Pullback

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Pullback is a term used for the practice of pulling people on the move back, away from the borders they wish to cross. In a UN report from 2018, pullbacks are defined as operations that "are designed to physically prevent migrants from leaving the territory of their State of origin or a transit State (retaining State), or to forcibly return them to that territory, before they can reach the jurisdiction of their destination State". Which means that, unlike the **pushback**, which is carried out when a person effectively crosses the border, pullbacks take place before that.

The term was created as a counterpart to the term "pushback", and similarly to it, it was initially associated with sea crossings. In this sense, pullbacks refer to intercepting and towing ships, primarily in the Mediterranean. Frontex refers to the combination of pushbacks (performed by EU agencies) and pullbacks (which is then performed by Turkey after being prompted by the EU) as a "prevention of departure".

Through a system of various agreements and programs and other forms of cooperation and exchange, the European Union formally includes countries located on the other side of its external borders in the implementation of pullbacks. As in other cases where the control of migration movements is externalized, states which are not members of the European Union are promised, among other things, political and economic privileges, primarily closer relations with the EU and significant financial incentives. Pullback, from a legal perspective, is also referred to as "refoulment by proxy" (Forensic Oceanography 2018). By encouraging and directly supporting pullbacks, the EU delegates the violation of the prohibition of non-refoulement, a fundamental principle in refugee law and "which, due to its importance, is considered part of customary international law", to countries outside the EU (Lalić Novak 2015: 367). Thus, the EU and Italy, despite the available information on torture and inhumane treatment conducted by the Libyan authorities and (para)militias towards people on the move, continuously encourage Libya to carry out pullbacks and provide assistance to do so through various agreements, among which the agreement from 2017 is especially significant, as well as through equipment, technical support, educational and coordination mechanisms (Forensic Oceanography 2018). In accordance with the Turkey-EU agreement in which Turkey, among other things, pledged to take "any necessary measures to prevent new sea or land routes", pullbacks continue to be a reality in the Aegean Sea today.

Pullbacks are not limited to maritime borders alone. We can witness them at the protests of people on the move at border crossings. For example, in October 2018, in connection with a protest at the border crossing between Croatia and Bosnia and Herzegovina, the media reported: "The police of Bosnia and Herzegovina intervened at the Maljevac border crossing by moving a large group of migrants away from the border crossing, resulting in several people injured during the operation." The police forces of states which are not members of the EU are the ones physically preventing people on the move at EU border crossings from even approaching the border police of an EU Member State in order to request asylum within the legal framework.

During pullbacks, the police forces of the countries on both sides of the border frequently act in close operational cooperation and exchange information, tasks and personnel, including the engagement of police officers from EU Member States to operate with different mandates on the territories of neighboring non-EU states. The Croatian police, on the basis of a bilateral agreement between Croatia and Serbia in the period when the organized transit of refugees to Austria and Germany was in place, **profiled** people on the move at the railway station in Šid in Serbia, thus acting outside of Croatian territory, and prevented some people from entering the train and continuing their movement towards Croatia.

In addition to the direct interaction of EU countries with non-EU countries, effective pullbacks also occur through the "deliberate creation of passive circumstances" that lead to it, including, among other things, the effect of **weaponized landscapes**. For instance, Sea-watch filed a legal claim against Frontex for deliberately withholding information about a ship in distress within the Maltese search and rescue zone: although the rescue ship *Seawatch 3* was the closest one to it, Frontex did not inform them, resulting in the Libyan coast guard eventually intercepting the ship in distress and returning it to the shores of Libya.

In a broader sense, the term pullback can be used to describe the actions of official actors (e.g., the police, army, etc.), but also of informal groups, aimed at physically displacing people on the move away from the border, preventing or making it difficult for them to cross it and exit their current country in the desired direction. In this sense, the operations of relocating people on the move from Ventimiglia and Como to the south of Italy (Tazzioli

2019: 11) or from Calais to the interior of France, which means turning them away from the locations used for crossing borders into France and Great Britain, respectively, could also be understood as pullbacks. In the Balkans, Serbia can serve as an exemplary case, since police and gendarmerie units, i.e. special police forces, often carry out actions where they physically displace people on the move away from the northern borders of Serbia, thereby making it difficult for them to try to cross into EU countries and the **Schengen area**. They usually take people to camps located deeper inside the territory of Serbia, even in the very south of the country. Pullbacks in Serbia are also carried out by informal anti-migrant groups (parapolice forces), who patrol border regions and improvised settlements in which people on the move reside, harassing them, robbing them, destroying their belongings, and even in some cases directly threatening them with violence and endangering their health and life, thus forcing them to retreat deeper into the country's territory. In the Serbian context, pullbacks are interpreted as a way of maintaining public order and peace, which are supposedly threatened by the unbound presence of people on the move, but also as an attempt by the state to eliminate "parallel structures" for reception of people on the move, i.e. any form that is not under the direct control of the state and its camp system. Therefore, the camp system can be seen as a passive instrument for pullbacks. A typical example is the request of the European Commission not to open camps for people on the move in Bosnia and Herzegovina that would be near the EU borders.

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Literature

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