

TRAPPED IN GREECE

One year after the EU-Turkey agreement



CEA(R)

Comisión Española
de Ayuda al Refugiado

This report has been drawn up by the Spanish Refugee Aid Commission (CEAR in Spanish) in the context of the “Observatory on the right to asylum, forced migrations and borders” project funded by the Extremadura Agency for International Development Cooperation (AEXCID).

In the context of this study and with the aim of diagnosing the current situation, the CEAR team has held interviews with UNHCR, Amnesty International, City Hall, EASO, the Greek Asylum Service, the Greek Refugee Council, Holes in the Borders, the Norwegian Refugee Council, Save The Children, Proactiva Open Arms, UNICEF, and with migrants, asylum applicants and refugees, who have spoken out about their experience and true situation.

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The Spanish Refugee Aid Commission (CEAR) is a non-profit organisation founded in 1979 and engaged in voluntary, humanitarian, independent and plural action. Our objective is to work with citizens to defend the right to asylum. Our mission: to defend and promote human rights and comprehensive development for asylum applicants, refugees, stateless people and migrants in vulnerable situations or at risk of social exclusion. Our work is based on a comprehensive approach: temporary reception and accommodation; legal, psychological and social assistance; training and employment; and social advocacy and participation.

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List of Acronyms

UNHCR: United Nations High Commissioner for Refugees

AIDA: Asylum Information Database

CEAR: Spanish Refugee Aid Commission

EASO: European Asylum Support Office

ECRE: European Council on Refugees and Exiles

EURODAC: European Dactyloscopy

EUROPOL: European Police Office

FRONTEX: European Border and Coast Guard Agency

FRC: First Reception Centre

GAS: Greek Asylum Service

GCR: Greek Council for Refugees

MSF: Doctors without Borders

NRC: Norwegian Refugee Council

IOM: International Organization for Migrations

RIC: Reception and Identification Centre

EU: European Union

UNICEF: United Nations Children's Fund

1. Introduction

On 18th March 2016, the European Union and Turkey reached an agreement¹ in order to put an end to irregular migration from Turkey to the European Union². In the context of its objectives in defence of human rights and the right to asylum, CEAR carried out a mission at the end of the same month in order to find out and analyse the impact of said agreement's implementation on the people there. The results of this mission were published in the report *Lesbos: ground zero for the right to asylum*³. Amongst other matters, the report denounced a lack of conditions for reception in keeping with the minimum standards laid down by the European Directive on Reception, a lack of access to information and to legal assistance, and obstacles in accessing the international protection procedure.

A year later, a CEAR team went to Greece to assess how the situation of migrants, asylum applicants and refugees is progressing. The mission was carried out in Athens and on the eastern islands of Chios and Lesbos by means of direct observation on the ground and different interviews with respected organisations in the matter and with migrants, asylum applicants and refugees.

2. Context

Greece is a European Union member country to the south of the continent, bordering Albania, Turkey, the Republic of Macedonia and Bulgaria. It has belonged to the European free movement area since 2000⁴. Due to its geographic position, Greece is in an exceptional situation as regards migration flows towards Europe, with an overland and sea border with Turkey while bordering several Balkan countries. Due to these characteristics, Greece is one of the first countries of arrival for migrations as an external border of the EU. For years, Greece has also been a transit country for migrants, asylum applicants and refugees attempting to reach other European countries in search of adequate protection. In the current context and as we shall see throughout the report, Greece has inevitably become the destination country for many of these people, who far from finding the security and protection they deserve, instead find themselves seriously defenceless and unprotected.

In recent years, the number of arrivals in Greece has risen significantly. In 2015, Greece became the most important point of entry to Europe, receiving more than 856,723 arrivals by sea out of a total of 1,014,973⁵ people who arrived on the continent. Of the people who entered via Greece, 56.1% were Syrian nationals, followed by those from Afghanistan (24.4%), Iraq (10.3%), Pakistan (2.7%) and Somalia (0.5%)⁶. For most of these people, Greece was a place of passage, a transit area that was part of the journey to northern Europe. Most of the people who came to the EU by sea to Greece were identified and registered, later spending some days in reception locations throughout the country and finally continuing their journey by crossing the Balkan countries to the north.

In 2016, as a consequence of the EU-Turkey Agreement coming into force, the number of arrivals dropped from 856,723 (2015) to 156,728⁷, although as we shall see later this has not entailed a drop in the number of deaths in the Mediterranean, where there is an ever greater number of people losing their lives. Almost 50% of the

1 European Council: "EU-Turkey Statement, 18 March 2016". Available at: <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement/>

2 For an in-depth analysis, look at the CEAR report on the European Union-Turkey agreement reached on 18th March 2016 and the its consequences for the human rights of migrants and refugees, at <http://www.cear.es/wp-content/uploads/2016/05/INFORME-COMISARIO-EUROPEO-DDHH.pdf>

3 "Lesbos: ground zero for the right to asylum". (*"Lesbos: zona cero del derecho al asilo"*). <https://www.cear.es/wp-content/uploads/2016/04/Informe-Mision-Lesbos-marzo2016.pdf>

4 European Commission: 'Europe without borders. The Schengen area' at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/docs/schengen_brochure/schengen_brochure_dr3111126_en.pdf

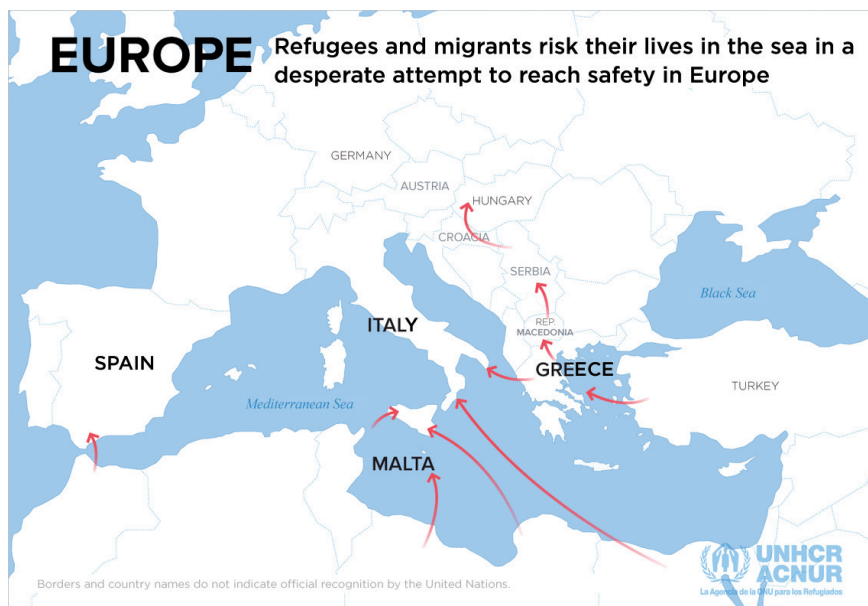
5 Refugee and Migrants Sea Arrivals in Europe. Monthly data update December 2016. Available at <http://reliefweb.int/report/greece/refugees-migrants-sea-arrivals-europe-monthly-data-update-december-2016>

6 UNHCR: "Europe refugees and migrants emergency response. Nationality of arrivals to Greece, Italy and Spain Jan-Dec 2015" at <https://data2.unhcr.org/en/documents/download/47005>

7 UNHCR Regional refugee and migrant response plan for Europe - Eastern Mediterranean and Western Balkans route Jan-Dec 2016 (revision May 2016) [http://www.unhcr.org/partners/donors/577220cf7/regional-refugee-migrant-response-plan-europe-january-december-2016-revision.html?query=greece sea arrivals 2016](http://www.unhcr.org/partners/donors/577220cf7/regional-refugee-migrant-response-plan-europe-january-december-2016-revision.html?query=greece%20sea%20arrivals%202016)

people who disembarked on the Greek islands in 2016 came from Syria, followed by Afghan nationals (24%) and Iraqis (15%)⁸. Just like those who found themselves in Greece before the agreement came into force, these people have ended up trapped in the country. As we shall see, this is largely due to the slowness of compliance with the relocation commitments made by European countries and the closure of the Balkans route before the agreement came into force. Indeed, during the spring of 2016⁹, the countries on the Balkans route suddenly closed their borders almost simultaneously, making transit difficult for people who had arrived in the Greek islands and were heading north¹⁰. In October, Hungary¹¹ also announced passage restrictions, the construction of a fence in the border zones with Croatia and Serbia, and an increase in surveillance to prevent irregular entries into its territory. Meanwhile, the fenced zone between Bulgaria and Turkey was reinforced with the support and collaboration of the recently formed European Border and Coast Guard Agency¹². This led to heavy blockage in the route, causing terrible situations for the people who remained literally trapped en route.

The Balkans route crosses countries such as the Republic of Macedonia, Serbia, Hungary and Croatia. Largely due to the worsening Syrian conflict, in recent years this route had become one of the most used by those fleeing in search of protection, moving on foot, by train or bus towards northern Europe¹³. The main routes for arrival to Europe can be seen on the map below, including the Balkans route:



Source ACNUR ¹⁴

As will be analysed further below, the Central Mediterranean route¹⁵, which sets off mainly from Libya and Egypt to reach the Italian coast, is currently the biggest migration route in terms of arrivals in the EU.

⁸ Refugees and Migrants sea arrivals in Europe. Monthly data update December 2016' at <http://reliefweb.int/report/greece/refugees-migrants-sea-arrivals-europe-monthly-data-update-december-2016>

⁹ The borders were closed almost simultaneously in the first week of March, 2016, when Macedonia, Slovenia, Croatia and Serbia placed restrictions at the border crossings. El País: 'Macedonia cierra sus fronteras con Grecia y bloquea la ruta de los Balcanes' ('Macedonia closes its borders with Greece and blocks the Balkans route') at http://internacional.elpais.com/internacional/2016/03/09/actualidad/1457518440_829234.html

¹⁰ ABC: 'Macedonia, Eslovenia, Croacia y Serbia dan por cerrada la ruta de los Balcanes para los refugiados' at: http://www.abc.es/internacional/abci-eslovenia-croacia-y-serbia-blindan-fronteras-y-cerrada-ruta-balcenes-para-refugiados-201603091140_noticia.html

¹¹ El País: 'Hungria cierra otra frontera y fuerza a los refugiados a buscar otras rutas' ('Hungary closes another border and forces refugees to seek other routes' at http://internacional.elpais.com/internacional/2015/10/16/actualidad/1445019134_419058.html

¹² El Mundo: 'Comienza a funcionar la nueva y limitada Guardia Europea de Fronteras y Costas' ('The new, limited' European Border and Coast Guard starts work') at: <http://www.elmundo.es/internacional/2016/10/06/57f62e27e2704ee1358b45c2.html>

¹³ For more information, see 'The Balkan corridor: a retrospective on migration struggles and state repression' at <http://moving-europe.org/the-balkan-corridor-a-retrospective-on-migration-struggles-and-state-repression/>

¹⁴ UNHCR, Emergencia en Europa at <http://www.acnur.org/que-hace/respuesta-a-emergencias/emergencia-en-europa/>.

¹⁵ This is the most dangerous route, accumulating the most deaths due to sinking. From January to April 2017 alone, there have been 898 deaths recorded on this route. For more information, see IOM's "Missing Migrant Project" at <http://missingmigrants.iom.int/mediterranean>.

Figure 1 - Sea arrivals to Greece, Italy and Spain

Source ACNUR ¹⁶

After the agreement began to be implemented¹⁷, the European Commission¹⁸ presented a new European Migration Agenda¹⁹ on 13th May 2015, which specified the immediate measures to be taken in response to the situation in the Mediterranean and the steps to take in managing the EU's external borders. Europe thus activated different political mechanisms on a national, EU and international level that have bolstered the policies of externalising borders.

The European Agenda on Migration²⁰ underlines security aspects, strengthening the role of the European Border and Coast Guard Agency, better known as Frontex²¹, creating the European Coast Guard²² and boosting all aspects concerning cooperation with third countries (outside the EU) for the purposes of migratory control and returning people. Among other matters, the agenda calls for the creation of "hotspots", defining these as "emergency mechanisms to support the States". These coordination points will definitively affect European management of migratory flows. The hotspots are intended as places to coordinate and support registration tasks, take fingerprints and identify people applying for asylum and other profiles considered susceptible to expulsion²³. Frontex, the European Police Office²⁴ (better known as Europol), and the European Asylum Support

16 UNHCR, "Refugees and Migrants sea arrivals to Europe" at http://reliefweb.int/sites/reliefweb.int/files/resources/Monthly_Arrivals_to_Greece_Italy_Spain_Jan_Dec_2016.pdf

17 Between October and November 2015, there were 220,579 irregular entries recorded on the Italian and Greek frontiers of Europe, whilst in January 2017, there were 5,985 recorded. To see the increase in irregular entries in Europe over 2015, see the graph at http://www.consilium.europa.eu/uploadedImages/Multimedia/Photos/policies/migratory-pressures/1703_italy_and_Greece_migration_update.jpg?n=8178&targetTypeId=full.

18 To understand the European context as regards migratory policies, one must take into account that defining a new migratory policy was one of the 10 priorities presented by Jean-Claude Juncker, the president of the European Commission, as part of its programme. More information at the European Commission, https://ec.europa.eu/commission/priorities_en.

19 European Commission, "Managing migration better in all aspects: A European Agenda on Migration." At http://europa.eu/rapid/press-release_IP-15-4956_en.htm

20 All information and documents about implementing the European Agenda on Migration can be found at https://ec.europa.eu/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package_en

21 European Border and Coast Guard Agency, better known as Frontex. For more information, go to <http://frontex.europa.eu/>

22 On 14th September 2016, the European Council approved the European Border and Coast Guard, which is made up of the 'Border and Coast Guard (the current Frontex agency with expanded tasks) and those national authorities responsible for border management'. The main focus of its activities will be to establish an operational strategy for border management and coordinate assistance from all member States'. The European Border Agency began to work in October 2016 on the border between Bulgaria and Turkey. This agency depends on the member States, who contribute staff and resources to get it up and running. It will also have a mandate to organise repatriation flights for irregular immigrants under its own initiative and to carry out joint operations with countries outside the EU such as Turkey. In other words, the new guard will have greater power to organise return flights at its discretion as well as operations with third countries such as Turkey or those in North Africa. More information at the European Council (<http://www.consilium.europa.eu/en/press/press-releases/2016/09/14-european-border-coast-guard/>) and El Mundo at <http://www.elmundo.es/internacional/2016/10/06/57f62e27e2704ee1358b45c2.html>

23 ECRE, 'The implementation of the hotspots in Italy and Greece' at <http://www.ecre.org/wp-content/uploads/2016/12/HOTSPOTS-Report-5.12.2016.pdf>

24 EUROPOL, European Police Office. For more information, go to <https://www.europol.europa.eu/>.

Office²⁵ (EASO) are the main European agencies providing support for the States where the hotspots are set up. At these points, the European agencies complement the work of the states that receive an exceptional number of arrivals, as is currently the case of Greece and Italy. In Greece there are five hotspots²⁶ on the islands of Lesbos, Chios, Samos, Leros and Kos²⁷. The European Agenda on Migration also mentions the programmes for relocation and resettlement²⁸ for people in need of international protection, appealing to solidarity and shared responsibility among the States. The relocations are intended to share responsibility among the States for welcoming asylum applicants who are in Greece and Italy so as to alleviate the reception systems in these countries where they arrive first. However, at the same time they stipulate that only people of nationalities with an average refugee statute recognition of over 75% in the EU may opt for relocation procedures²⁹. In this context, in October 2015 the EU agreed to relocate 160,000 asylum applicants from Italy and Greece, as well as to resettle 20,000 refugees from countries outside the European Union, and to do all of this within two years. In May 2017, only 18,418 people have been relocated³⁰ (12,707 from Greece and 5711 from Italy), while 14,205 have been resettled as part of the EU's resettlement programme since July 2015³¹.

25 EASO, European Asylum Support Office. For more information, go to <https://www.easo.europa.eu/>.

26 On the implementation of the hotspots, see the European Commission's "Communication from the Commission to the European Parliament and the council" Progress Report on the implementation of the hotspots in Greece (COM/2015/0678 final) at:

<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1485253858824&uri=CELEX:52015DC0678>

27 These islands coincide with the most commonly used routes as entry points to Greece from Turkey.

28 European Commission, "Managing migration better in all aspects: A European Agenda on Migration". In the European Agenda on Migration, for the first time the European Commission proposes activating the emergency system (by virtue of Article 78 (3) of the TFUE) to help member states that face sudden influxes of migrants. At the end of May, the Commission will put forward a temporary distribution mechanism for people clearly in need of international protection within the EU. See: http://europa.eu/rapid/press-release_IP-15-4956_en.htm

29 This will be applied to applicants of nationalities with an average rate of recognition in the EU equal to or above 75%. According to current data, the measure would apply to asylum seekers from Antigua and Barbuda, Bahrain, Syria, Eritrea, Grenada, Guatemala and Yemen. Available from EASO at <https://www.easo.europa.eu/questions-and-answers-relocation>

30 European Commission: "Report from the commission to the European parliament, the European Council and the Council. Twelfth report on relocation and resettlement". Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017DC0260&from=EN>

31 Idem

3. The European Union - Turkey agreement and its consequences

3.1 The agreement

On 18th March 2016, a press release published the EU-Turkey agreement³². In the statement, the European Commission declared that the aim of the agreement was to dissuade irregular migratory flows from Turkey and dismantle the Mafia's business model³³.

The agreement establishes³⁴:

- The return of migrants in an irregular situation to Turkey.
- The return to Turkey of people applying for asylum whose application for protection has been declared inadmissible prior to detention in the centres established for that purpose.
- For each person of Syrian nationality returned to Turkey under the assumption of being a safe country, one person applying for asylum in Turkey from Syria shall be resettled in Europe.
- The EU will provide €3 billion to Turkey to manage the refugees in the country.

At no time does the agreement mention refugees of other nationalities³⁵. However, according to official sources consulted, the agreement is being applied extensively to people from other countries as regards returns to Turkey.

3.2 Consequences of the agreement

The EU-Turkey agreement has had a negative impact on the rights of migrants, asylum applicants and refugees.

Firstly, it is important to point out that the application of the agreement has immediately led to a sharp drop in arrivals to Greek shores, with migrants and refugees being forced to use more dangerous routes such as the central Mediterranean, which is the most fatal in the world, or being trapped in Turkey, where they do not have effective protection.

Secondly, the agreement implies that the open first reception centres³⁶ are being turned into closed reception and identification centres³⁷ where migrants and asylum applicants are detained.

Thirdly, the number of people stranded without protection in Greece is increasing and the procedure for access to international protection is undergoing substantial modifications. This has had consequences in accessing the right to asylum and in matters of reception, with a psychosocial effect on migrants and refugees. We shall describe each of these points below.

32 European Council: "EU Turkey Statement 18 March 2016" at <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement/>
33 idem

34 For a legal analysis of the agreement, see the CEAR report "Lesbos: ground zero for the right to asylum" (*Lesbos: zona cero del derecho al asilo*) at <https://www.cea.es/wp-content/uploads/2016/04/Informe-Mision-Lesbos-marzo2016.pdf>

35 CEAR, "Report on the EU-Turkey agreement adopted on 18 March 2016 and the consequences of applying it on refugees' and migrants' rights" at: <https://www.cea.es/wp-content/uploads/2016/05/INFORME-COMISARIO-EUROPEO-DDHH.pdf>

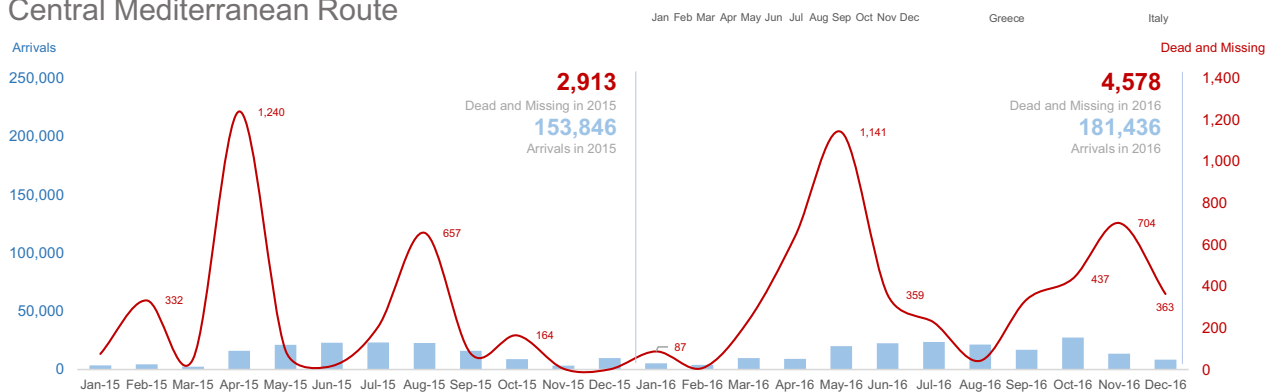
36 They were called this before the EU-Turkey agreement, with the initials FRC.

37 They are called this after the EU-Turkey agreement, with the initials RIC.

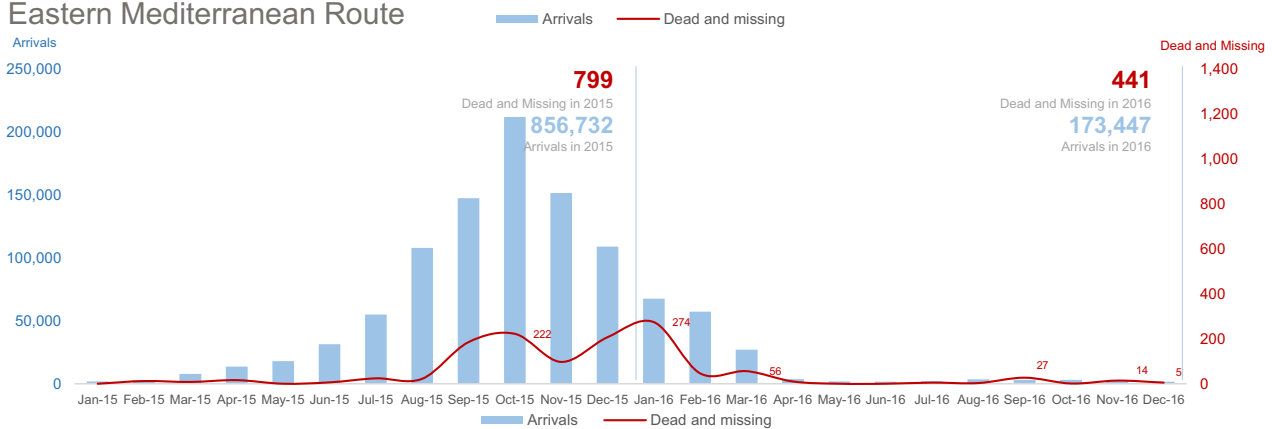
3.2.1. Decrease in arrivals by sea to the Greek islands and rise in danger of the routes

When the agreement was launched there was an immediate drop in arrivals to Greece by sea. Whereas in 2015 there were 856,000 people who arrived, by the end of 2016 there was an average of 50 people per day arriving on Greek shores from Turkey. The fall in the number of arrivals is directly related to the increase in control on Mediterranean shores between Turkey and Greece, which inevitably places people who are seeking protection in a situation of greater vulnerability. The agreement obliges people who are fleeing to face greater danger in their route towards a safe place. Many others find themselves remaining in Turkey, where they are not guaranteed a decent reception or adequate protection. Furthermore, it should be noted that this measure has not served to decrease the number of deaths in the Mediterranean, which has not stopped rising as we can see in the following graphs:

Central Mediterranean Route



Eastern Mediterranean Route



Figures included in the dead and missing file are compiled from a variety of sources, including report from survivors and family members collected by UNHCR staff governments, Coast Guard or Navy vessels. News, Media and Civil Society are also an important source of information. Because of the varying quality and reliability of data, every effort has been made to ensure that all statistical information is verified and figures on dead and missing at sea represent conservative estimates of a number that could possibly be higher than reported.

Source: UNHCR ³⁸

3.2.2 Increase in the number of people deserving protection stranded in Greece

There are currently 62,184 people stranded between the Greek peninsula and Islands³⁹. This means an increase of 46% compared to the period before signing the agreement, when the number of people stranded was 42,688⁴⁰. To explain the large number of people trapped in Greek territory⁴¹, in addition to the EU-Turkey agreement we must take into account factors prior to this such as the closure of the Balkans route and the slow application of relocation procedures⁴². Firstly, most of the people applying for asylum who were in Greece since before 20 March 2016 have

³⁸ <https://data2.unhcr.org/en/documents/download/53632>

³⁹ <http://migration.iom.int/europe/>

⁴⁰ http://www.iom.int/sites/default/files/situation_reports/file/IOM-Mixed-Migration-Flows-Mediterranean-Compilation-Report-No2_9Feb2017.pdf

⁴¹ The International Organization for Migrations has a map where one can see the people stranded in Greece and its islands.

⁴² CEAR, “¿Reubicados? ¿Reasentados? Las claves para hablar sobre la situación de los refugiados en España y Europa” (“Relocated? Resettled? The keys for talking about the situation of refugees in Spain and Europe”). This programme was approved as a response from European Union member countries to the arrival in 2015 of over 1 million people seeking refuge and a decent life. The aim is for the EU member countries to receive the people applying for asylum, particularly from

not yet been relocated because of the slowness and lack of coordination in launching the necessary procedures at a European level and by each of the member States. It is known that the relocation processes on a European level have been much slower than expected⁴³. All of this has led to an increase in people in need of international protection waiting in Greek territory, and has worsened the situations of serious vulnerability suffered by many of these people in Greece. In the case of Spain, the relocations have mostly been made from Greece. Moreover, as we have mentioned above, the relocation procedures face restrictions⁴⁴ depending on the nationality. These restrictions have contributed to certain population groups in need of international protection remaining indefinitely stuck in Greek territory since before the agreement was applied. This happens above all with people of Afghan nationality, who in Greece have a very low percentage of recognition for international protection⁴⁵, unlike they have in other European countries. As a result, there are numerous cases of international protection applicants who turn to traffickers as the only way of getting out of Greece.

As for the Greek islands, application of the EU-Turkey agreement leads firstly to people being retained on the islands due to a geographic restriction being applied⁴⁶, and secondly it leaves all refugees who have arrived in Greece after 20th March outside the relocation procedures. The geographic restriction is applied on the islands to asylum seekers and is in effect until the asylum procedure is finally resolved⁴⁷. This restriction hinders free movement of people applying for international protection, who are prohibited from leaving the islands. As a result, such people are trapped on the islands they arrive on until the procedure is over, except for people in a situation of vulnerability who are transported to the peninsula. Sometimes, the asylum procedures can last more than a year, with the people remaining in the centres⁴⁸, many of which are not prepared for long stays⁴⁹, with the psychosocial consequences this entails.

There are only two ways to unblock this stagnant situation in the islands: the end of the asylum procedure with a positive ruling or a return to Turkey.

If the person obtains a positive ruling, the geographic restriction disappears and the person may travel to the peninsula. Nevertheless, it is important to point out that in addition to the aforementioned situation, on the peninsula the social and labour difficulties mean that these people face serious situations of exclusion and lack of protection.

According to what has been found in the mission, as a result of the closure of the Balkans route and the situation in Greece, a new intra-European sea route has opened up from Greece to Italy (Puglia). This is unexpected and had not been heard of before.

It is paradoxical that the EU should launch tools such as the relocation procedures to support the States on the front line receiving people in need of protection, while at the same time it does not provide the means or the will necessary for these mechanisms to work effectively to comply with the commitments made. This shows the European States' lack of true will to act based on the European Union's foundational values of solidarity and respect for human rights. It also questions the coordination and solidarity among the European States and institutions upon

Greece and Italy, following a criterion of sharing and backed by the principle of solidarity between European countries. See: <https://www.cear.es/reubicados-reasentados-las-claves-para-hablar-sobre-la-situacion-de-los-refugiados-en-espana-y-europa/>

43 CEAR: "A year after the EU agreements, the EU has only met 7% of the commitments made with refugees." ("*Tras un año de acuerdos de la UE, la UE sólo ha cumplido el 7% de los compromisos con los refugiados*"). In Spanish at: <https://www.cear.es/la-ue-solo-ha-cumplido-el-7-de-su-compromiso-con-los-refugiados-en-un-ano/>

44 For more information, see "European solidarity: A refugee relocation system" at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/2_eu_solidarity_a_refugee_relocation_system_en.pdf

45 The fact that some nationalities get different rates of recognition within the EU generates enormous differences between countries as regards access to the right to asylum.

46 For more information, go to AIDA, "Country Report: Greece" at <http://www.asylumineurope.org/reports/country/greece/asylum-procedure/access-procedure-and-registration/reception-and>

47 *idem*

48 There are different centres. When the people who arrive on the islands have been registered and identified, they are placed according to different criteria such as vacancies available, vulnerability and age. There are vacancies on the islands in apartments and hotels, generally reserved for vulnerable cases mostly managed by UNHCR, spaces for minors with a total of 1,300 vacancies (730 backed by UNHCR in 17 centres, 10 of which are on the islands), closed centres answerable to the Interior Ministry, and centres belonging to the municipality.

49 ECRE, "The implementation of the hotspots in Italy and Greece", at <http://www.ecre.org/wp-content/uploads/2016/12/HOTSPOTS-Report-5.12.2016..pdf>

which the community efforts are supposedly based as stated in the European Agenda on Migration to give a joint response to the current situation.

Furthermore, as regards the situation on the islands, there is a clear intention seen to dissuade other people from coming to the islands. In cases in which detention and return are not applicable, a geographic restriction is maintained which is linked to long procedures to decide on the asylum applications and to reception conditions suited to emergency situations but not to long-term situations.

To sum up, the steps that have been taken after applying the EU-Turkey agreement are resulting in an increase in unprotected people stranded in Greece in a situation of serious vulnerability, which is worsening over time without an adequate response to the situation.

3.2.3. Transformation of open first reception centres into closed reception and identification centres.

Before the EU-Turkey agreement was applied, in Greece the people arriving on the islands were accommodated in centres called First Reception Centres (FRC). The FRCs were open resources where the people were identified and their nationality determined, the first medical examination was carried out, basic information on international protection was provided, and the relevant subsequent referrals were made. These centres worked as transit places where people stayed briefly before being transported to the Greek Peninsula. The hotspots that had been implemented were inside the FRCs, where different European agencies supported the Greek state in these tasks.

As of 20th March 2016, with the implementation of the EU-Turkey agreement, they became closed centres known as Reception and Identification Centres (RICs) where deprivation of freedom is obligatory. The hotspots are still being maintained, now within the RICs, and still work to support the Greek state in matters of reception and identification. The transformation of FRCs into RICs is directly related to the changes applied after the agreement on management of the borders. As we have mentioned above, since the EU-Turkey agreement has been applied the entire asylum procedure has been carried out on the islands, where people have to wait until a final decision is taken. Thus, in addition to being Reception and Identification Centres, the RICs have become centres where people stay on the island for long periods of time, since the procedures can last years.

In its latest report, ECRE⁵⁰ complains about the detentions during the identification and registration procedures for people applying for asylum, even for people in a vulnerable situation such as families with children, unaccompanied minors and people with functional diversity.

In order to turn the FRCs into RICs, it was necessary to make space by creating vacancies. That is why on 18th March 2016, the FRCs that had been working until then were evacuated and the people were transported to the peninsula⁵¹. Days after applying the agreement, various organisations decided to leave the so-called RICs as a way of protest⁵².

3.2.4. Consequences on the procedure and on access to international protection

As mentioned above, the recent changes in the asylum procedure in Greece are directly related to the European Agenda on Migration and the EU-Turkey agreement coming into force. These measures have complicated access to asylum, which now responds to a constant to-and-fro between the interests of the Greek state and the European Union. These facts have clearly been detrimental for people applying for international protection.

⁵⁰ ECRE, "The implementation of the hotspots in Italy and Greece" at <http://www.ecre.org/wp-content/uploads/2016/12/HOTSPOTS-Report-5.12.2016.pdf>

⁵¹ See for example: "They've kicked out the volunteers to make the Lesbos refugee centre a detention centre". ("Han echado a los voluntarios para convertir el centro de refugiados de Lesbos en un campo de detención") in Spanish at http://www.eldiario.es/desalambre/vaciando-Lesbos-echando-voluntarios-centros_0_496600702.html

⁵² "Doctors Without Borders leaves the Lesbos detention centre so as not to be accomplices in the European pact" ("Médicos Sin Fronteras abandona el centro de detención de Lesbos "para no ser cómplices" del pacto europeo") in Spanish at El Diario: http://www.eldiario.es/desalambre/Medicos-Fronteras-detencion-Lesbos-complices_0_497650335.html

It is important to note that the access procedure for international protection is considerably different on the Greek peninsula than it is on the eastern Greek islands. Greek legislation was changed in April 2016 to adapt to the EU-Turkey agreement⁵³, giving rise to procedures that have created two parallel situations that are completely different between the eastern Greek islands and the Greek peninsula.

Access to the international protection procedure on the Greek peninsula

As mentioned above, before the agreement was applied, most people on the peninsula were passing through Greece on a migratory route northwards. When the Balkan borders were closed in the spring of 2016, the only way for people entitled to international protection by guaranteeing their legal permanence in the European Union area was to apply for asylum in Greek territory⁵⁴. In those early days the Greek asylum system was overwhelmed by the number of asylum applications, taking months as of the registration process until the people who had applied for international protection got their first interview.

Pre-registration

In June and July 2016, a pre-registration procedure was set up⁵⁵, applicable to people who were on the Greek peninsula before the EU-Turkey agreement came into force. The pre-registration was a step prior to lodging the registration. The aim was to guarantee that all people wishing to apply for international protection in Greece had access to the procedure. After several months of formalisation and political and legislative changes⁵⁶, 27,592 people were pre-registered according to data from the Greek Asylum Office⁵⁷.

Following the pre-registration, the process of formalising international protection still works very slowly as has been indicated by different sources interviewed.

Asylum and appeal interview

After the pre-registration process, a notification is given to the people wishing to request international protection, with which they can go to the asylum office to request an appointment for their first interview⁵⁸. Some people have had access to their interviews while others are still waiting for it months after undergoing the process prior to registration. Others have already received a reply rejecting their applications for international protection and have presented an appeal⁵⁹ within the deadline of 30 days stipulated by law⁶⁰, and are now waiting for a final decision on their case. This reply can take months or even years to arrive. The appeal is presented to the Appeals Authority⁶¹, which was established based on the reform to the law on asylum in April 2016, and answers directly to the Interior Ministry. Article 4 of this law stipulated that these appeals committees were to be formed by three members and that the decisions should be taken following a model of decisions taken by the ministry. Nevertheless, the GCR states that the number of these authorities is insufficient, so that the final decision can take months to be issued, which extends the time and the seemingly never-ending experience of the people applying for asylum in Greece.

53 For more information, go to: AIDA: "Country Report: Greece" at http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf. See also Greek Law 4375/2016 at: <http://www.refworld.org/docid/573ad4cb4.html>

54 For more information, go to: http://refucomm.com/infopacks/greece-mainland/an-overview-of-your-options-in-greece/asylum-in-greece-overview/multilingual/greece-mainland_an-overview-of-your-options-in-greece_asylum-in-greece-overview_MULTILINGUAL.pdf

55 Programme launched between 8 June and 30 July 2016 by the Greek asylum service assisted by UNHCR and EASO. For more information, go to AIDA: "Country Report: Greece" at: http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

56 For more information, go to AIDA at <http://www.asylumineurope.org/reports/country/greece/overview-main-changes-previous-report-update>

57 For more information, see 'Pre-registration data analysis 9 June 30 July 2016' at http://asylo.gov.gr/en/wp-content/uploads/2016/08/Preregistration-data_template_5_EN_EXTERNAL.pdf

Also, "Country Report: Greece" at: http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

58 For more information, see *Asylum in Europe* at <http://www.asylumineurope.org/reports/country/greece/asylum-procedure/procedures/regular-procedure>

59 idem

60 idem

61 For more information on the Appeals Authority, see AIDA's "Country Report: Greece" at: http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

Those people whose final ruling is negative mostly stay in the country residing irregularly or attempting to reach other European countries with the help of traffickers.

Access to international protection and relocation

The situation is no better for those who intend to apply for relocation or to be reunited with their families⁶² in other European countries. As mentioned above, the relocation procedure from Greece to another European country is restricted to people who have been pre-registered on the peninsula, have applied for international protection in Greece, belong to a country whose nationals have a greater recognition than 75%⁶³ and who entered the country before 18th March 2016⁶⁴. The procedure begins once the person applies for international protection in the country. The bodies responsible for deciding and implementing the relocation of people applying for international protection are the Greek Asylum Service (GAS)⁶⁵, the EASO and the IOM, responsible for the move to the destination country. Sadly, far from being a fast, streamlined process, it drags on excessively over time, leaving many asylum applicants in a situation of uncertainty and insecurity. Once it has been determined that the person is susceptible for relocation to another European country, the destination country still takes months in the procedure of giving a vacancy to these people. It should also be taken into account that when somebody is relocated in another country belonging to the European Union, the dossier concerning their asylum procedure is sent to the European country receiving the person. This receiving country can re-examine the asylum case of the applicant for international protection, and may give a final negative ruling on their application for reasons of security or others. In this case, the person may be sent back to Greece, the country in which they arrived, where they may recommence their asylum procedure with the Greek authorities.

Finally, it is important to mention another procedure that begins once the asylum is requested in Greece. This is the procedure for family reunification, which existed before the agreement came into force and which is intended to reunite families separated by the journey and the outcome of the process⁶⁶. The procedure follows the same requisites as for relocation, and it is especially important for reuniting unaccompanied minors and women who are the heads of their family whose spouses reside in another European country⁶⁷.

In both cases, the procedures are very long and demand documents with information that the asylum applicants often do not have on them (birth certificates, marriage certificates, etc.) and the only way to obtain them is via the embassies of the countries from which they are fleeing, so it is impossible for them to get them.

The true situation shows that, in addition to halting their expectations of continuing their journey to other European countries, the asylum applicants find themselves on the peninsula facing a complicated asylum procedure full of obstacles and with little hope of obtaining international protection in Greece.

62 For more information, go to AIDA: Country Report: Greece". http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

63 This will be applied to applicants of nationalities with an average rate of recognition in the EU equal to or above 75%. According to current data, the measure would be applied to asylum applicants from Syria, Iraq and Eritrea. See "Refugee Crisis: European Commission takes decisive action – Questions and answers" at http://europa.eu/rapid/press-release_MEMO-15-5597_en.htm

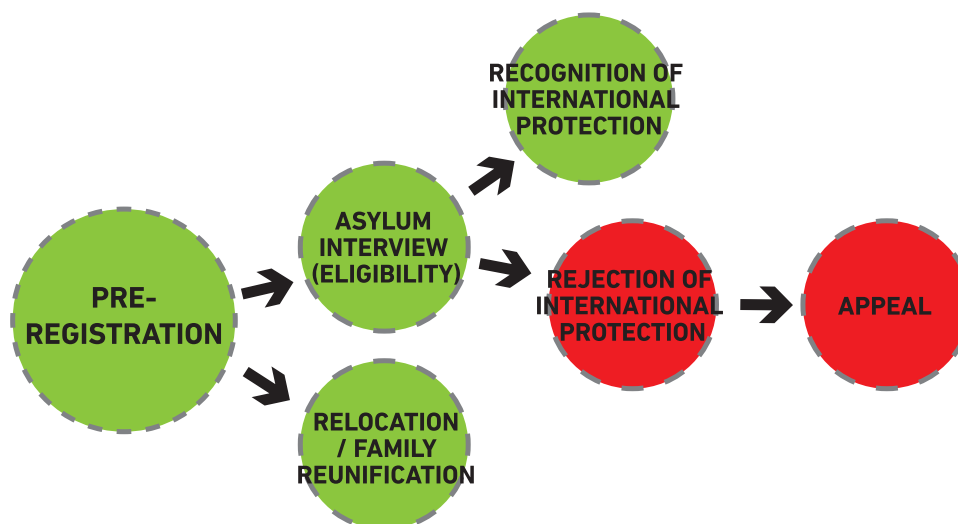
64 For more information, go to: <http://asylo.gov.gr/en/wp-content/uploads/2016/06/W001-5-Relocation-Poster.pdf>

65 For more information on the Greek Asylum Service, see: <http://asylo.gov.gr/en/>

66 For more information, go to: http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

67 For more information on family reunification, see: <http://www.asylumineurope.org/reports/country/greece/content-international-protection/family-reunification/criteria-and-conditions>

Diagram of the asylum procedure on the peninsula



Source: the authors

Access to the international protection procedure on the islands

As mentioned above, Greek legislation was changed a month after the EU-Turkey agreement came into force in order to adapt to the latter, creating a new procedure to access asylum on the eastern Greek islands⁶⁸.

Arrival and registration

On the eastern islands, the process begins when the migrants and refugees arrive in boats. They are taken to the RICs in buses by the Greek police with the support of Frontex. Once inside the centre, Frontex takes the people's fingerprints so that EURODAC has a record of their arrival. This means that, if they apply for international protection, the application will be studied by Greece, the first country of arrival⁶⁹. Right now, some organisations such as UNHCR provide information on the matter of asylum procedure. Such information is expressed in specific messages on the matter of asylum procedure, with the intention of helping asylum applicants to understand the complicated process. After registration, a medical examination is carried out and a psychosocial interview given that helps to assess the person's level of vulnerability and their specific needs. This plays a fundamental role within the asylum procedure on the islands.

Admissibility and eligibility

Once the registration process is over, the person's admissibility within Greece is determined. The admissibility phase is the main consequence of the agreement signed between the European Union and Turkey in terms of legal procedure. It is a phase prior to studying the asylum application in depth, and it is carried out on people who arrive at the Reception and Identification Centres on the islands⁷⁰. People from Syria, people with a recognition ratio during the eligibility phase of greater than 25% and people considered to be in a situation of vulnerability are excluded from this phase. The admissibility process, carried out by EASO and the GAS, aims to determine if Turkey may or may not be considered a safe country for the person who has arrived⁷¹. As a result, the process does not make an in-depth analy-

68 For more information, see Law 4375/2016 at: <http://www.refworld.org/docid/573ad4cb4.html>-. Also, the report by AIDA, "Country Report: Greece" at: http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

69 For more information, see the European Commission's website: https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/identification-of-applicants_en

70 People who arrived on the islands before implementation of the EU-Turkey agreement are excluded from this process, as well as people on the peninsula and people arriving in Greece after 18th March overland.

71 For more information, go to: <http://www.asylumineurope.org/reports/country/greece/asylum-procedure/procedures/admissibility-procedures>

sis of the circumstances that have led the person to flee their country of origin, but limits itself to finding out about the person's experience in Turkey. If the EASO and GAS consider Turkey to be a safe third country for the person who wishes to apply for asylum, their process will be declared inadmissible and the person will be deported to Turkey.

The admissibility criterion is based on the fact that there are specific nationalities with greater ratios of international protection recognition, so that nationals from those countries have a greater possibility of being considered refugees. Application of the admissibility criterion assumes that nationals from countries with low recognition ratios do not deserve international protection, based solely on the criterion of nationality.

As the first indication for applying the admissibility phase is the nationality of the person who has just arrived, the very essence of the Geneva Convention relating to the Status of Refugees is broken, since Article 3 stipulates that international protection cases shall be studied based on in-depth matters that have led the person to flee their country of origin, but under no circumstances must a distinction be made based on the applicant's nationality⁷².

As for the consideration of Turkey as a safe third country, at CEAR we believe that such a consideration is inadmissible⁷³ as there is no effective protection system or adequate reception conditions for the people applying for international protection. Furthermore, it is important to note that Turkey has been condemned by the ECHR of a breach of human rights in 93% of the cases that have been studied in depth.

The vulnerability criterion in the asylum procedure

As explained above, the admissibility phase is not applicable to everybody who arrives on the Greek islands. People considered to be in a vulnerable situation are excluded⁷⁴, such as elderly people, pregnant women, unaccompanied minors, people with serious illnesses or those that have suffered torture, rape or any other form of psychological, physical or sexual violence. According to the sources interviewed, approximately 40% of the people who have arrived in Greece are susceptible for consideration as vulnerable, which means that the procedure to determine vulnerability is extremely important⁷⁵. This determination is made by EASO and is preceded by a medical examination and psychosocial interview carried out after the international protection applicants arrive at the RIC. According to official sources, the process for determining vulnerability was particularly complicated at the beginning of the application of the agreement between the EU and Turkey, mainly as a result of the lack of staff at that time and due to the fact that access was prioritised for the asylum procedure for specific nationalities who were moved to the peninsula. Based on the interviews and analysis carried out, we can conclude that this procedure lacks the minimum guarantees to determine a person's level of vulnerability. The criterion used to determine a person's vulnerability generally rests on their physical appearance (pregnant women, elderly people, etc.), but rarely are in-depth interviews carried out to determine if the person may be a survivor of a human rights violation, which is difficult to ascertain without an in-depth interview. In addition, the conditions under which the interviews are made with people who have recently arrived at the RIC are not ideal for people to express their experience, traumas or a breach of rights that they have suffered. Poor identification of these cases may lead to people who are in a situation of vulnerability not being declared as such during the identification phase, such that they may be left out of the move to the peninsula and not have access to psychological support, specific resources and accommodation⁷⁶. There are particularly worrying cases such as people with mental illness like post-traumatic stress disorder, which is very difficult to identify, and who do not have access to public resources outside the centres. It is practically impossible to change the evaluation as regards vulnerability once it has been determined, entailing a lack of protection for many cases that go unnoticed.

⁷² For more information, go to: "Convention on the Status of Refugees" at www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfRefugees.aspx

⁷³ For more information, see CEAR's "Report on the EU-Turkey agreement adopted on 18 March 2016 and the consequences of applying it on refugees' and migrants' rights" ("*Informe relativo al acuerdo Union Europea-Turquia adoptado el 18 de marzo de 2016 y las consecuencias de su aplicación en los derechos de las personas migrantes y refugiadas*") in Spanish at: <https://www.cear.es/wp-content/uploads/2016/05/INFORME-COMISARIO-EUROPEO-DDHH.pdf>

⁷⁴ For more information, see ECRE: "With Greece. Recommendations for refugee protection" at: http://www.asylumineurope.org/sites/default/files/resources/with_greece.pdf

⁷⁵ For more information, see the report by AIDA, "Country Report: Greece" at: http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

⁷⁶ UNHCR has several apartments and hotels rented out in order to provide a solution to lodgings for families and cases of vulnerable people on the islands and the peninsula. According to data from the Accommodation Programme carried out by this body, there is currently accommodation for 127,129 people.

Unaccompanied minors

These mistakes in identifying vulnerable cases may affect unaccompanied minors who have made the journey alone or who have lost relatives on the way. Determining their status as a minor is of the utmost importance, given that it entails a series of rights and access to certain resources. Most important of these is the State's guardianship of the unaccompanied minor, their priority in accessing the asylum procedure, and their right to accommodation⁷⁷. Furthermore, unaccompanied minors have the right to access the family reunification procedure, which is intended to reunite them with their primary ascendants if they are in another European country. Unfortunately, the process for identifying unaccompanied minors is not always followed. According to the legislation concerning asylum, the procedure involves a macroscopic analysis of the unaccompanied minor based on specific physical characteristics such as weight, body mass, voice and hair. Together with this process there is a clinical analysis by a paediatrician, who determines the minor's age using physical and metric data. There is also an interview by a psychologist and a social worker who assess cognitive aspects and others related to the minor's behaviour and psychological development in order to determine their age. If after these procedures it is not possible to determine if the person is a minor or not, an x-ray and dental examination is made in order to clarify the situation. Although the legislation stipulates that this procedure must be carried out to determine the minor's age, the protocol is hardly ever followed precisely⁷⁸. This is especially worrying when one takes into account that, as with cases declared as vulnerable, it is practically impossible to change the classification of a person who has been classified as a legal adult to that of a minor.

Geographic restriction for asylum applicants on the islands

After the admissibility phase comes the procedure to decide on the centre where the person will be accommodated⁷⁹ and the asylum applicants are documented with an identification number they will use throughout the process. As has been mentioned, people applying for international protection face a geographical restriction⁸⁰ that prevents them from leaving the islands while the process is still open. According to the Joint Action Plan⁸¹ and its revisions⁸², the aim of establishing this geographic restriction is to enable irregular migrants arriving on the islands to be monitored and help send back migrants not considered susceptible for international protection.

Eligibility phase

On issuing an identification number in the procedure, after the admissibility phase, a geographic restriction to the islands is applied, but the eligibility phase also begins, in which a decision will finally be made on the case⁸³. As has been confirmed in the mission, during the early months when the EU-Turkey agreement was applied, the Greek Asylum Office (GAS) did not have sufficient resources to respond to the large number of international protection applications it received, and the interviews concerning eligibility took months to process. Today, international protection applicants have their first asylum interview 14 days after arriving at the Reception and Identification Centre. Other organisations such as the Greek Council for Refugees (GCR) talk of shorter times of only five days between arrival at the RIC and the first asylum interview. This speed is not necessarily positive, given that it means very short times for the international protection applicant to receive legal consultancy with which they can understand the asylum process in Greece (which is not at all intuitive) and prepare their international protection interview in depth. These periods of

77 For more information, see the report by AIDA, "Country Report: Greece", at: http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

78 Idem.

79 On some islands there are camps for people in a vulnerable situation and families (as in the case of Kara Tepe on the island of Lesbos), as well as flats and hotels for vulnerable people.

80 For more information, see AIDA's "Country Report: Greece" at: http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

81 The Joint Action Plan was published on the European Commission's website on 15 October 2015. Its aim is to address the crisis situation in three ways: tackling the causes that are leading the Syrian population to flee, giving aid to the population coming from Syria and the Turkish communities that are currently receiving the people, and strengthening cooperation between the EU and Turkey in order to halt irregular migration. For more information, see: http://europa.eu/rapid/press-release_MEMO-15-5860_en.htm

82 For more information, see "Fifth Report on the progress made in the implementation of the European Union-Turkey Statement" at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170302_progress_on_the_implementation_of_the_joint_action_plan_en.pdf

83 For more information on Greek legislation in the matter of eligibility, see: <http://www.asylumineurope.org/reports/country/greece/asylum-procedure/procedures/fast-track-border-procedure-eastern-aegean> and <http://www.asylumineurope.org/reports/country/greece/asylum-procedure/procedures/regular-procedure>

time are even more worrying when the organisations interviewed recognise the difficulty in giving legal consultancy to refugees in the RIC due to the complexity of the process, the short deadlines laid down by the procedure⁸⁴ and the lack of lawyers who can provide legal consultancy. For example, on Lesbos there are 8 lawyers for 4,142 international protection applicants in the Moria and Kara Tepe camps⁸⁵. Lawyers belonging to the Greek organisation Metadrasi⁸⁶ give legal consultancy mainly to people who are in the appeal phase, thus somewhat sidelining international protection applicants who have to prepare their first asylum interview.

Appeals

Many asylum applicants' cases in the islands are declared inadmissible or else their application is rejected after the first interview. In this situation, they may present an appeal within five days⁸⁷, presenting all the documents they deem necessary to accompany their appeal. One very worrying problem expressed by all of the organisations interviewed is the short time to appeal against negative decisions in the admissibility and eligibility phases on the islands⁸⁸, as well as the long periods between presenting the appeal and the final decision on it. In other words, the speed of the admissibility, eligibility and appeal phases demanded of international protection applicants is not reflected by the Greek State itself, which then takes months to resolve the appeals presented.

The appeals system works via an Administrative Committee in Athens made up of experts in various fields of law who decide on the case and about the classification of Turkey as a safe third country for the admissibility cases⁸⁹. The composition of the appeals committees was recently reformed, leading to big criticisms. These criticisms mainly came about due to the presence of different experts in the committees who form part of the Ministry of the Interior and Immigration itself.

While the appeal lasts, the international protection applicants themselves on the eastern islands are unaware of how their procedure is going. Only in very specific cases have the international protection applicants gone to Athens to declare before the Committee⁹⁰.

The problem is even greater when we take into account that on the island of Chios alone, according to the interviews, there are currently 390 cases of international protection applicants waiting for a ruling on their appeal. According to the organisations interviewed, the appeals system is not working on the islands. Far from the EU's intention of making them transit zones, today they are places where people remain trapped for months. There are people who have been waiting for over a year on the islands for a final decision regarding their process⁹¹.

Returns to Turkey

If a person's appeal ruling is negative, the person is then to be returned to Turkey as stipulated in the agreement. Notification of the appeal ruling is published on boards in the camps with a reference to the dossier number. The asylum applicant must then go to the GAS offices to learn the result of the ruling without knowing what the result will be or knowing the possibility of being detained by the Greek police in cases where the rejection means deportation. If the person is finally going to be deported, the Greek police will immediately detain the person. This may happen within the RIC (as in the case of Moria in Lesbos) or they will be taken to the police station (as in the case of Vial in Chios), where they will remain until being returned to Turkey. In spite of attempts by international bodies and organisations

84 Interview in Athens on 28 March with the Greek Council for Refugees and interview on Chios on 30 March 2017 with the representative from the Greek Asylum Office (GAS).

85 For more information, see UNHCR's "Daily map indicating capacity and occupancy (Governmental figures)" at: <https://data2.unhcr.org/en/documents/download/55917>

86 For more information see the Metadrasi website: <http://metadrasi.org/en/home/>

87 For more information, go to: <http://www.asylumineurope.org/reports/country/greece/asylum-procedure/procedures/fast-track-border-procedure-eastern-aegean>

88 For more information regarding appeals on the islands, see the following report by AIDA: "Country Report: Greece" at: <http://www.asylumineurope.org/reports/country/greece/asylum-procedure/procedures/fast-track-border-procedure-eastern-aegean>

89 For more information, see: <http://www.asylumineurope.org/reports/country/greece/asylum-procedure/procedures/regular-procedure>

90 The Appeals Committee's composition has recently been challenged with no final ruling having been made as yet regarding the matter.

91 Ídem

to monitor the situation of people being detained who are to be deported to Turkey, there are numerous obstacles to carrying out this task, as well as access to these people in order to give them legal assistance.

The truth is that according to data from the European Commission in the five reports published based on the application of the EU-Turkey agreement, there have been 899 returns from Greece to Turkey⁹², mostly people not from Syria (Afghanistan, Algeria, Ghana and Pakistan according to the latest data on deportations). Such numbers are far below the EU's expectations when it launched the agreement.

To conclude, a clear breach can be seen in the very essence of the Geneva Convention on the Greek islands, on establishing an admissibility phase that is applied based on the nationality of the person who intends to apply for international protection, in cases where the person has been declared admissible. Even more worrying is the situation of people who have appealed against a rejection and who have been waiting for months on the islands for an answer from the Appeals Committee with a lack of defence or protection.

The asylum procedure on the islands

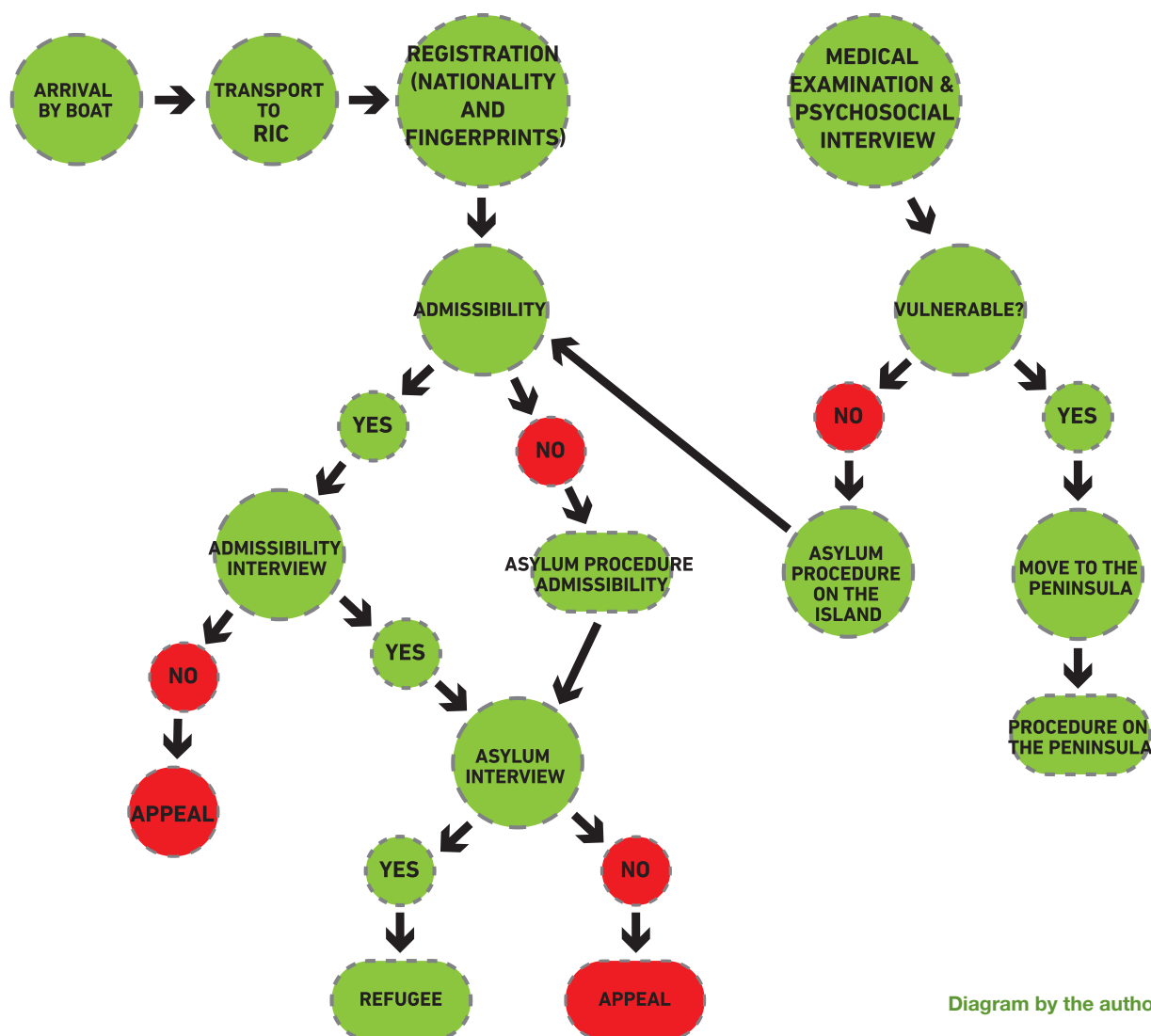


Diagram by the authors

⁹² For more information, see the reports from the European Commission that assess the implementation of the EU-Turkey agreement, "Reports on the Progress made in the implementation of the EU-Turkey Statement", at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160420/report_implementation_eu-turkey_agreement_nr_01_en.pdf, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160615/2nd_commission_report_on_progress_made_in_the_implementation_of_the_eu-turkey_agreement_en.pdf, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/news_corner/migration/com_2016_634_f1_other_act_863309.pdf,

Table comparing the asylum procedure on the peninsula vs. the islands

	ISLANDS	PENINSULA
1. Registration	Yes	Yes
2. Fingerprints (EURODAC)	Yes	Yes
3. Procedure based on nationality	Yes	Yes
4. Medical examination	Yes	No
5. Vulnerability	Yes	Yes
6. Unaccompanied minors identification process	Yes	Yes
7. Admissibility	Yes	No
8. First asylum interview	Yes	No
9. Geographic restriction	Yes	No
10. Relocation	No	Yes
11. Family reunification	No	Yes
12. Return to Turkey	Yes	No

Table created by the authors.

3.2.5. Social and psychological consequences

In its mission, the CEAR team in Greece has detected different psychosocial consequences arising from the EU-Turkey agreement being applied, which coincide with the diagnosis from other bodies and NGOs. The situation of the centres and camps, the long waits, the lack of information and uncertainty faced, have all had a direct psychological impact on the health of migrants and refugees. People are showing symptoms of anguish, uncertainty and suffering arising from the experience of fleeing, persecution and the extreme conditions of the journey. The effects are devastating. This situation has been denounced repeatedly by organisations working on the ground, which have expressed their concern for the insalubrity, lack of access to suitable food, overcrowding, lack of sufficient toilets and showers, internal conflict in the centres, suicide attempts, lack of security in the camps, self-harm and psychological problems suffered by international protection applicants⁹³. The situation is causing enormous frustration that has resulted in hunger strikes⁹⁴, an increase in suicides, self-harm, drug and alcohol abuse even among minors⁹⁵, and gender violence⁹⁶.

Minors

Families with children and minors who are unaccompanied or separated from their families involuntarily must all go through detention periods in the RICs until the registration ends. In its latest report, the NGO *Save The Children*⁹⁷ denounced the increase in minors with psychological problems due to the stressful situations they experience in the centres, as well as the rise in suicide attempts and self-harm among them. The NGO mentioned that the lack of access to a routine, the traumatic experiences undergone and the constant presence of violent situations in the minors' environment was increasing the level of stress and psychological problems among them. According to the organisation, the biggest concern is that if the situation continues it is very probable that they will suffer trauma throughout their life, never able to recover normality

93 Norwegian Refugee Council, "The reality of the UE-Turkey statement" at: https://www.nrc.no/globalassets/pdf/briefing-notes/joint-agency-briefing-note--eu-turkey-statement---final_16-march---new-...-3.pdf

94 The most recent has been reported in Moria: <https://www.thenationalherald.com/159154/twelve-syrian-refugees-moria-enter-third-day-hunger-strike-asylum-delays/>

95 Save the Children, "A tide of self-harm and depression. The EU-Turkey Deal's devastating impact on child refugees and migrants" at: http://reliefweb.int/sites/reliefweb.int/files/resources/FINAL%20Report_EU%20Turkey%20deal_%20A%20tide%20of%20self-harm%20and%20depression_March%202017%5B1%5D.pdf

96 See: "EU-Turkey agreement failing refugee women and girls" at <https://www.womensrefugeecommission.org/images/zdocs/EU-Turkey-Refugee-Agreement-Failing.pdf>

97 See: Save The Children: "A tide of self-harm and depression" at http://reliefweb.int/sites/reliefweb.int/files/resources/FINAL%20Report_EU%20Turkey%20deal_%20A%20tide%20of%20self-harm%20and%20depression_March%202017%5B1%5D.pdf

Although the Greek State recognises the right to education for the children of asylum applicants and refugees, access to education is not guaranteed. The situation is even more worrying on the islands, since the commitments to schooling are not being met.

The report by Save the Children⁹⁸ warns that the situation is particularly worrying for unaccompanied minors, since the responsibility for safeguarding their interests rests directly with the Greek State. Among its other obligations towards unaccompanied minors, the Greek State must guarantee a legal guardian to accompany the minor through the international protection application in the country. Most of the minors are not getting access to their legal guardian, which is leading to a lack of access to information and knowledge about their rights, most notably access to the international protection procedure⁹⁹.

Indeed, CEAR has been able to confirm that unaccompanied minors are not getting access to specific reception and accommodation resources because the Greek State does not have enough vacancies¹⁰⁰. This situation has been a challenge for the State and for the organisations working on the ground¹⁰¹ who can see that in some cases that the minors are in camps together with adults who are not their relatives. There has also been an increase seen in drug and alcohol consumption by unaccompanied minors, especially due to their relationship with other adults, attempting to copy behaviour and due to a lack of expectations. In the city of Athens, there are also all unaccompanied minors who have had to resort to prostitution to survive.

To date, only 359 unaccompanied minors have been relocated from Greece and 2 from Italy¹⁰² despite the call from human rights organisations and the European Commission itself in their successive reports. It is essential that European States become aware of this situation and that, in the case of Spain, the Autonomous Community regions get involved within their competences in receiving unaccompanied foreign minors.

Women

One of the most unseen matters is the situation experienced by women¹⁰³. A rise in sexual aggressions has been reported, as well as in rapes and intra-family violence due to frustration and bad living conditions in the centres¹⁰⁴, which is an especially worrying situation in the closed centres. According to the report from the *Women's Refugee Commission*¹⁰⁵ on the impact of applying the EU-Turkey agreement, no entity has carried out programmes concentrating exclusively on women, despite having seen an increase in the arrival of women who are the head of the family, often with minors in their care, seeking reunification with their spouses in other European countries¹⁰⁶.

The great majority of women's accounts denounce fear and insecurity, the lack of toilets and safe areas, deficient food (above all for pregnant and lactating women), a lack of specialist healthcare and a lack of family planning programmes. There is high demand for birth control products and services from refugee and migrant women. It is not easy to find contraceptives in the camps, and when there are, most women are unaware they can have access to them.

As for access to healthcare resources, it should be noted that approximately 10% of the refugee women in Greece are pregnant, and the postpartum and neonatal services in the refugee centres are scarce and precarious. In cases where some women have had access to a public hospital to give birth, they have been sent back prematurely to the

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99 For more information, see Human Rights Watch: "Why are you keeping me here? Unaccompanied children detained in Greece" at: <https://www.hrw.org/report/2016/09/08/why-are-you-keeping-me-here/unaccompanied-children-detained-greece>

100 EKKA is the Greek body responsible for receiving minors.

101 Save The Children opened a reception apartment for minors on the island of Lesbos. Interview in Athens on 27 March 2017 with the Save the Children representative.

102 European Commission's "Report from the commission to the European parliament, the European Council and the Council. Twelfth report on relocation and resettlement" at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017DC0260&from=EN>

103 For more information, see the Women's Refugee Commission's "EU-Turkey Agreement Failing Refugee Women and Girls" at: <https://www.womensrefugeecommission.org/images/zdocs/EU-Turkey-Refugee-Agreement-Failing.pdf>

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106 It is significant that there are very few reports on the situation in Greece that include a gender perspective.

tents without an adequate postnatal service. Furthermore, pregnant women or those who have just given birth do not receive an appropriate diet for their state of health. There has also been an increase in intra-family violence seen, as well as a lack of effective protection in these cases. A rise in the use of prostitution as a form of survival has also been recorded.

The borders and management of them affect men and women differently, with a harsher, higher level of violence against women. Being enclosed with the long delays in Greece (above all on the islands) in deficient conditions increases the risk of suffering gender-based violence. Generally, there is inadequate protection for women, a lack of access to medical services, and a lack of awareness about their rights. Moreover, it should be noted that as a result of the people considered vulnerable being excluded from returning to Turkey and getting access to certain guarantees, there has been a very sharp increase in pregnancies in the RICs on the islands¹⁰⁷, which arouses the suspicion that women's bodies are being used as a means of protection. The lack of effective protection ends up harming women more, since their bodies are subject to violence and instrumentalised by their families and others.

Racism and stigmatisation of migrants and refugees

One of the consequences that CEAR has observed following the application of the agreement is seen in the local population's reaction to the arrival of migrants and refugees. The Greek islands have been characteristically welcoming places of solidarity. The people have made an effort to support the thousands of people who were arriving on their shores every day. Fortunately, many solidarity-based initiatives are still working. However, after the EU-Turkey agreement, a gradual change has been seen in the perception of this phenomenon among the local populations (above all on the islands), which arises in different incidents. The news shows more than 50 incidents ranging from hunger strikes, fights, suicides, protests about conditions, fires and attacks from anti-refugee groups. This catalogue of incidents shows how the application of the agreement has increased tension on the islands. These tensions are the result of a prolonged situation that is becoming structural, whereby hundreds of migrants and refugees are stranded on the islands without protection due to the reception conditions, facing long waits without information and a lack of guarantees in the procedure to access their rights, as well as the uncertainty with which they live. The autochthonous population on the islands coexists with a migrant and refugee population that is stranded and excluded, and which ends up being stigmatised. This situation increases the number of incidents involving racism and rejection.

CEAR has observed that the centres' very structure, surrounded by barbed wire and very high wire fences, among other aspects, criminalise the people enclosed there for the mere fact of having fled their places of origin. The municipal camp in Souda, on the island of Chios¹⁰⁸, is a clear example of how the EU-Turkey agreement has led to negative reactions towards the arrival of migrants and refugees. The Souda camp is located in the middle of the city among a neighbourhood's homes. The bad conditions (there are no beds or sufficient showers) and the fact that there are people who have been waiting for over a year in unacceptable conditions, generate tensions, problems of coexistence, strikes and protests inside the centre, as well as quarrels with the local population. The inhabitants of Chios live every day alongside the security problems existing inside the camp and come to the conclusion that the people there are a danger to their daily life. These facts have even led to racist attacks such as the one that occurred in November 2016¹⁰⁹. In the long term, this situation leads to rejection from local populations and an increase in racist incidents and xenophobic attitudes. This is an example of how the European migration and asylum policies, far from being based on respect for human rights, criminalise and stigmatise migrants and refugees, leaving them in a serious situation without protection.

It is also important to point out that the problems of schooling that are seen on the islands¹¹⁰ are mainly due to the attitudes of the management in the schools. On the peninsula, on the other hand, children are being schooled. This fact reflects

¹⁰⁷ This information was obtained in the interview carried out in Athens on Tuesday 28 March with Save The Children, and was confirmed with the representative of the Greek Asylum Service in Chios on Wednesday 29 March 2017. Both gave us the same information.

¹⁰⁸ For a detailed description of the camp's conditions, see the point about reception conditions.

¹⁰⁹ "Greek racists attack refugee camps": <http://awdnews.com/society/greek-racists-attack-refugee-camp>

¹¹⁰ The Independent, "Inside the school trying to give refugee children a second shot at learning": <http://www.independent.co.uk/news/worroe/volunteers-bring-education-back-to-the-lives-of-child-refugees-on-the-greek-islands-a7375906.html>

the different perceptions and attitudes towards the migrant population that is inevitably related to the environment in which they live.

Lastly, the EU-Turkey agreement and the framework of border management policies have led to the refugee population being obliged to establish itself for the long term in Greece. Despite the situation, official sources have conveyed to us their concern about the lack of long-term inclusion plans for migrants and refugees. This is a challenge which, if it is not addressed immediately, is doomed to generate serious problems and presents a grave threat for people's coexistence. Again, this is a factor which in the long term may prove problematic and generate more suffering in the refugee and migrant population, contributing to their stigmatisation and their lack of access to basic rights.

4. Reception resources in Greece

One must begin with the concept of what has come to be called a "centre" in Greece. These are really reception camps as opposed to centres as understood in the Reception Conditions Directive, since they are mostly set up in areas without infrastructure where people live in containers or tents in very precarious conditions.

When the arrivals of migrants and refugees to Greece increased, the First Reception Centres that existed on the eastern islands were used as first reception and identification centres where people would spend only a few days before being moved to the peninsula. On the peninsula in those days, there were mainly two types of resources: open reception centres and open accommodations. The former were for people who had applied for asylum in Greece or those who having done so were then in family reunification or relocation programmes. The open accommodations were created in 2015 and housed migrants or potential international protection applicants who only stayed in the centre for a few days before continuing their journey to another European country. In addition to these centres, there are the UNHCR places within the accommodation programme¹¹¹.

In those days, the organisations denounced the bad conditions of both types of resources, which did not meet the minimum humanitarian standards and were overpopulated. That was when, faced with a lack of places in the centres on the peninsula and the degrading existing conditions, informal resources began to appear to provide accommodation for the population of international protection applicants and migrants who were on the Greek peninsula.

Today on the islands, the people who arrive on the shores are registered, identified (in the hotspots set up inside the RICs) and distributed in different kinds of centres (RICs, municipal camps, pre-deportation detention centres¹¹², centres for minors, hotels and apartments¹¹³), depending on the vacancies available after identification, determination of vulnerability, the need for international protection and other factors related to security carried out by the different European agencies. The islands' capacity for reception is very low, which in addition to situations of overcrowding leads to non-official parties taking on responsibilities of reception for migrants and refugees (as is the case of the PIKPA solidarity camp in Lesbos). This low capacity also entails that there are not enough vacancies available for people in vulnerable situations and we find, for example, unaccompanied minors in resources for adults.

Moreover, as a consequence of applying the agreement between the EU and Turkey, the people arriving on the islands must stay on the islands throughout the entire asylum application process¹¹⁴. As has been pointed out, the times for the asylum procedure have become very lengthy after the agreement and people on the islands have to wait months or even longer than a year to get a reply. For this reason, the centres (official or non-official) on the

¹¹¹ Initially, these places were for candidates to the relocation programme. Since mid-2016, the programme was extended to people with specific needs. The aim is to have 22,000 places available, mostly in apartments, for the end of 2017. Currently, the number of places comes to 17,129. <https://data2.unhcr.org/en/documents/download/56621>

¹¹² Sometimes the pre-deportation centres are inside the RICs themselves, as in the case of the island of Lesbos.

¹¹³ UNHCR manages 17,129 places in the hotels and apartments for asylum applicants, including unaccompanied minors and other vulnerable cases on the peninsula and on the islands.

¹¹⁴ For more information, see AIDA's "Country Report: Greece", 2016, at http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

islands have become long-stay places though they do not have adequate conditions since the intended activity for the centres on the islands is still one of emergency situations. This means that thousands of people are in truly degrading situations, sleeping in centres that do not have minimum humanitarian standards¹¹⁵ and which put people in desperate situations.

The agreement has therefore led to setting up RICs on the islands as a hybrid type of centre somewhere between reception centres and detention centres¹¹⁶. The people live in the RICs until the asylum procedure is finally decided. If the decision is positive, the person is moved to the peninsula; if it is rejected, they are subject to expulsion or return. All of this happens within the RIC itself, which acts as a reception, identification, accommodation and detention centre at the same time, which is why they are called hybrid centres. In any case, regardless of whether the centre to which people on the islands are sent is an open or closed one, the geography of the island itself acts as a deprivation of freedom as established for international protection applicants, since people cannot leave until the asylum procedure has ended, and if it is rejected they may be quickly placed in the RIC or, if it is an open centre on an island, returned or ejected.

On the Greek peninsula the centres have undergone changes, also as a result of the agreement. The reform in Greek law¹¹⁷ includes the creation of new types of temporary centres: temporary accommodation facilities and temporary accommodation centres for those applying for international protection, relocation or reunification; and temporary accommodation facilities for people pending return procedures. Although these centres on the peninsula are not currently overpopulated¹¹⁸, the reception conditions are still very deficient.

This winter in the Malakasa camp, conditions were denounced in which the refugee population were found with temperatures below zero in tents covered with snow¹¹⁹. Furthermore, as has been mentioned in the point about the *increase in people stranded in Greece* (3.2.2), many migrants, asylum applicants and refugees are obliged to stay in Greece, whether stranded on the islands or on the peninsula. Specifically, on the peninsula this new, long reception situation has also brought about a change of focus for activity in some of the parties involved from a perspective of humanitarian action to a long-term one that implies other measures such as the urbanisation of the refugee centres to adapt to the new, post-agreement situations. In this vein, some centres on the peninsula have begun to be asphalted. In addition, small shops have begun to be created around the centres, which help the asylum applicants and refugees to survive, as has happened at some camps near the city of Athens.

In spite of the latest attempts to improve the centres¹²⁰, the refugees and organisations working on the ground have continued to denounce the conditions in the different centres, the lack of access to an adequate diet, enough toilets and showers, and a lack of clarity and information in accessing the asylum process¹²¹. All of this has a direct impact on the emotional state of the migrants and refugees, which is especially serious in women and children. The terrible conditions in which the people in Greece have arrived can also lead to deaths¹²² by accident and suicide.

Today, Greece has a great challenge ahead in terms of reception in the centres intended for this purpose, especially on the islands.

115 For more information, see The sphere project at: <http://www.sphereproject.org/resources/download-publications/?search=1&keywords&language=english&category=22>

116 For more information, see AIDA: "Country Report Greece" at http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf

117 idem

118 The centres in northern Greece have a capacity for 15,550 people and only 4,000 are being used. In the centre of the country, there are 4,160 places and only 3,083 are being used. In the Attica region there are 10,500, with 7,796 being used. Information obtained from: Coordination Body for the Management of the Refugee Crisis, "Summary statement of refugee flows" at: <http://bit.ly/2kGV6Lz>

119 "UNHCR denounces the death of refugees in Europe due to the cold wave" ("*ACNUR denuncia la muerte de refugiados en Europa por la ola de frío*") in Spanish at: <http://www.rtve.es/noticias/20170113/acnur-denuncia-muerte-refugiados-europa-ola-frio/1472965.shtml>

120 Last winter, UNHCR acted in several camps on the islands where the temperature had fallen below zero, putting containers (1,400 between the peninsula and the islands) instead of the tents in which the refugees had lived until then. It also gave support by moving people in situations of greatest vulnerability to apartments and hotel vacancies.

121 See "The reality of the UE-Turkey Statement": https://www.nrc.no/globalassets/pdf/briefing-notes/joint-agency-briefing-note---eu-turkey-statement---final_16-march---new---3.pdf

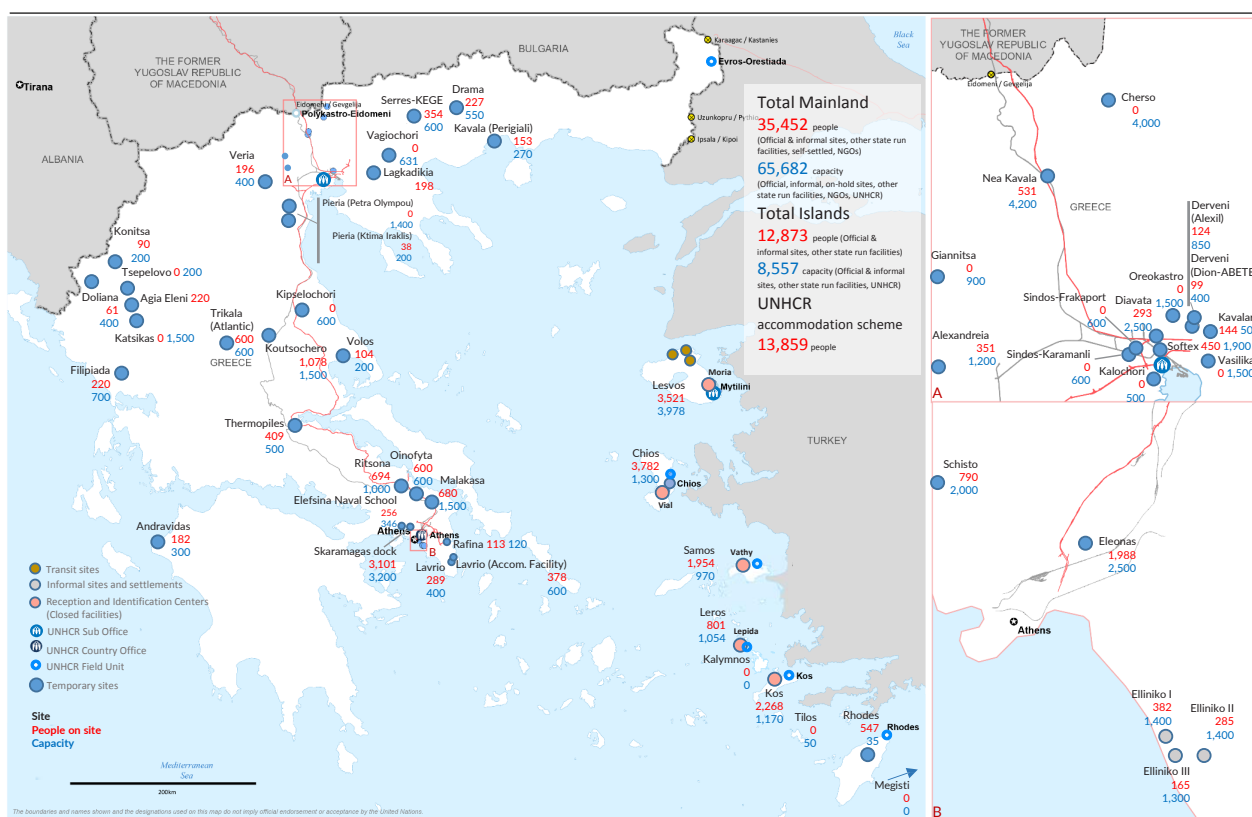
122 "Controversy in Greece following the death of three refugees in Lesbos due to overcrowding and neglect" ("*Polémica en Grecia tras la muerte de tres refugiados en Lesbos por hacinamiento y abandono*") in Spanish at <http://www.rtve.es/noticias/20170130/mueren-tres-refugiados-semana-campamento-isla-griega-lesbos/1482382.shtml>

The map below shows the number of centres and places available with the level of occupancy in Greece. It can be seen that currently there are 76,368 places distributed among official and informal centres and camps.

Europe Refugee Emergency

Daily map indicating capacity and occupancy (Governmental figures)

As of 16 May 2017 08:00 a.m. EET



Presence and capacity are based on Governmental figures from the Coordination Centre for the Management of the Refugee Crisis, as of 16/05/2017 10:00 a.m. Eastern European Time. Online map with additional information: <http://www.unhcr.gr/sites>



Source: UNHCR¹²³

Finally, it is important to note the support from citizens and organisations from civil society given to the asylum applicants and refugees in Greece. One example of this is the project carried out by CEAR and the Greek Council for Refugees, concentrating on reception and legal assistance for asylum applicants and refugees in a vulnerable situation in the city of Athens¹²⁴.

123 <http://reliefweb.int/map/greece/greece-europe-refugee-emergency-daily-map-indicating-capacity-and-occupancy-63>

124 Project "Access to assistance for urgent needs and legal assistance for people susceptible for receiving international protection in Greece" ("Acceso a la atención de las necesidades urgentes y a la asistencia legal de las personas susceptibles de recibir protección internacional en Grecia")

5. Conclusions

- **The signing of the EU-Turkey agreement has not led to a drop in the loss of human lives in the Mediterranean, which far from falling does not stop rising.** One example of this is that over 2016 there were 1,314 more people who died in the Mediterranean compared to 2015. Added to this, the closure of the route from Turkey to Greece and the Balkans route has forced migrants and refugees to use more dangerous routes, leaving them in a situation of greater violence and vulnerability at the hands of traffickers. Moreover, the situation of stagnation and lack of protection on the islands and the Peninsula together with the slowness and inefficiency of the relocation processes means that many people in Greece resort to traffickers to cross the Balkan countries' borders or to embark on dangerous journeys across the sea to other European countries such as Italy. It is important to point out that, after the agreement was put in motion, the number of people stranded in Greece without an adequate response to their situation has risen by 47% compared to the period before signing the agreement.

- **The slowness and lack of efficiency in the relocation processes, when compared to the speed with which the mechanisms have been launched regarding returns and the strengthening of borders, shows that the efforts of the EU and member States are concentrating on externalising borders and returning people instead of providing a quick, adequate solution to the asylum applicants in Greece.** This leaves people in a serious situation of uncertainty and insecurity which, far from being an exception, is lasting longer. All of this shows a sharp contradiction with the focus of the Common Agenda on Migration, which is supposedly based on joint efforts by the States to respond to the situation using the foundational principles of the EU based on solidarity and respect for human rights.

- **The EU-Turkey agreement and closure of the Balkans route has left 62,184 people stranded in a country where the international protection system did not exist, nor is it prepared to give an isolated response to the situation.** As for matters concerning the asylum procedure, in the months following the signing of the agreement until the system of pre-registration of applications was launched, it became impossible for thousands of people to access the international protection procedure. Although the procedure has improved today, the process is still working very slowly. In addition, there have been changes to Greek asylum legislation after the agreement came into force, which involve a different procedure for the peninsula than for the islands. The procedure on the islands includes an admissibility phase which is applied to people from countries with international protection recognition rates below 25% (unless they are people in a special situation of vulnerability) arriving after the agreement was signed. This criterion is discriminatory and breaks with the essence of Article 3 of the Geneva Convention (which establishes that applications shall be studied without distinction as regards nationality), almost automatically assuming that people from countries with low recognition ratios do not deserve international protection. Based exclusively on their nationality, these people are subject to a procedural phase that is not applied to asylum applicants from other countries or people on the peninsula.

As for determining the vulnerability, which is a reason to exempt people from the admissibility phase, a general evaluation is carried out based on people's appearance and interviews that are not in-depth and which are carried out in conditions that are not ideal for expressing trauma and violence. This means that many people, despite being in a situation of vulnerability, are not considered as such. As a result, the admissibility phase is applied to them and they are not included in transporting people to the peninsula (until now, the only international protection applicants moved from the island to the peninsula are people considered to be in a situation of vulnerability), and are also not included for specific resources suited to their needs.

- **As for matters concerning reception, it should be noted that when the agreement came into force, the Greek reception system was not prepared to take on the reception of asylum applicants in the country.** In 2011, the European Court of Human Rights passed the sentence on *M.S.S. v Belgium and Greece* (no. 30696/09), maintaining that the minimum conditions of reception were not being met in Greece, which implied a breach of Ar-

article 3 of the ECHR. This led to most of the States suspending the transport of asylum applicants to Greece in the context of applying the Dublin Regulation.

- The reception facilities launched in the early months were emergency systems, which in many cases have become long-term reception facilities though they do not comply with the conditions required for this. An example of this is the situation on the islands, where the restriction on the asylum applicants' freedom of movement until the procedure ends means that many of these people stay for up to a year in centres and camps that are not prepared for long stays. This aggravates the situation of vulnerability suffered by these people, with devastating effects on their psychological and physical state, leading to a rise in suicides, self-harm, aggressions and depressive disorders. The autochthonous population coexists with people who are stranded and suffering situations of exclusion and a lack of protection. This situation is increasing the stigmatisation and incidents of racism and rejection, especially on the islands, where anti-refugee movements have begun to form.

In summary, the disparity and complexity of the asylum procedures on the islands and the Peninsula, together with the lack of adequate reception conditions, is leading to serious situations of a lack of defence and protection for asylum applicants, especially affecting women and children, who are often subject to violence and instrumentalisation.

- The application of the EU-Turkey agreement implied converting the First Reception Centres (FRC) into closed centres called Reception and Identification Centres (RIC), where migrants and refugees are deprived of freedom in spaces that do not meet the minimum standards, including families with minors, elderly people and unaccompanied minors.

- The islands have become big detention camps far removed from the continent where asylum applicants remain stranded without being able to leave until the procedure ends. This demonstrates a clear intention to dissuade other people who intend to reach Greece via this route.

- The borders and management of them affect men and women differently, with a greater level of violence against women. The lack of effective protection harms women more, since their bodies are subject to violence and instrumentalised by their families and others. Being enclosed for longer times in Greece (above all on the islands) in deficient conditions increases the risk of suffering gender-based violence. Women are also subject to sexual aggressions, rape and intra-family violence due to the lack of safe areas. Furthermore, a lack of specialised healthcare and family planning programmes has been detected. There is also a notable rise in the use of prostitution as a form of survival. It is important to underline that a very sharp rise has been seen in pregnancy among women in the RICs on the islands, which leads to the suspicion that their bodies are being used as a protection mechanism. This is particularly linked to the fact that vulnerable cases are excluded from returning to Turkey and have access to certain guarantees.

- Children, especially those unaccompanied or separated from their families, are in a special situation of vulnerability in the centres and camps. It is especially worrying that children are detained in the RICs until their registration has ended, as well as the impact of stressful situations experienced in the centres, which has led to a rise in suicide attempts and self-harm. In the city of Athens, there are also unaccompanied minors who have had to resort to prostitution to survive. According to specialised organisations, if this situation continues it is very probable that the minors will suffer trauma throughout their lives, never able to recover normality.

It is also important to stress that the protocol for deciding on the classification as a minor is not applied. There is also a lack of access to education, legal guardian and specific resources (for unaccompanied minors), which leads to a lack of access to information and awareness about their rights, including most notably access to the international protection procedure.

Faced with this situation, it is essential that the European States, among other measures, streamline the relocation of unaccompanied foreign minors (to date, only 361 have been relocated) and in the case of Spain, the Autonomous Community Regions should get involved with their competences in receiving unaccompanied foreign minors.

To sum up, over the first year that the agreement has been applied, the situation has become chronic, turning Greece into a big refugee camp in Europe.

On applying the agreement, the European Union demonstrates a clear neglect of its founding principles of solidarity and respect for human rights, returning people who have applied for international protection in the EU to an insecure country such as Turkey, where they are not guaranteed effective protection. At the same time, it leaves thousands of people in Greece unprotected while they wait for an adequate response, clearly showing a lack of interest in protecting rights or the impact of their policies on migrants and refugees.

While the Europe of Human Rights fades, Fortress Europe is becoming ever firmer, dispossessing migrants and refugees of their rights, criminalising them, stigmatising them and thus generating violence, racism and exclusion. As we have seen, the situation in Greece and the response from the European Union and the member States is currently the most visible example of this, but not the only one. The European Union has been implementing its migration and asylum policies for decades with a truly security-based approach, turning its external borders into zones of violence, impunity and no rights, where a kind of state of exception exists. The situation experienced by migrants and refugees in Greece is a large-scale reflection of what is happening in other countries and other European borders. It is the tip of the iceberg of the collapse of the right to asylum and human rights in Europe.

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