

LESVOS, GREECE

QUARTERLY REPORT
JULY - SEPTEMBER 2021

FENIX



HUMANITARIAN LEGAL AID

OVERVIEW

The period between July and September was marked by an increase in feelings of uncertainty, fear, and despair among the residents of Mavrovouni Camp triggered by Greece's recent declaration of Turkey as a safe third country for asylum seekers of five nationalities, including Syrians and Afghans, and an ongoing wave of rejections. This is particularly important given the suspension of returns to Turkey since March 2020 and the risk for persons in need of international protection finding themselves in protracted legal limbo.

In light of the developments in Afghanistan, the situation is especially problematic as Afghans currently represent the top nationality of asylum-seekers and refugees in Greece. UNHCR estimates that there are 31,000 Afghans in the country, as of the end of July, of whom 62% are women and children. Similarly, data from EKKA shows that 32% of the children who have arrived in Greece alone are from Afghanistan.

Ahead of the planned closure of government accommodations on Lesbos (ESTIA), which has provided alternative housing for many with severe vulnerabilities, people were transferred back to Mavrovouni or other camps on the mainland.

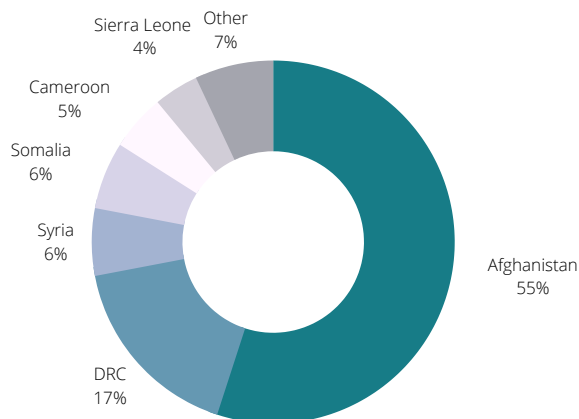
Asylum interviews continue to be held just days after someone arrives on the island. This creates obstacles to accessing adequate and timely holistic legal aid services, medical assistance, and to assemble evidence necessary to support their claims.

In the last three months, hundreds of people left Lesbos, putting the refugee population at its lowest in five years. While the number of people arriving to the island has remained low, there continue to be issues in identifying and assessing vulnerabilities among new arrivals and current residents. Lack of adequate services according to needs has also resulted in residents being stuck on Lesbos without access to what they are entitled to, such as appropriate medical and psycho-social support.

September marked the one year anniversary of the fires that destroyed Moria Camp burning it to the ground. One year after, reception conditions continue to be dire, without alternatives for very vulnerable people. Legal organizations, including Fenix, have successfully presented dozens of cases to the European Court of Human Rights requesting a stop to the inhumane and degrading treatment by the Greek government.

Finally, in September, a new regulation was passed in Greece introducing new rules for NGOs working in search and rescue. This coincides with an increase in allegations of pushbacks by EU's Frontex and the Greek Coast Guard. The law also introduced a 100 Euro fee for second subsequent asylum applications (new applications), creating yet another obstacle for people seeking asylum. The Greek authorities have yet to establish a system for the fees and have instead resorted to pausing the submission of these claims.

OUR CLIENTS



Countries of origin of our current clients
(total of 390 people)

'Other' includes Angola, Ghana, Sudan, Nigeria, Côte d'Ivoire, Paletstine, Gambia, and Eritrea

23%

Survivors of Gender
Based Violence

42%

Victims of Torture
and Violence

10%

Unrecognized Unaccompanied
Minors

23%

People with disabilities, severe
medical or mental health
conditions

OUR WORK IN NUMBERS



We took on **82** new clients
for holistic legal aid services.
An extra **116** people received
information and guidance
as a walk-in service.



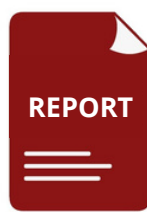
We held **344** legal
sessions in our offices in
Mytilini, in **8** different
languages.



24 clients received a first
instance positive
decision on their asylum
claim after receiving
interview preparation.



We hosted
22 group sessions
and held **107** individual
sessions.



We published **5** reports and
4 press releases advocating
for positive change at the
local, national, and
European level.



18 people were finally
transferred from Greece
to reunite with their
families in **5** different
European countries.

STRATEGIC LITIGATION - RULE 39



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Vulnerability assessments continue to be highly flawed. As a result of untrained physicians and psychologists, a limited number of female interpreters, and a systematic disregard of legal provisions concerning vulnerability, vulnerable asylum seekers are confined to reception conditions that are not adequate to their specific needs. Even for those cases in which vulnerabilities were identified successfully during the medical screening, people are still confined to the Mavrovouni Camp due to an urgent lack of alternative accommodation options.

Thus, survivors of torture and sexual violence, individuals with severe medical and psychological conditions, and individuals with disabilities are forced to continue living in Mavrovouni Camp.

Many of these individuals find themselves in a **legal limbo**. As a consequence, they have been living in **inhumane and inappropriate conditions for many years**, often without access to the services and health care they urgently need. In July 2021, Fenix submitted two requests for interim measures to the European Court of Human Rights (Rule 39 requests) on behalf of four vulnerable clients **to stop the inhumane and degrading treatment to which they were subjected by Greek authorities**.

In both cases, the ECtHR ordered the Greek Government to provide the applicants with living conditions compatible with Article 3 of the European Convention and access to medical care compatible with their state of health.

An example of a Rule 39 Application:

One of the families on behalf of whom we requested interim measures is a family of eight from Syria. The father is a survivor of torture, and two of his children suffer from severe medical conditions that required immediate and urgent medical attention.

The family arrived on Lesbos in January 2020. Despite their vulnerabilities, they were forced to live in the Moria camp - which at the time hosted over 20,000 people. None of their medical conditions could be treated on Lesbos and their state of health rapidly deteriorated as a consequence of the living conditions in the camp.

The three family members were examined by the Public Hospital in Mytilene, where the physicians clearly expressed that their conditions could not be properly assessed or treated on the island. Notwithstanding having medical documents that clearly stated the former, they were not transferred even after their vulnerabilities were recognized over one year after their arrival on Lesbos.

HOLISTIC LEGAL AID



Sekander, Sakina and their five children together in Sweden after 5 years. They wrote to us: I have to say thank you very much for your help! Without Fenix we would not be together.

Our holistic legal aid approach not only increases people's sense of empowerment, safety and knowledge, but also increases the impact of our work. The case of family K consisting of Sekander, Sakina and their four minor children is one of the many examples of the successful cooperation between our teams.

In December 2019, the family requested to be reunited with their son in Sweden. Their son has cognitive impairment and a physical disability and his parents were longing to finally be able to take care of him. Their request, carried out by another lawyer who did not mention the conditions of their son, was rejected. **In August 2020, the family came to Fenix's offices and Fenix took on their case.**

Sakina was very ill, so the **protection team** immediately ensured access to the medical care she needed. They also advocated for the family to be moved out of the camp and into more appropriate housing, and gathered documentation and reports that served as evidence to strengthen their case. The **MHPSS team** ensured that the family, whose mental health was under strain due to the waiting and uncertainty, received appropriate mental health care.

In the meantime, the Greek Dublin Unit refused to send Fenix's new application for Family Reunification, because they believed there 'was no chance of acceptance'. The **family reunification team** did not give up. They contacted the Swedish Migration Office directly to present the facts alongside supporting evidence, so the case would be reviewed. Despite our efforts, we informed the family that there was a chance that they would have to do their asylum interview in Greece. Therefore, the **interview preparation team** stepped in and made sure they were all prepared and understood the process.

With Fenix's support, the family was moved to a private house. Sakina's well-being improved so much that she started to speak and walk after month of not being able to. Sekander and his daughters were all volunteering with organizations in the camp and they were taking language and other classes. The progress was such that Sekander was able to have his farewell meeting with Fenix in English!

In April, the Swedish authorities accepted the request in August the family was finally transferred to Sweden!

ADVOCACY & CAPACITY BRIDGING



Our Protection Coordinator giving a capacity bridging session about safeguarding

Advocacy

Since the start of 2021, Fenix has witnessed how an increasingly harsh and hostile political climate towards people who are seeking asylum has led to legal and policy changes that further restrict these people's rights. Our work on Lesbos gives us important insights into the ways such policies and laws work in practice and how they effect the everyday lives of people. **Our advocacy team uses these insights to push for positive change at the local, national, and European level.**

In the past months, we have focused our advocacy efforts on some of **the most urgent developments in Greece**. First, the we saw how the new Joint Ministerial Decision, with which Turkey was declared a safe country for people from Afghanistan, Somalia, Syria, Bangladesh and Pakistan, effectively restricted the access to the asylum procedure for people with these nationalities. Advocating to change this JMD was especially relevant in light of the political context of Afghanistan. Second, we denounced the construction of closed, prison-like camps on the Greek islands and mainland, which will restrict the freedom of movement of people and will have detrimental effects on their well-being. Together with other actors, we presented a policy brief with recommendations.

Besides, we published an extensive report on Family Reunification in Europe, analysed the announced New Pact on Migration, and published crucial information and lessons learned about the response to the Moria fires.

Capacity bridging for other NGOs

We believe that our role as a legal and protection actor not only encompasses building on the capacity of people who are seeking asylum, but also of the other actors who provide services to them. One of the topics we are regularly providing training on is safeguarding. **We believe this is extremely relevant on the island; 87% of the attendees had never received any safeguarding training during their time on Lesbos.** The people we provided safeguarding sessions to have said that they found it very useful and informative, and that it allows them to do their work better.

Also our training on the asylum procedure has been very successful in allowing staff and volunteers of other organizations to 'understand the context to a deeper level in order to understand exactly what the camp residents are facing' - attendee from a shelter organization.

OTHER HIGHLIGHTS



Accessing legal aid is much more than sitting in front of a lawyer. To ensure adequate and dignified legal aid, Fenix believes in addressing our clients' needs from a holistic perspective. This includes ensuring access to medical and psychiatric care, mental health support groups, psycho-social activities, and by providing translation and accompaniment to essential services. This comprehensive approach increases the impact of our work while ensuring that our clients feel safe and empowered throughout the procedure. Here are some examples of impact in the past months:

One of our most vulnerable clients was tortured for 5 years, from the age of only 13 years old. He managed to flee his country, and wanted to be reunited with his father who already received international protection in France. After receiving holistic support from our Family Reunification, Protection, and MHPSS team, he is now finally safe with his father!

Women who attend the empowerment groups are very happy; the groups are having a great impact. One woman told us: 'We come from a country where there is no space for women. We couldn't do anything. Here we realize we have rights'

A client was suffering from such severe tooth pain that he was not able to sleep. Through our protection team, Fenix arranged and financially covered for an appointment so that he could go to the dentist for the first time in his life. The day after he told us that he finally managed to have a night of sleep and felt much better. He could finally focus on the interview preparation sessions.

A couple, both of whom were really struggling with their mental health, received legal sessions and mental health support. This empowered them to do something that is unimaginable for most people who are in their situation; they advocated for their rights to the authorities and they got their geographical restrictions lifted, allowing them to go to the mainland!

Our teams communicated with our clients' friends and family back in the DRC to receive an official birth certificate. This allowed us to prove that our client was a minor when he arrived on Lesbos.

A client from Sierra Leone had a SOGI (sexual orientation and gender identity) related claim and is a survivor of GBV and human trafficking. Our protection team ensured she not only had access to specialized medical care, but also that she had several medical documents that attested the GBV to support her claim. She received refugee status!

FINANCIALS

In the third quarter of 2021, our team consisted of 44 long term volunteers and staff, including our three hired Greek Staff.

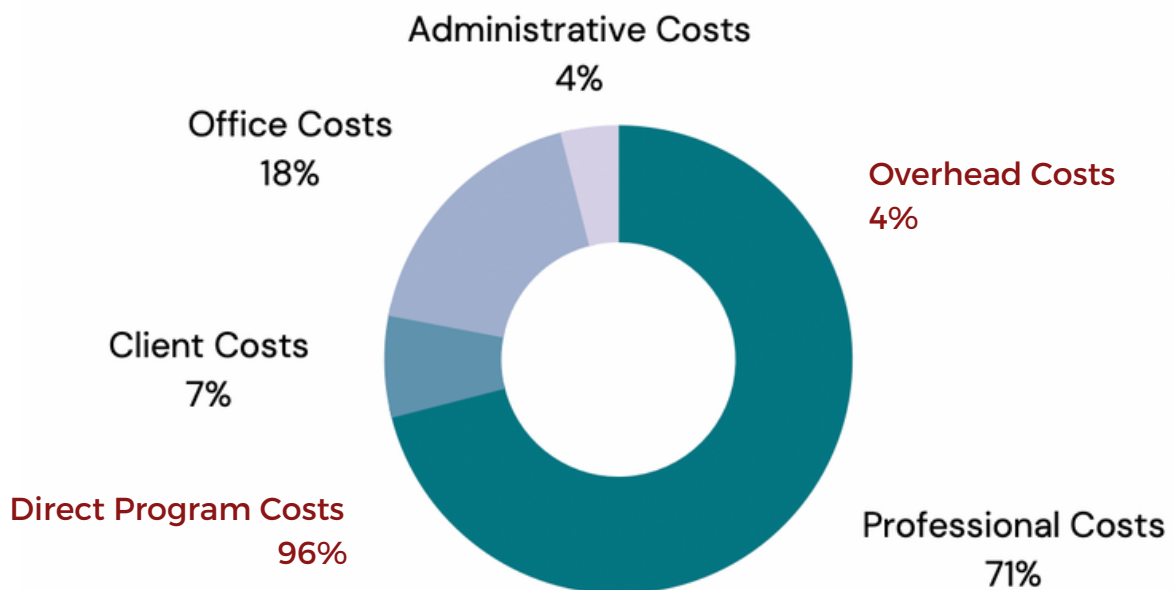
The support we received from our donors allowed us to **continue our services to 526 people.**

96%

Program Costs

4%

Overhead Costs



Expenses Breakdown by Category

This quarter our office costs increased by 4% due to the rent and refurbishing of **our newly established office based in Athens.**

Our **main expense was again professional staff** which represented 71% of our costs. As a legal organization our priority continues to be the building of our capacity and expertise through investing in our long term and professional staff.

This quarter also marked 6 months since the hiring of our 2 new Greek lawyers and 1 Greek psychologist who leads our MHPSS Team which has allowed us to increase our capacity.

96% of the money donated to Fenix was used to provide services to our clients. Every Euro donated counts towards continuing our Holistic Legal Aid Project.

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