025 and 16 January 2026, not a single person examined was deemed fit for migrant detention.

During the legal proceedings, three doctors were suspended for ten months. Here we see that not only is migration criminalised, but also the resistance to this system of detention.

The response from the medical community was swift: SIMM launched a petition titled "La cura non è reato" (Care is not a crime) that collected over 25,000 signatures, the National Federation of Medical Orders (FNOMCeO) publicly defended the clinical independence of the investigated doctors, and the National Council of the Order of Psychologists took a formal stand against any professional involvement in CPR operations.

The Italian case may serve as a cautionary preview of what the European screening system will mean in practice. At the same time, the organised response of Italian civil society and professional associations offers a concrete example of how such provisions can be contested. If the EU Pact's health screening becomes, as in Italy, a gateway to detention rather than a pathway to care, the question for the European health and human rights community will not only be whether to comply, but whether, and how, to resist.

THE POWER TO RESIST

With the New Pact on Migration and Asylum coming into force in June 2026, expanding detention infrastructure and placing a heightened emphasis on rapid processing and returns, we are witnessing the policing and criminalisation of human movement unfold across the continent.

The focus is increasingly shifting towards denying international protection and framing asylum seekers as criminals, a self-fulfilling prophecy in which detention, originally justified as a neutral administrative measure while people await decisions on their asylum claims, becomes part of the justification for yet more detention, as the securitised architecture surrounding it signals to local populations that those held within must be dangerous. This logic is nowhere more starkly exposed than in the case of unaccompanied minors, who are supposedly detained in their own best interests, a claim that reveals the profound cynicism at the heart of the system.

Intentionally or unintentionally, this is a system of deterrence : a signal that international protection and the commitments of the Human Rights Convention will be respected in a performative sense.

Nowhere is this clearer than in the criminalisation of the volunteers, activists, and doctors who have refused complicity in the harm being done to people on the move, and who have faced serious charges, prison sentences, and professional suspension as a result.

And yet, within this, there are grounds for cautious optimism. The implementation of the New Pact often depends on the participation of ordinary people, and many of them are declining to take part. Doctors are refusing to certify people as fit for conditions that amount to torture. Volunteers are working alongside Coast Guards to carry out life-saving search and rescue at sea. Polish citizens supported the activists who did nothing more than give food and a short car journey to a family stranded in a forest. In Greece and Poland alike, courts have acquitted those prosecuted for acts of basic humanity. The system of deterrence relies on complicity, and complicity is not guaranteed. We still have the power to resist, and people are using it.

EUROPE MUST ACT.

*WE'RE VOLUNTEERS AND ASYLUM AND MIGRATION IS A COMPLEX TOPIC. THIS MEANS WE TRY TO INCLUDE A VARIETY OF OPINIONS AND APPROACHES TO A TOPIC. WE DO OUR BEST TO RESEARCH AND USE OUR EXPERTISE ACCURATELY HOWEVER, WE ALSO BELIEVE IT'S VITAL TO ENCOURAGE HEALTHY DISCUSSION AND STOP MISINFORMATION. THEREFORE WE ENCOURAGE ANY FEEDBACK OR CONSTRUCTIVE CRITICISM OF OUR WORK.

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Europe Must Act (EMA) is a growing grassroots movement, bringing together volunteers and NGOs to campaign for the humane and dignified reception of refugees in Europe.

EUROPE MUST ACT 2026