Joint NGO Briefing on the situation in Greece

RECOMMENDATIONS FOR THE MEMBERS OF THE EUROPEAN PARLIAMENT:

- Insist that Greece comply with the Commission's call to establish an effective and truly Independent Border Monitoring Mechanism (IBMM) to investigate the overwhelming, consistent evidence indicating persistent pushbacks. Ask the Commission to sustain pressure on Greece to establish an IBMM which is expansive in scope, ensures independence and guarantees accountability for violations, including suitable consequences for the government's non-compliance, so that other Member States do not follow the Greek example of non-compliance with the request.
- 2. Reject policies that impede rather than promote the inclusion of displaced people. Restrictions of movement and poor living conditions on the Greek islands have devastated people's mental health and wellbeing. The construction of new multipurpose reception and identification centres (MPRICs) that are enclosed by barbed wire and built in isolated areas, are a step in the wrong direction. The European Union must prioritise funding for alternative accommodation, instead of fenced camps, for housing asylum seekers.
- 3. Urge Greece to establish a long-term strategy for the support of displaced people from reception to integration, to avoid gaps in the provision of rights and services. Recent examples of gaps include the delay in disbursing cash assistance stripping people not only of agency but a sense of security and another delay in the implementation of guardianship for unaccompanied children, which has left hundreds of children in limbo, as well as the lack of holistic or effective integration support, which has led thousands of refugees to poverty and homelessness, forcing many to return to or remain in camps.

BACKGROUND:

Both the number of people arriving in Greece and the number of asylum seekers living on the Greek islands have **fallen sharply in the last year**. Fewer than 2,500 people have reached Greece by sea so far in 2021, compared to 60,000 in the same period in 2019, and the <u>Aegean islands</u> have gone from hosting 27,576 people in August 2020 to 5,264 in August 2021. **Nevertheless, conditions have not improved for many vulnerable people seeking safety in Europe,** who still face significant and persistent barriers, from access to the territory, to a fair asylum procedure, to dignified reception and integration in Greece.

Reports from multiple sources have recorded **serious allegations of authorities conducting pushbacks at Greek borders** since March 2020. As UNHCR, the European Commission, the Council of Europe, and others have stressed, these violations of international law and human rights, which have subjected individuals to mistreatment and violence, must be urgently investigated by an independent body if the rule of law is to be upheld in Europe. The European Commission recently announced that Greece's establishment of a mechanism to monitor human rights abuses at its borders is a precondition for the release of an <u>additional €15.83 million</u> of EU funding for Greece.

On 18 September, the new EU-funded multi-purpose reception and identification centre (MPRIC) was inaugurated on the island of Samos. It is the first of five centres to be opened across the Greek islands and is considered a potential model for future facilities across Europe. The new model, designed to keep refugees out of sight and out of mind, sees asylum seekers and refugees housed in prison-like centres in remote areas. It creates an environment that strips people of their agency, <u>decimates their mental health</u>, and prevents them from interacting with and integrating into local communities. Authorities are also <u>building walls around camps on the mainland</u>, to similar effect.

At the same time, serious and persistent gaps in the Greek government's management of the refugee response exist throughout the country. For example, in October, authorities did not distribute expected

cash allowances, following the government's takeover of the ESTIA programme from UNHCR. The guardianship programme, adopted in 2018, has not been implemented yet, while the interim one has been interrupted, leaving hundreds of children without effective representation. Access to education and health remain patchy. In addition, contracts for the maintenance of generators in Mavrovouni camp on Lesvos fell through in the beginning of October, leaving its residents without electricity for two weeks. These critical gaps cause tangible suffering and distress for asylum seekers and refugees in the country and are too-often the result of a lack of efficient planning which has an unacceptable impact on health, mental health and wellbeing.

KEY CONCERNS:

1. Pushbacks and the need for an Independent Border Monitoring Mechanism (IBMM)

<u>Allegations of pushbacks</u> and fundamental rights violations across the European Union's external border have become increasingly <u>widespread</u>. Greek authorities, in particular, have been <u>repeatedly urged</u> to investigate the accusations of coordinating <u>consistent</u>, violent and <u>systematic pushbacks</u>, which <u>Amnesty</u> <u>International</u> described as the country's "de facto policy of border management". According to the <u>Aegean</u> <u>Boat Report</u>, 19,127 people have been pushed back by Greek officials in the Aegean Sea since March 2020, including over 2,000 people in September 2021. <u>Reports</u> suggest that pushbacks of asylum seekers sometimes take place from deep within the Greek territory, and not only at sea or the external border. Most recently, an investigation by Lighthouse Reports, published by <u>Der Spiegel on 6 October</u>, released video material and testimonies confirming the <u>widespread use</u> of violent, illegal pushbacks along EU borders, including by high level officials of the <u>Greek coast guard</u>.

EU <u>Home Affairs Commissioner Ylva Johansson</u> has acknowledged that the findings are credible, shocking and unacceptable, and has called for a national investigation. This echoes long-standing calls on Greece by the <u>European Parliament</u> to seriously investigate reports of pushbacks in a systematic way. <u>The Commission</u> has encouraged and supported countries of first entry to establish independent border monitoring mechanisms (IBMMs) to investigate any allegations of abuses at the border and protect people on the move. A proposal for this mechanism is part of the New Pact on Migration and Asylum, but states are urged to establish these already in national legislation, while negotiations progress. In September 2021, the Commission stated that Greece must establish a border monitoring mechanism before it could receive any additional migration funding from the EU.

Yet, Greece's <u>Prime Minister Kyriakos Mitsotakis</u> and Migration and Asylum Minister <u>Notis Mitarakis</u> continue to deny all allegations of pushbacks, dismissing the extensive evidence provided, and initially refusing to establish an independent monitoring mechanism to properly investigate and address these reports. The Greek government is now reportedly examining the possibility of designating the <u>National Transparency</u> <u>Authority (EAD)</u> to act as the 'independent' body that will investigate reports of pushbacks, combined with internal investigations within the police and coast guard, as sufficient means to prevent pushbacks. However, neither the transparency body — whose manager is chosen by the Prime Minister — nor the internal police and coast guard investigators are independent.

Authorities' failure to acknowledge or effectively investigate pushbacks is placing people in need of protection in increasing danger, leaving them without effective remedy or accountability for any abuses committed against them. Greece's refusal to comply with calls to establish an independent IBMM also risks undermining refugee protection, the right to asylum, and the rule of law across Europe, as other countries, including Balkan and Baltic states, commit similar abuses and evade accountability. Suggestions by the Parliament to the Commission to launch infringement procedures against Greece, or to cease the transfer of migration and asylum funding until such a time as a country establishes an IBMM, are welcome in this regard. All EU institutions must continue to press Greece to address these allegations and establish an independent monitoring mechanism at the external border to prevent further backsliding and set a positive example.

2. New Multi-Purpose Reception and Identification Centers (MPRICs) and the existing reception and protection conditions

On 18 September 2021, a new Multi-Purpose Reception and Identification Centre (MPRIC) for asylum seekers became operational in Samos. This followed a memorandum of understanding between the

European Commission and the Greek government published in December 2020, establishing plans to construct MPRICs to replace the infamous refugee camps on five Greek islands. The European Commission is funding these projects with grants exceeding €250 million. The facility in Samos is the first of five reception centres to be constructed across the Greek islands, with others to follow in Kos, Leros, Lesvos and Chios.

The Greek government and the European Commission insist that these new closed and controlled centres represent joint efforts to improve the security and safety of residents and staff. However, while this may provide a sense of security for some asylum seekers and refugees living inside, many report feeling like they are imprisoned, despite having committed no crime. The MPRIC in Samos is surrounded by barbed-wire fences and entry is strictly supervised and controlled, including through entry cards, fingerprint checks, and restricted entry/exit hours. The residents must go through a strict security process (physical search, bags search and metal detector), conducted by a private security company, and the entire camp has camera surveillance, <u>undermining</u> residents' right to private life.

Moreover, the isolation from local communities will likely have a severe impact on people's mental health, wellbeing and integration. The closest town from the Samos MPRIC is around 5km away, which makes it impossible for people to go on foot, while bus tickets to the town of Vathy cost €1,60 one way. For the many families and individuals in the centre, taking a bus to town to buy basic food, household items or medical supplies or to access specialised services, including medical, legal, or other, is unaffordable. MPRICs under construction on the other islands are in equally remote locations, thwarting any meaningful opportunities for asylum seekers' interaction and co-existence with the local population.

The services inside the Samos MPRIC are also insufficient. Over one month after it was inaugurated, there are still no state-appointed (EODY) doctors in the medical centre to treat people -other than an army doctor who is there on weekdays from 8.00 to 15.00 only- and no ambulance. There is no protected section for single women, which raises significant safety concerns, with many reporting they feel unsafe. Other elements also highlight the gap between what the MRPIC is to provide in principle, and what is delivered in practice. This ranges from smaller issues that beneficiaries have shared, such as the reality that there are basketball courts, yet no balls, kitchenettes inside the housing units, yet no cooking equipment, to the harsher reality that the site does not afford protection from the weather and winter elements. For instance, the rains of 15 October flooded the camp, forcing residents to wade through high pools of water whenever exiting their containers.

Increasingly securitised changes to EU-funded reception facilities are not limited to the islands. Greek authorities are constructing concrete walls and chain-link fencing around several existing camps on the Greek mainland. Plans are also in motion to include drone patrols, magnetic gates with thermographic cameras, X-ray machines, and security cameras at the camps' entrances and exits. Such measures make residents feel not only insecure but imprisoned and segregated and also violate their <u>right to private life</u>. According to external reports, these surveillance measures will be implemented in 39 camps around the country, with the European Internal Security Fund covering 75 percent of the costs. The concrete walls alone will cost €28.4 million.

These measures and restrictions have confirmed the fears of refugees and civil society, that massive investments in securitised and isolated reception facilities will replace measures to support social inclusion within local communities and access to dignified accommodation. Extensive comparative research has proven that highly restrictive and detention-like models actively contribute to higher rates of anxiety, depression and PTSD among the asylum-seeking population.

The EU-Greece Joint Task Force should ensure that MPRICs are only used for reception and identification purposes and that individuals are moved to community-based accommodation after those processes have taken place in a swift and fair manner. People must have the right to move freely inside and outside camps. Those who fled conflict, persecution or extreme poverty in their countries of origin and reached the EU with hopes for a better future for themselves and their families, must have their fundamental rights upheld, their claims to asylum heard, and their dignity respected. Keeping people in closed multi-purpose centres risks being the antithesis of that.

3. Lack of a long-term Greek strategy to manage migration and facilitate integration and inclusion

The Greek Government has the required resources to receive refugees in a safe and dignified manner and support their socio-economic inclusion. So far, structural and practical obstacles have undermined the effective protection of refugees in Greece. Coordination challenges arising from the lack of a practical, coherent, and sustainable strategy leave persistent gaps in the response to asylum seekers and refugees, from reception to integration, with harmful effects on their safety and wellbeing.

a) Coordination failures

Various coordination challenges have severely impacted the living conditions of refugees and asylum seekers on both the islands and mainland. <u>Around 36,000</u> asylum-seekers and refugees across Greece were <u>left without cash in October</u>, due to the gap created after the **transition of the cash programme from UNHCR to the Greek government**. The Ministry claims that cash assistance will be provided at <u>the end of October</u>, and that food was offered directly to eligible beneficiaries throughout this month to compensate for the delay. However, during those weeks, people were left without money they relied on. They were unable to buy their medicines, afford the cost of transportation, nor cover their other basic needs, such as hygiene items. At the same time, people living in apartments, either ESTIA apartments or unaccompanied children in Supported Independent Living accommodation, received no cash and no food whatsoever. The urban apartments programme, ESTIA, has already been closed on Samos, Kos and Leros, and its Lesbos and Chios operations are due to shut down this November. After that, the only alternative left on the islands will be the RICs, even for the most vulnerable

Meanwhile, at the end of September, <u>the Ministry decided to stop providing catering services</u> to people with refugee status, people who have not yet been registered in the reception system, and people whose requests for asylum have been rejected, although they live in Government supported facilities/camps. Among the thousands of people left hungry, stressed and worried, and consequently unable to survive, are single-headed families, individuals with chronic illness, and patients with special medical and nutritional conditions. About 25 percent are women (including pregnant women) and 40 percent are children.

Ineffective coordination has also undermined implementation of the **guardianship programme** and, in turn, the protection of unaccompanied children in Greece. On 23 August, the interim guardianship programme ended. There was no tender for its continuation or the implementation of a permanent replacement, leaving thousands of unaccompanied children without legal representation, hindering their asylum claim and their access to basic rights and services, including the public health system and education.

A further example of planning gaps that cause confusion and distress to vulnerable people was the transition of the generator maintenance contract in <u>the Lesvos RIC</u>, from NGOs to the Ministry of Migration and <u>Asylum</u>, which left hundreds of people without sufficient electricity for almost two weeks in the beginning of October. More than one year after the devastating fire in Moria, many gaps persist in the Mavrovouni camp. People - mostly single women - continue to feel exposed as there are no protection areas, there is no space for educational and psycho-social activities for children nor the general population, and the hygiene services are poor with regular problems in the water distribution.

b) Integration

The Greek government's long-standing failure to adequately invest in programmes to support refugees' integration has negative consequences and creates missed opportunities for the Greek economy and society. The dim prospects for recognised refugees in Greece are reflected by their onward movement to other EU Member States, where they hope to find more opportunities but also more possibilities to feel welcome and contribute. Indeed, even as the number of people in refugee camps across Greece declines, Germany received 34,000 asylum applications from individuals who had previously been granted protection in Greece. Under the EU's Dublin Regulation, asylum seekers should be processed in the country where they first arrived in Europe. But German courts have blocked the transfer of refugees back to Greece because of concerns that they would face inhumane treatment there. Indeed, recipients of international protection in Greece do not get the support they need to survive or improve their economic and social wellbeing, such as affordable housing, access to healthcare, education, including Greek language courses, and social benefits. Rather, they increasingly face the risk of social exclusion, homelessness and destitution under the existing system.

According to new rules that took effect on 1 July 2021, **asylum seekers who had managed to secure independent housing in Greece are no longer able to access any financial assistance from the government**. To be eligible for cash aid, they must abandon their homes and move into facilities run by the state or its partner organisations. People that were living in their own house were forced to go back to live in a camp, separated and segregated from the community they were part of, in order to receive cash assistance and fulfill their basic needs. This is another policy that hinders, instead of fostering integration.

Finally, the <u>Greek Ombudsman</u> and the <u>European Committee of Social Rights</u> have found Greece to be in violation of the rights of refugee children to quality education. At the beginning of the new school year, a new <u>report</u> condemned the exclusion of refugee and asylum-seeking children from school, stating that the "lack of sufficient staffing, absence of transport arrangements, and community hostility have been compounded by the impact of Covid-19, creating the perfect storm ahead of the new school year". <u>Less than</u> <u>15%</u> of children in refugee camps attended formal school last year, while In the Reception and Identification Centres (RICs) on the islands of Lesvos, Samos, Chios, Kos and Leros, the attendance rate, according to the <u>Ministry of Migration and Asylum</u>, is at 8.5%.

Co-signing organisations:

- 1. Action for Education
- 2. Better Days
- 3. Centre Diotima
- 4. Changemakers Lab
- 5. Danish Refugee Council (DRC)
- 6. ECHO100 PLUS
- 7. European Lawyers in Lesvos (ELIL)
- 8. Europe Must Act
- 9. Equal Rights Beyond Borders
- 10. Fenix Humanitarian Legal Aid
- 11. Greek Association of People Living with HIV "Positive Voice"
- 12. Greek Council for Refugees (GCR)
- 13. Greek Forum of Migrants
- 14. HIAS Greece
- 15. International Rescue Committee (IRC)
- 16. Jesuit Refugee Service Greece (JRS Greece)
- 17. Lesvos Solidarity
- 18. Lighthouse Relief (LHR)
- 19. Médecins du Monde
- 20. Mobile Info Team (MIT)
- 21. Network for Children's Rights
- 22. Refugee Legal Support (RLS)
- 23. Refugees International
- 24. Save the Children
- 25. Safe Passage International Greece
- 26. SolidarityNow
- 27. Still I Rise
- 28. Symbiosis-School of Political Studies in Greece, Council of Europe Network
- 29. Terre des hommes Hellas