

COMMENTS

ACCOUNTABILITY ADRIFT IN GREEK WATERS

ADDENDUM II
FEBRUARY 2026

Addressing human rights violations
in Greek Coast Guard border management operations

stiftung
PRO ASYL

RSA
REFUGEE SUPPORT AEGEAN

1. The present supplementary Rule 9.2 submission to the Committee of Ministers (hereafter “the Committee”) concerns latest developments of central importance to the supervision of execution of the *Safi and Others v. Greece*,¹ *Alkhatib v. Greece*,² *Almukhlas & Al-Maliki v. Greece*,³ and *F.M. v. Greece* cases.⁴ The note follows the submissions made by Refugee Support Aegean (RSA) and Stiftung PRO ASYL in November 2025 and in January 2026 respectively,⁵ ahead of the Committee’s upcoming examination of the *Alkhatib* group of cases at the 1553DH meeting of 9-11 March 2026.
2. Late on 3 February 2026, a Hellenic Coast Guard vessel collided with a boat carrying refugees approximately one nautical mile off the coast of Chios. 15 people lost their lives from fatal injuries resulting from the collision and 24 sustained severe injuries.⁶ Bearing in mind that the circumstances of the incident and ensuing responsibility for the deaths and injuries caused are still being investigated, the present note may only draw upon publicly available information from the night of the incident to present. The information that has emerged in the public domain in the aftermath of this tragic event has vividly demonstrated the systemic, multifaceted deficiencies underlying the conduct of Hellenic Coast Guard operations and of criminal investigations into potential acts of wrongdoing of Coast Guard officers.
3. We believe that the Chios incident raises issues at the heart of the findings of the European Court of Human Rights (hereafter “the Court”) in both strands of cases (*Alkhatib* and *Almukhlas*, on the one hand, and *Safi* and *F.M.* on the other) as regards both substantive and procedural aspects of Article 2 of the Convention, against the backdrop of a sharp increase in deaths in the Aegean Sea. The present submission offers a brief overview of core issues engaged in the Chios incident and reiterates the observations and recommendations made to the Committee in our November 2025 and January 2026 submissions.

Substantive elements of Article 2

**Inadequate framework
and rules of engagement**
Alkhatib, §130-132

In *Alkhatib*, the Court held that the legal framework governing the use of potentially lethal force, namely rules of engagement dating back to 1992, was not adequate. The Greek government has committed to issuing new rules. In the Chios incident, the Coast Guard led a border management operation, pursuant to rules of engagement⁷ defining the general involvement of Coast Guard vessels, near the coast of Chios in response to an inflatable open boat full of passengers, including children. The operation resulted in violent collision and in ensuing death of 15 people. Regardless of whether the operation in question purported to change the boat’s course towards Türkiye or to prevent its course with the aim of arresting the driver, the severity of the collision clearly indicates that the operation was neither designed nor implemented with the purpose of protecting the 39

¹ ECtHR, *Safi and Others v. Greece*, App No 5418/15, 7 July 2022.

² ECtHR, *Alkhatib v. Greece*, App No 3566/16, 16 January 2024.

³ ECtHR, *Almukhlas & Al-Maliki v. Greece*, App No 22776/18, 25 March 2025.

⁴ ECtHR, *F.M. and Others v. Greece*, App No 17622/21, 14 October 2025.

⁵ DH-DD(2025)1404; DH-DD(2026)224.

⁶ Kathimerini, ‘Τρίτη, 9 μ.μ., ένα μίλι ανοιχτά’, 9 February 2026 available [here](#).

⁷ The Minister of Maritime Affairs and Island Policy stated in Parliament that rules of engagement were followed and that there was no deviation from the operational plan: CNN Greece, ‘Κικίλιας για Χίο: Δεν προκύπτει ότι υπήρξε pushback - Τι είπε για την θερμική κάμερα’, 6 February 2026, available [here](#).

passengers (including children and two pregnant women) who were on boat and had almost reached the island of Chios.

This points to a clear lack of adequate legislative and regulatory framework governing the rules of engagement – beyond use of firearms – in operations targeting boats carrying refugees, with a view to ensuring that the protection of human lives remains a priority at all stages of engagement.

Unclear classification of distress phase & delayed SAR launch
Safi, §162-163
F.M., §302, 305, 306

The Joint Rescue Coordination Centre (*Ενιαίο Κέντρο Συντονισμού Έρευνας και Διάσωσης*, EKSED) appears not to have been informed of the incident in due time. It is not clear why EKSED was not notified from the moment the inflatable, open and overcrowded boat was located so as to launch a search and rescue (SAR) operation and to guarantee protection of the lives of passengers.

In practice, SAR operations seem to be woven into border management operations that involve violent and at times “extremely dangerous” practices on the part of the Coast Guard vis-à-vis boats carrying refugees. This linkage emerges here too, rendering the Chios incident a case akin to both *Alkhatib/Almukhlas* and *Safi/F.M.*

Therefore, the pressing need for an adequate legislative and regulatory framework extends to SAR cases, with a view to ensuring prompt notification of EKSED, on the one hand, and efficiency of SAR operations, on the other. This should ensure clear instructions on the need to protect human lives and to protect passengers from ill-treatment as a primary consideration.

No recording of Coast Guard vessel courses
Safi, §18, 133
F.M., §303

Whereas the Hellenic Coast Guard vessel that collided with the boat carrying the victims was equipped with a visual recording device, the device was not activated during the operation according to the Coast Guard. The government has stated that the captain of the Coast Guard vessel opted not to use the thermal camera on the ground that the boat had already been located.⁸ The Minister of Maritime Affairs and Island Policy has also stated that the thermal camera would not have been of assistance, even if it were activated.⁹

Four days after the collision, the (righthanded) captain Coast Guard vessel stated that had not recorded the incident in his handwritten logbook due to an injury on his left arm.¹⁰

The Chios incident raises again the need for concrete measures to ensure that all Coast Guard vessels carry functioning cameras and that operations are recorded, without exception.¹¹ Frontex has made similar recommendations to the Greek government.¹²

⁸ Greek Government, ‘Ενημέρωση των πολιτικών συντακτών και των ανταποκριτών ξένου τύπου από τον Υφυπουργό παρά τω Πρωθυπουργώ και Κυβερνητικό Εκπρόσωπο Παύλο Μαρινάκη’, 5 February 2026, available [here](#); Kathimerini, ‘Τραγωδία στη Χίο: Τι απαντά ο κυβερνήτης του σκάφους του λιμενικού για την κλειστή κάμερα’, 4 February 2026, available [here](#).

⁹ CNN Greece, ‘Κικίλιας για Χίο: Δεν προκύπτει ότι υπήρξε pushback - Τι είπε για την θερμική κάμερα’, 6 February 2026, available [here](#).

¹⁰ News 24/7, ‘Κυβερνήτης λιμενικού για Χίο: “Δεν κατέγραψα κάτι, γιατί χτύπησα το χέρι μου”’, 8 February 2026, available [here](#).

¹¹ DH-DD(2025)1404, para 10; DH-DD(2026)224, para 5.

¹² TVXS, ‘Ναυάγιο στη Χίο – Αποκλειστικό / Πηγή της Frontex διαψεύδει στο tvxs την κυβερνητική εκδοχή’, 5 February 2026, available [here](#).

Procedural elements of Article 2

Official statements interfering with the investigation F.M., §224

Impermissible interference of government officials with the ongoing investigation has taken the form of public statements purporting to define the circumstances of the incident and/or targeting individuals assisting survivors. On the one hand, the Hellenic Coast Guard issued a press release in the immediate aftermath of the Chios incident on 4 February 2026.¹³ The initial account of the circumstances of the incident provided by the Hellenic Coast Guard in the press release has been contradicted by survivors' testimonies and called into question by medical staff testimonies and available forensic evidence.¹⁴ For his part, the Minister of Migration and Asylum stated during a plenary debate in Parliament on 4 February 2026: "You may believe the smugglers, I believe the Hellenic Coast Guard. Since a debate is taking place which you will not avoid, the bill includes two articles that tighten the framework for smugglers, for those who drowned and killed 15 people, that was the smugglers, and 24 people were rescued by the Coast Guard."¹⁵

On the other hand, senior government officials have also publicly targeted individuals and civil society organisations in a manner that entails impermissible interference with the independence and impartiality of the ongoing investigation. The Minister of Migration and Asylum publicly targeted the lawyers who undertook the legal representation of the individual charged and detained pre-trial following the shipwreck.¹⁶ The Minister of Health publicly targeted a medical organisation that entered the Chios hospital to provide assistance and reported the organisation to the National Intelligence Service, with claims that the organisation sought to lead survivors "with a view to developing a narrative for asylum applications and/or complaints against the Coast Guard (push backs etc.)."¹⁷

Lack of independence of investigative officers Almukhlis, §101 F.M., §224

The preliminary criminal interrogation (προανάκριση) into the incident and collection of initial evidence from survivors were conducted by Hellenic Coast Guard officials, specifically the Port Authority of Chios.¹⁸

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- ¹³ Hellenic Coast Guard, 'Επιχείρηση έρευνας και διάσωσης και θάνατος 15 αλλοδαπών στη Χίο', 4 February 2026, available [here](#).
- ¹⁴ Politis Chios, '«Ήταν σαν να βλέπεις τροχαία το ένα μετά το άλλο»: Συγκλονίζουν οι νοσηλευτές', 5 February 2026, available [here](#); The Press Project, 'Υγειονομικοί της Χίου στο ΤΡΡ: «Επιζώντες μας είπαν ότι το λιμενικό τους εμβόλισε – Έτσι δικαιολογείται η βαρύτητα των τραυμάτων»', 5 February 2026, available [here](#); Philenews, 'Τραγωδία στη Χίο: «Η μητέρα ήταν τόσο παραμορφωμένη που το βρέφος της δεν την αναγνώριζε» – 12χρονη με σπασμένο χέρι, πάει από θάλαμο σε θάλαμο να βοηθήσει', 7 February 2026, available [here](#); News 24/7, 'Πιστοποιητικά θανάτου για Χίο: Πέθαναν από "βαριές κακώσεις"', 11 February 2026, available [here](#); 'Χίος: "Πλήρης σύνθλιψη κεφαλής" και δύο νέες καταθέσεις', 13 February 2026, available [here](#); Kathimerini, 'Χίος: Δύο νέες καταθέσεις από τραυματίες του ναυαγίου', 13 February 2026, available [here](#); in.gr, 'Οι άγνωστες καταθέσεις για την τραγωδία στη Χίο', 14 February 2026, available [here](#).
- ¹⁵ News 24/7, 'Πλεύρης για Χίο: "Εγώ πιστεύω το λιμενικό"', 4 February 2025, available [here](#).
- ¹⁶ Action24, 'Πίσω από τις γραμμές', 9 February 2026, available [here](#); Bar Association of Athens, 'Ο Δικηγορικός Σύλλογος Αθηνών για το πολύνεκρο ναυάγιο της Χίου', 11 February 2026, available [here](#).
- ¹⁷ Kathimerini, 'Γεωργιάδης: Καταγγελία για δράση μελών ΜΚΟ σε νοσοκομείο της Χίου – «Ενημερώθηκε η ΕΥΠ»', 5 February 2026, available [here](#); Proto Thema, 'Γεωργιάδης: Οι διερμηνείς των Γιατρών Χωρίς Σύνορα έλεγαν στους μετανάστες στη Χίο να πουν «μας χτύπησε το λιμενικό», το μίσος στο κράτος έχει ξεπεράσει κάθε όριο παραλογισμού', 9 February 2026, available [here](#).
- ¹⁸ Hellenic Coast Guard, 'Συνέχεια ενημέρωσης σχετικά με την επιχείρηση έρευνας και διάσωσης και τον θάνατο 15 αλλοδαπών στη Χίο', 5 February 2026, available [here](#).



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