

# TRAPPED IN GREECE

AN AVOIDABLE REFUGEE  
CRISIS

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# INTRODUCTION

With the attention of Greek and European Union (EU) leaders focused firmly on the implementation of the recently agreed EU-Turkey deal, the plight of a large group of refugees left stranded in Greece in appalling conditions, and with little prospect of accessing international protection, is in danger of being forgotten.

On 7 March 2016, the EU heads of state or government announced in Brussels that “[i]rregular flows of migrants along the Western Balkans route have now come to an end.”<sup>1</sup> The next day, no one was allowed to cross the border from Greece to the former Yugoslav Republic of Macedonia (Macedonia), leaving over 46,000 refugees and migrants stranded in mainland Greece as of 11 April 2016.<sup>2</sup>

At the same time, the EU promise of opening up a legal way out of Greece for asylum-seekers has remained largely unfulfilled. According to the information provided by the European Commission on 12 April only 615 of the 66,400 asylum-seekers pledged to be relocated from Greece in September 2015, had been transferred to another EU member state, largely due to the lack of political will on the part of receiving states.<sup>3</sup>

While Greece has, with EU assistance, opened 31 temporary accommodation sites on the mainland with capacity for some 33,000 asylum seekers and migrants, the conditions in many of these overcrowded, under-resourced facilities, are inadequate for all but a few days. They certainly do not meet the standards required for the lengthy stays that migrants and asylum seekers are now consigned to.

Accessing the asylum procedure also remains highly problematic in the country, largely as a result of the insufficient resources available to the Greek Asylum Service for registering and

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<sup>1</sup> Statement is available at: <http://www.consilium.europa.eu/en/press/press-releases/2016/03/07-eu-turkey-meeting-statement/>

<sup>2</sup> There were around 6,976 refugees, who fall within the terms EU-Turkey deal, on the Greek islands as of 11 April 2016. Figures provided from the Coordination Centre for the Management of Refugee Crisis in Greece, available at: <http://www.media.gov.gr/index.php/%CF%85%CF%80%CE%B7%CF%81%CE%B5%CF%83%CE%B9%CE%B5%CF%83/%CF%80%CF%81%CE%BF%CF%83%CF%86%CF%85%CE%B3%CE%B9%CE%BA%CF%8C-%CE%B6%CE%AE%CF%84%CE%B7%CE%BC%CE%B1/summary-statement-of-refugee-flows-11-04-2016>.

<sup>3</sup> European Commission, *Member States' Support to Emergency Relocation Scheme*, 12 April 2016, available at: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_relocation\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf). Also see Greek Asylum Service Relocation Procedure statistics as of 3 April 2016 available at: [http://asylo.gov.gr/wp-content/uploads/2016/04/Relocation-procedures-up-to-3.4.16\\_gr.pdf](http://asylo.gov.gr/wp-content/uploads/2016/04/Relocation-procedures-up-to-3.4.16_gr.pdf).

processing applicants.<sup>4</sup> Indeed, Greece's asylum and reception system was already struggling prior to the current crisis: to such an extent that the European Court of Justice ruled in 2013 that asylum seekers should not be returned to Greece by other EU member states on account of the degrading conditions they would be exposed to.<sup>5</sup> Improvements the Greek authorities have made since then have been dwarfed by recent developments.

The assistance the EU is now providing to prop up Greece's ailing asylum system is now overwhelmingly focused on implementing the EU-Turkey deal, diverting resources and energy away from the processing of relocation applications and asylum claims by those now trapped in Greece, who fall outside the terms of the deal.

The grim reality is that by closing the Balkans route, and failing to implement the agreed relocation scheme effectively, EU member states are complicit in the trapping of asylum-seekers in a country - Greece - that they would not be allowed, under EU law, to return them to.

While systems and resources have been put in place in the last few months to ensure that arriving refugees and migrants are finger-printed and screened by the police to determine their nationality, not enough has been done to prepare Greece for the longer term reception of large numbers of asylum seekers – despite the swelling of this number being a perfectly foreseeable consequence of the closure of the Balkan route. This failure has not only extended to material reception conditions but also to the provision of information to asylum-seekers on their rights and the processes available to them – and, especially painfully for many, the identification of particular vulnerabilities. While a First Reception Service tasked, amongst others, with the identification of vulnerable refugees and migrants has been operational since 2013, the Greek authorities are still failing to ensure that all those in need of special care, such as women at risk gender-based violence, those with medical needs, disabled, elderly and unaccompanied children, are systematically identified and cared for.

Greece must, certainly, urgently improve the country's asylum system and ensure access to effective protection to everyone trapped in the country, including by setting up a mechanism for the systematic provision of information and the detection of individuals with special needs. Increased EU support will be needed to achieve this.

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<sup>4</sup> See, for example, *AIDA Country Report: Greece* prepared by the Greek Council for Refugees, November 2015. The difficulties registering asylum applications were also confirmed by Médecins du Monde (MdM) during an interview on 26 February and by Ecumenical Refugee Program (KSPM-ERP) of the Church of Greece on 24 March 2016. Also see, the joint submission the International Commission of Jurists (ICJ) and of the European Council on Refugees and Exiles (ECRE) presented to the Committee of Ministers of the Council of Europe in the case of M.S.S. v. Belgium and Greece (Application no. 30696/09) and related cases on 24 March 2016 available at: <http://ici.wpengine.netdna-cdn.com/wp-content/uploads/2016/03/Greece-ICJECRE-MSS-CommitteeMinisters-5thsubmission-legal-submission-2016-ENG.pdf>.

<sup>5</sup> Judgment in Case C-4/11 Bundesrepublik Deutschland v Kaveh Puid, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62011CJ0004>.

Equally necessary, however, is the proper implementation of the relocation scheme agreed in September 2016. Cobbled together in haste, and accepted with great reluctance on the part of many EU member states, this scheme remains a sensible and necessary response to the crises engulfing the front-line states, and Greece, in particular, who suddenly saw asylum and reception systems overwhelmed by large numbers of new arrivals.

It is bad enough – and clearly unlawful - for the EU to be sending refugees back to Turkey on the false pretence that it is safe country for them. It is equally shameful, however, to trap them in Greece, in conditions that are no better.

## METHODOLOGY

This briefing is written on the basis of two visits of Amnesty International researchers to Greece; between 8 February and 3 March and between 7 and 13 March 2016. This briefing was updated as of 12 April 2016.

The researchers carried out interviews with 229 refugees and migrants individually or in groups, in and outside of Moria camp, in Karatepe camp and in Pikpa camp on the island of Lesbos;<sup>6</sup> the Vial camp (hotspot) and Souda camp on the island of Chios;<sup>7</sup> in the Eleonas and Elliniko temporary accommodation sites, Victoria Square and Piraeus port in Athens;<sup>8</sup> in the NGO-run transit camp in Idomeni;<sup>9</sup> the army-run camp in Chersos;<sup>10</sup> Notara 26, a building providing shelter for refugees and migrant in Athens run by a solidarity group,<sup>11</sup> and in a police station in Evzoni.<sup>12</sup> Amnesty International examined the adequacy of the reception conditions, the availability of information on asylum and relocation procedures, and procedures to detect refugees and migrants with special needs and gathered information on the journey to Europe and expectations after reaching Greece.

Amnesty International interviewed representatives of the international organizations UN High Commissioner for Refugees (UNHCR) and International Organization for Migration (IOM); EU agencies European Asylum Support Office (EASO) and EU Border Agency (FRONTEX); local and international human rights and humanitarian aid organizations Greek Council for Refugees (GCR), Arsis, Praxis, Nostos Iasis, Greek Red Cross, ProAsyl, Médecins sans Frontières (MSF), Save the Children, Médecins du Monde (MdM); representatives of the national authorities including the national police, First Reception Service, Asylum Service, Alternate Minister of Interior responsible for Migration Policy (Minister for Migration Policy),

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<sup>6</sup> 11-14 February and 8-10 March 2016.

<sup>7</sup> 14 February 2016.

<sup>8</sup> 15, 16, 24 and 29 February, 3 March and 10-13 March 2016.

<sup>9</sup> 9 February and 7-8 March 2016.

<sup>10</sup> 9 March 2016.

<sup>11</sup> 16 and 29 February, and 3 March 2016.

<sup>12</sup> 10 February 2016.

and the National Centre for Social Solidarity (EKKA); and volunteers; either on the island of Lesbos, in Athens and in Idomeni.

Amnesty International would like to thank all those who assisted with the research and preparation of this report, including all the individuals who spoke with the organization and especially the migrants, asylum-seekers and refugees who were so generous with their time and testimonies. The names of most individuals have been withheld or changed to protect their identity.

# TRAPPED IN GREECE

Up until the 8 March, this year, when the Macedonian border was definitively closed, the vast majority of the refugees and migrants arriving in Greece continued on their journey towards other EU countries passing through the Balkans. This is a result of the desire to reunite with family members or the prospect of receiving support from communities established in another member state, as well as the lack of adequate reception services, impediments to access effective asylum and poor integration prospects in Greece.

The reaction of EU member states to the increase of those transiting through the Balkans route has been ad hoc, with a focus on either closing certain borders to arrivals or waving refugees and migrants through to the next border, instead of addressing protection needs and ensuring sustainable solutions for asylum-seekers and refugees along the same routes.<sup>13</sup>

Since Hungary started the construction of a fence on the country's border with Serbia in June 2015, fences continued to pop up along the route, including at the Greek-Macedonian border, stranding refugees and migrants on border areas in squalid conditions and forcing people to take longer journeys.<sup>14</sup>

While Hungary, Croatia and Slovenia, the EU countries along the Balkans route, received significantly larger numbers of people in need of international protection compared to previous years, which imposed challenges on them as a result of EU's structurally unbalanced asylum regime, they have also shown a great unwillingness to engage in collective EU efforts to address these shortcomings and participate in initiatives designed to redistribute the responsibility for receiving and processing asylum-seekers, notably the relocation scheme.<sup>15</sup> Instead, they have either "waved through" refugees upstream to other countries or blocked their way into their territory in an attempt to become "refugee-free zones."

## CLOSING THE BALKANS ROUTE

At Greece's border with Macedonia, refugees and migrants have continuously suffered from these ad hoc measures. On 20 August 2015, Macedonia declared a state of emergency and

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<sup>13</sup> Countries represented in the meeting were representing Albania, Austria, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Germany, Greece, Hungary, Romania, Serbia and Slovenia. For details of the action plan, see European Commission press release available at: [http://europa.eu/rapid/press-release\\_IP-15-5904\\_en.htm](http://europa.eu/rapid/press-release_IP-15-5904_en.htm).

<sup>14</sup> Hungary's fence on the Serbia border was concluded in mid-September 2015. On 11 November, Slovenia announced that it will start constructing a fence along its border with Croatia, on 27 November Austria began erecting a fence along its border with Slovenia and on 28 November Macedonia began the construction of a fence along its border with Greece after putting up a shorter barbed wire section in August. See, ICMPD, *2015 in Review: timeline of major incidents and policy responses*, available at: <http://www.icmpd.org/news-centre/2015-in-review-timeline-of-major-incidences-and-policy-responses/>

<sup>15</sup> For details, please see section titled *An Empty Promise: The EU Relocation Scheme*



sealed the country's southern border by closing the border crossing with Greece just outside the town of Gevgelija, erecting barbed wire fences along the border and calling military backup. The closure resulted in thousands of mainly Syrian, Afghan and Iraqi refugees and asylum-seekers being trapped on the Greek side of the border in desperate need of food, medical assistance and shelter.<sup>16</sup> When the situation at this border became a humanitarian crisis, the Macedonian authorities once again began letting people through along with other countries on the route. Germany's decision to suspend applying Dublin III regulation vis-à-vis Syrians on 21 August 2015, i.e. deciding not to return them back to the EU member state they have come from, also contributed to the Macedonian authorities' opening up their border with Greece.<sup>17</sup>

On 18 November 2015, Macedonia - along with Serbia, Croatia and Slovenia - changed its border management practices suddenly and without prior notice, and introduced the first in a series of discriminatory border control measures refusing to admit anyone unless they had papers to prove they originate from Afghanistan, Iraq or Syria.

The new measures in place along this route since then have denied many people access to asylum procedures and left thousands of people stranded in dire conditions at Greece's border crossing with Macedonia.<sup>18</sup> They have resulted in large-scale renewed human rights violations, including collective expulsions and discrimination against individuals perceived to be economic migrants or refugees on the basis of their nationality.<sup>19</sup>

Further attempts to stop the flow through the Balkans followed an extended cooperation agreement between the police chiefs of Austria, Slovenia, Croatia, Serbia and Macedonia signed on 18 February 2016. Initiated by Austria, this agreement set out new measures to improve cooperation on the Balkans route and introduced a unified registration for all countries along the way.<sup>20</sup>

Although the police agreement did not specifically exclude Afghan nationals from the Balkans route, the next morning, on 19 February, Serbia had closed its Preševo border to Afghan nationals, leaving more than 600 stuck at Tabanovce in Macedonia. Macedonia too

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<sup>16</sup> For more details, see: <https://www.amnesty.org/en/latest/news/2015/08/macedonia-thousands-trapped-and-at-risk-of-violence-as-border-sealed/>

<sup>17</sup> AIDA, *Germany: halt on Dublin procedures for Syrians*, 24 August 2015, available at: <http://www.asylumineurope.org/news/24-08-2015/germany-halt-dublin-procedures-syrians>

<sup>18</sup> On 21 January 2016, the Macedonian authorities introduced another restriction to people from the nationalities eligible for entry and requested that they declare in what country they wanted to apply for asylum. Only those whose destination was Germany or Austria were allowed to cross the border.

<sup>19</sup> For more details, see: <https://www.amnesty.org/en/latest/news/2015/11/refugee-crisis-balkans-border-blocks-leave-thousands-segregated-and-stranded-in-greece/> and Macedonia: Tear gas and rubber bullets as border tensions mount at: <https://www.amnesty.org/en/latest/news/2015/12/macedonia-tear-gas-and-rubber-bullets-as-border-tensions-mount/>

<sup>20</sup> The joint statement is available at: [http://www.mup.hr/UserDocsImages/topvijesti/2016/veljaca/migranti\\_sastanak/joint\\_statement.pdf](http://www.mup.hr/UserDocsImages/topvijesti/2016/veljaca/migranti_sastanak/joint_statement.pdf)

closed its border with Greece at Idomeni to Afghans, as well as to Syrians and Iraqis not in possession of passports or identity cards, leaving once again thousands trapped on the Greek side of the Macedonian border.

In the following days daily quotas were introduced on how many people would be allowed to enter the transit route: this fluctuated between 500 and 1,500 a day.<sup>21</sup> Informal “waiting” areas were formed at borders in Greece, Macedonia and Serbia while states continued to deny access to effective asylum procedures. Over the next two weeks, fewer and fewer refugees were allowed to cross the borders, which temporarily closed with increasing frequency.

Finally, after a meeting on 7 March 2016, the EU heads of State or Government made a statement, which, among others, announced that “[i]rregular flows of migrants along the Western Balkans route have now come to an end.”<sup>22</sup> Amnesty International noted with concern that closure of this route would lead to thousands of vulnerable people being left in the cold with no clear plan on how their rights would be ensured and their urgent humanitarian needs would be met.<sup>23</sup>

These latest measures closing the Greek-Macedonian border already claimed their first victims in mid-March: the bodies of a pregnant woman, her sister and a man from Afghanistan, who had attempted to irregularly enter Macedonia by crossing the cold and swelled river Suva Reka, were recovered from the river in the morning of 14 March 2016 according to the Macedonian authorities.<sup>24</sup>

Later on the same day, thousands of refugees left the camp in Idomeni losing hope that the official border crossing would open again. Around 2,000 people are estimated to have walked for about 6km to find a gap in the border fence to irregularly cross into Macedonia, in what

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<sup>21</sup> Austria adopted a daily asylum cap of 80 people, via the main route from Slovenia, reportedly in place since 19 February:

[http://www.bmi.gv.at/cms/bmi\\_asyl\\_betreuung/news/bmi.aspx?id=6B46677943545879505A383D&page=1&view=1](http://www.bmi.gv.at/cms/bmi_asyl_betreuung/news/bmi.aspx?id=6B46677943545879505A383D&page=1&view=1). Although the Slovenian government has not officially communicated a strict cap on the number of asylum-seekers allowed entry to and transit through Slovenia, on 2 March 2016 it announced that 580 is the “total agreed number of persons on a single train from Croatia that the Slovenian police can check daily in accordance with the Schengen rules”. Subsequently, access to territory was aimed to be de facto restricted to this number, with small fluctuations. Source: Government press release, 2 March 2016, available at:

[http://www.vlada.si/en/media\\_room/government\\_press\\_releases/press\\_release/article/sefic\\_austria\\_denies\\_entry\\_to\\_a\\_few\\_migrants\\_arriving\\_from\\_slovenia\\_57734/](http://www.vlada.si/en/media_room/government_press_releases/press_release/article/sefic_austria_denies_entry_to_a_few_migrants_arriving_from_slovenia_57734/)

<sup>22</sup> Statement is available at: <http://www.consilium.europa.eu/en/press/press-releases/2016/03/07-eu-turkey-meeting-statement/>

<sup>23</sup> See, Amnesty International news flash, 8 March 2016, available at: <https://www.amnesty.org/en/latest/news/2016/03/eu-turkey-summit-reaction/>

<sup>24</sup> “Three Afghan refugees dead” (article in Greek) available at: [http://www.express.gr/news/world/785621oz\\_20160314785621.php3](http://www.express.gr/news/world/785621oz_20160314785621.php3)

became known as the “March of Hope”. On the way, one large group crossed over the Suva Reka River at great risk to their lives. Live media streaming showed men and women waist down in the water, holding onto children and babies, as well as people on wheelchairs being carried over shoulders.<sup>25</sup>

Those who managed to enter into Macedonia near the village of Moin were surrounded by members of the Macedonian army. According to an eye witness interviewed by Amnesty International on 14 March 2016, refugees and migrants were forced to sit on the ground in groups of around 50.<sup>26</sup> According to testimonies given by refugees and migrants to MSF and volunteers in Idomeni, around 1,500 people were brought back to a point of the fence a few kilometres east of the camp in Idomeni in military trucks and pushed back to Greece, while others held overnight, had to walk back from the border.<sup>27</sup> The next day, Macedonian authorities announced that they had returned 1,500 people back to Greece.<sup>28</sup>

MSF, volunteers on the ground and media also recorded testimonies from refugees pushed-back that described violence at the hands of the Macedonian police, while Macedonian authorities denied use of violence.<sup>29</sup> Those returned appear to have not been provided with a chance to explain their individual circumstances and access asylum in breach of Macedonia's international obligations.<sup>30</sup> Around 600 people are reported to have returned back to Idomeni on their own either not being able to cross the wide river or after being spotted by the Macedonian army before crossing the border.<sup>31</sup>

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<sup>25</sup> Ruptly TV video can be viewed at: <https://www.youtube.com/watch?v=EVFdTjvgfZo>

<sup>26</sup> Phone interview with an NGO activist after her arrest and release in Macedonia, 14 and 15 March 2016.

<sup>27</sup> E-mail correspondence and phone interviews with MSF between 15 and 18 March, and with activists in Idomeni on 15 March 2016.

<sup>28</sup> Ministry of Interior, Информација за обидот за илегален влез на мигранти кај с. Моин (Information on the attempted illegal entry of migrants in Moin village), available at: <http://www.mvr.gov.mk/vest/1638>

<sup>29</sup> See, for example, testimonies gathered by the Moving Borders team, a network of activists, available at: <http://livetickereidomeni.bordermonitoring.eu/>. For the denial of violence, see “Macedonia Security committee meeting, deny violence used on refugees and migrants”, available at: <http://www.mia.mk/en/Inside/RenderSingleNews/92/133080149>

<sup>30</sup> MSF informed Amnesty International that between 18 November 2015 and 22 March 2016, their staff in Idomeni treated 150 refugees and migrants for bruises and wounds who reported that they had been subjected to violence by people wearing uniforms inside Macedonia and/or pushed back by the Macedonian police or army. 45 of these individuals were treated by MSF, and reported push-backs and ill-treatment at the hands of the Macedonian police or army between 19 and 22 March 2016 (E-mail correspondence with MSF, 22 March 2016). Some testimonies concerning push-backs and ill-treatment at the hands of the Macedonian police were recorded by Amnesty International during research visits in Greece in February and March 2016.

<sup>31</sup> Phone interviews with non-governmental organizations and photo-journalists in Idomeni, 15 and 17 March 2016.

While every country has the prerogative to control its borders, under international law it is illegal to push back at the border or reject refugees and asylum-seekers based on their nationality and without any possibility of claiming asylum or otherwise having their individual circumstances taken into account. Instead of sealing off the border, the Macedonian and Greek authorities, as well as others along the Balkans route and sitting in the EU Council, must focus on ensuring the right to seek and enjoy asylum, as well as providing shelters, food, clothing and healthcare to refugees in this exodus.

## AN EMPTY PROMISE: THE EU RELOCATION SCHEME

The humanitarian crisis refugees and asylum-seekers found themselves in Greece following the closure of the Balkans route was neither unexpected nor unpreventable. Many, including Amnesty International, have been pointing to the pressing need for solidarity between European Union (EU) member states; both through financial, material, and operational support to Greece, as well as through the transfer of asylum-seekers from Greece to other EU member states. However, while much has been done to close borders into and from Greece, not nearly enough has been done in the way of solidarity to improve the conditions in Greece and to share the responsibility of refugees and asylum-seekers arriving in the country.

To relieve the pressure on frontline member states, the European Commission presented in May 2015 a draft Council Decision to the EU member states for the relocation of 40,000 asylum-seekers from Italy and Greece. Another draft Council Decision was presented in September, which brought the total number of asylum-seekers to be relocated from Greece and Italy to other EU member states to 106,000. Another 54,000 asylum applicants were to be relocated to an unspecified member state according to needs, bringing the total of applicants to be relocated to 160,000. These two proposals were based on Article 78(3) of the Treaty on the Functioning of the European Union, which enables the Council to adopt, after consultation with the European Parliament, provisional measures for the benefit of “member states confronted with an emergency situation characterized by a sudden inflow of third country nationals.”<sup>32</sup> They were adopted at the two extraordinary Justice and Home Affairs (JHA) Council meetings on 14 and 22 September 2015, respectively.<sup>33</sup>

The emergency relocation scheme offers a valuable vehicle for reducing the pressure on Greece and lifting asylum-seekers out of squalid reception conditions. However, of the 66,400 asylum-seekers to be relocated from Greece to other EU member states under the scheme, only 615 departed to 14 member states from Greece, according to information

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<sup>32</sup> Treaty on the Functioning of the European Union, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012E/TXT>

<sup>33</sup> Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1523&qid=1443522997996&from=EN>; and Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1601&qid=1443522997996&from=EN>.

published by the European Commission on 12 April 2016.<sup>34</sup>

Amnesty International spoke to refugees from Syria and Iraq who had been informed about the EU relocation scheme while on the islands, mainly NGOs, EASO and the UNHCR. EASO personnel had been in Piraeus since end of February and were also informing about the programme. Since the closure of the border they had noticed an increase of interest and they were registering about 200 people a day.<sup>35</sup> Registrations were passed onto the Greek Asylum Office to get processed. For those registered, NGO Praksis and UNCHR were coordinating accommodation in Athens.<sup>36</sup>

While a majority of the Syrian and Iraqi refugees Amnesty International talked to had some information on the relocation scheme, there were some who had no information whatsoever on the scheme despite having registered with Greek police on the island of their arrival and made their way all the way up North to Idomeni. Some others who knew about the scheme said that they chose not to participate because they have relatives in a particular member state and want to go to that country in order to be able to receive support from these family members, while others also complained of the conditions they faced in Greece sharing their distrust that they will have better treatment if they were to participate in the scheme while waiting for their transfer in Greece.

*"We are here since four days and the conditions are very bad. It is very difficult to stay in Greece because there is nothing offered. I don't want to participate in the relocation program because of this,"* a Syrian man with his wife and two daughters aged 7 months and 5 years, told Amnesty International in Piraeus Port on 29 February 2016.

During Amnesty International's visit in Idomeni between 7 and 9 March, UNHCR was providing information about and signing people up for the relocation programme. However, many people to whom Amnesty International spoke were distrustful of the programme and reluctant to sign up. Many had asked Amnesty International researchers whether the programme was legitimate or a scam, aiming to simply stop them from travelling onward.

The lack of systematic information provision to potential beneficiaries<sup>37</sup> on the Greek islands and elsewhere in Greece on the relocation scheme, coupled with the long waiting periods, as

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<sup>34</sup> European Commission, *Member States' Support to Emergency Relocation Mechanism*, 12 April 2016, available at: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_relocation\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf).

<sup>35</sup> An EASO expert providing information to potential relocation beneficiaries and recording interested applicants for reporting to the Asylum Service for their registration, 11 March 2016.

<sup>36</sup> Interview with EASO representative at Piraeus, terminal E2, 11 March 2016

<sup>37</sup> Only those nationalities, which have a first instance recognition rate of 75% or higher in the EU, can benefit from the relocation scheme. In mid-February, nationalities, which could benefit from the scheme were those from Syria, Iraq, Eritrea, Central African Republic, Yemen and Swaziland, and stateless persons from these countries. Interview with police officer responsible from registrations in Moria camp, 11 February 2016, Lesvos. Also see presentation by Dionysia Papailiou from the Greek Asylum Service "Relocation Program of Greece" at the Odysseus Network's 1<sup>st</sup> Annual Conference in Brussels on 26

well as the lack of choice for the destination country are clearly important shortcomings of the current system. The cumbersome bureaucracy involved in the scheme means that it can take up to three months to relocate an asylum-seeker,<sup>38</sup> which makes it unattractive to people who, after a horrendous journey and substandard reception conditions, are eager to settle down or join family members elsewhere in Europe.

A 23-year-old man from Syria, traveling with his disabled brother, was heading to Germany, where some of their family members had already settled and where he knew his brother could have spinal surgery. *“This is the worst part of the journey so far. Every day I am staying here, my brother’s bones are being eaten. It’s hard to even get food, and he requires food that they don’t have here. When I go to NGOs to ask for help, I understand why they can’t help. They are under a lot of pressure. I can’t ask big things such as stop the war, because I know this is not going to happen. But European governments must make it easier for us to pass.”* He told Amnesty International that he was reluctant to sign up for the relocation programme, as he was afraid of being sent to a country without any community or family to support them, while he knew they would have support in Germany where his brother could also be treated. *“I was pressured a lot to sign up for the relocation, but I just collapsed. This is my life.”*<sup>39</sup>

Aside from reasons which make people hesitant to participate in the scheme, all actors Amnesty International met in Greece agree that the main problem lies with the member states at the receiving end of the scheme. Only 22 countries out of 30<sup>40</sup> have made 7,030 places available of the 160,000 agreed upon through the Council Decisions of September 2016, among them, 2,943 for Greece.<sup>41</sup> The Greek Asylum Service statistics also show that 95 asylum-seekers for whom a relocation country had been identified could no longer be found, while 78 withdrew from the scheme after learning the relocation country.<sup>42</sup>

In its assessment of the implementation of the relocation scheme in January 2016, the UNHCR reported that “some Member States have withdrawn places indicated as available to

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February 2016: <http://odysseus-network.eu/wp-content/uploads/2015/09/Papailiou-on-Relocation-from-Greece-PPT1.pdf>.

<sup>38</sup> Based on interviews with representatives from the Asylum Service and the NGO Praksis, which provides reception services to relocation beneficiaries until their departure from Greece through the UNHCR's accommodation scheme (Athens, 17 February and phone interviews on 28 March and 5 April 2016).. Praksis representative told Amnesty International that sometimes the beneficiary waits longer than three months, but she was not aware of the reasons behind such delays (Phone interview, 5 April 2016).

<sup>39</sup> Idomeni, 8 March 2016.

<sup>40</sup> 30 countries include 26 EU member states -excluding Italy and Greece- as well as non-EU countries, Norway, Switzerland, Liechtenstein and Iceland.

<sup>41</sup> European Commission, *State of Play – Relocation*, 12 April 2016, available at: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_relocation\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf).

<sup>42</sup> Statistical Data of the Greek Asylum Service – Relocation Procedures, 3 April 2016, available at: [http://asylo.gov.gr/en/wp-content/uploads/2016/03/Relocation-procedures-up-to-03.4.16\\_en.pdf](http://asylo.gov.gr/en/wp-content/uploads/2016/03/Relocation-procedures-up-to-03.4.16_en.pdf).

gain time to make reception arrangements, and previously available places were reduced significantly just before the actual transfers were to take place” and that some member states attach “a long list of preferences and additional limiting conditions” such as language skills,<sup>43</sup> which delayed the actual transfers and caused withdrawals from the scheme. In its 3 March recommendations to solve the refugee situation in Europe, the UNHCR stressed that all relocation places agreed should be pledged “without preferences for certain profiles.”<sup>44</sup>

A representative from the Greek Asylum Service responsible for the coordination of the relocation scheme told Amnesty International on 11 February 2016, that since the attacks in Paris in November 2015, many member states have begun conducting their own security checks and interviews before accepting a relocation request although this is not foreseen in the relevant Council Decisions and causes considerable delays.

## THE DUBLIN SYSTEM FOR REUNITING ASYLUM-SEEKERS WITH THEIR FAMILIES?

The current system for determining the member state responsible for examining asylum applications lodged in one of the member states of the EU is based on the Dublin III Regulation, which came into force on 1 January 2014.<sup>45</sup> The Dublin System aims to ensure that one member state is responsible for each asylum application; to prevent abuse of asylum procedures in the form of multiple asylum applications in different EU states; and to guarantee effective access to asylum procedures in the responsible member state.

The allocation of responsibility is established by a hierarchy of binding criteria, starting from the protection of the best interests of minors and family life, the possession of a visa or residence permit, illegal entry or stay in the territory of the state, down to where the asylum application was lodged. However, any state party may decide to examine an asylum application under discretionary clauses even if such examination is not its responsibility.<sup>46</sup>

While the Dublin System is generally utilized to send asylum-seekers back to the member states of first arrival in reliance to fingerprints being processed in the EURODAC database; the clauses concerning best interest of the child, family unity, dependents and humanitarian grounds can be used to take asylum-seekers out of Greece and transfer them to other member states, where their claim for international protection can be assessed.

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<sup>43</sup> UNHCR, *Building on the Lessons Learned to Make the Relocation Schemes Work More Effectively*, January 2016, available at: <http://www.unhcr.org/569fad556.pdf>.

<sup>44</sup> UNHCR, *Stabilizing the situation of refugees and migrants in Europe: Proposals to the Meeting of EU Heads of State or Government and Turkey on 7 March 2016*, 4 March 2016.

<sup>45</sup> Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast)

<sup>46</sup> Discretionary clauses in Chapter IV of recast Regulation (EU) No 604/2013 (Dublin III).

However, as stats show, the Regulation is rarely used for the benefit of asylum-seekers and alleviating pressures on the first countries of arrival. In 2015, Greece submitted requests to “take charge” of the application for 1,023 asylum applicants to 17 member states and Norway and Switzerland based on Dublin Regulation’s provisions that relate to minors, family members and bringing together any family relations on humanitarian grounds; 773 asylum-seekers were transferred to other states under Dublin in same year,<sup>47</sup> while there were a total of 12,771 asylum applications in Greece,<sup>48</sup> which shows that a transfer out of Greece through Dublin regulation is an option for only a relatively small number of asylum-seekers.

The majority of the refugees and asylum-seekers Amnesty International talked to in February and March 2016 in Greece believed that the Dublin System meant one thing: that asylum-seekers are sent back to the member state they have first arrived in and where their fingerprints were taken. The majority also knew that there was a suspension of this rule vis-à-vis Greece. While some of the interviewees knew that they could be legally transferred on to another EU member state through the Dublin system if they have a family member or a dependant in that state, they also knew that it would take months for them to get a response to an application to reunite with their families through the Dublin system; even if the outcome was positive. At a visit in a shelter for unaccompanied children in Oraiokastro ran by Arsis, for example, Amnesty International was told that some children wait up to a year for family reunification.<sup>49</sup>

It is clear that the current system to share responsibility among EU member states needs to be fundamentally reformed in order to ensure a more equal sharing of responsibility and to limit irregular secondary movements within the EU that expose people in need of international protection to abuses, exploitation and human rights violations. However, even before such a fundamental change is achieved, there are means through which other EU member states can accept asylum-seekers from Greece both to alleviate the situation of asylum-seekers there and the strains on the country itself. These include relocating a significantly larger number of people without applying restrictive selection criteria, easing family reunification and allowing asylum-seekers to obtain visas from member states’ representations in Greece for onward legal travel.

A crucial element of the EU emergency relocation scheme is the “hotspots” approach. In the European Agenda on Migration of May 2015, the European Commission proposed to develop hotspots to ease the pressure on Greece and Italy resulting from the increase in the number of arrivals and to stop the secondary flows of refugees and migrants within the EU. This approach calls for funnelling resources to main entry points “where the European Asylum Support Office, Frontex and Europol will work on the ground with frontline Member States to swiftly identify, register and fingerprint incoming migrants”<sup>50</sup> in order to channel them to the

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<sup>47</sup> Phone interview with Greek Asylum Service on 30 March 2016. 773 transfers were both for take charge and take back requests and may include take charge requests Greece submitted previous years but which were realized in 2015.

<sup>48</sup> Statistical data of the Greek Asylum Service (1.1.2015-31.12.2015), available at: [http://asylo.gov.gr/en/wp-content/uploads/2016/01/Greek-Asylum-Service-statistical-data-2015\\_en.pdf](http://asylo.gov.gr/en/wp-content/uploads/2016/01/Greek-Asylum-Service-statistical-data-2015_en.pdf).

<sup>49</sup> Interviews with the staff of the shelter, 9 February 2016.

<sup>50</sup> Communication from the Commission, *A European Agenda on Migration*, 13 May 2015, available at: [http://ec.europa.eu/lietuva/documents/power\\_pointai/communication\\_on\\_the\\_european\\_agenda\\_on\\_migra](http://ec.europa.eu/lietuva/documents/power_pointai/communication_on_the_european_agenda_on_migra)



asylum procedures, the relocation scheme or the return procedures. Five “hotspot” areas were identified on the Greek islands of Lesbos, Chios, Samos, Leros and Kos. On 31 March, Amnesty International received information from the First Reception Service indicating that all five “hotspots” were up and running.<sup>51</sup> These “hotspots” are now very much focused on securing returns to Turkey, however it is essential, therefore, that the necessary processing personal and systems are put in place on the mainland, to ensure that relocation applications can be processed there.

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tion\_en.pdf.

<sup>51</sup> E-mail exchange with First Reception Service on 31 March 2016.

# RECEPTION CONDITIONS

As of 11 April 2016, the estimated number of those trapped on mainland Greece was 46,141<sup>52</sup>, for which there are 31 official accommodation sites on mainland Greece with a reported maximum capacity of 33,640.<sup>53</sup> Thousands of refugees and migrants are also staying in the informal camps in Idomeni and the Piraeus port in Athens. Most of the official facilities have been set up in March to respond to the humanitarian crisis. However, reception capacity, including basic humanitarian services, is still insufficient to cope with high numbers of refugees and migrants stranded in the country with volunteers, activists, ordinary citizens and NGOs trying to fill the gaps in the humanitarian support desperately needed.

In addition to the insufficient capacity to properly accommodate refugees and migrants in an irregular situation, the capacity to accommodate registered asylum-seekers has also been well below the actual needs in Greece for many years. In December 2014, the United Nations High Commissioner for Refugees (UNHCR) described the reception arrangements for asylum-seekers in Greece as “insufficient and, if provided, considerably below the standards set out by EU and national law.”<sup>54</sup> During a meeting with Amnesty International on 16 February 2016, a UNHCR staff member responsible from following up reception conditions in Greece reported that their December 2014 report was still valid in terms of second line reception<sup>55</sup> conditions for asylum-seekers in Greece.<sup>56</sup>

Although there have been attempts to increase reception capacity for asylum-seekers in Greece, available shelter space is currently well below the needs. Capacity to host registered asylum-seekers in need of accommodation was only 593 as of 8 March 2016 and 296 asylum-seekers were waiting for a reception centre space to open up.<sup>57</sup> In 2015, the National

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<sup>52</sup> On the basis of figures of the Coordination Centre for the Management of Refugee Crisis in Greece, 46,141 refugees and migrants were staying in various official sites and informal camps on the mainland as of 11 April 2016; while 6,976 refugees and migrants were on the islands (see Figures provided from the Coordination Centre for the Management of Refugee Crisis in Greece, available at: <http://www.media.gov.gr/index.php/%CF%85%CF%80%CE%B7%CF%81%CE%B5%CF%83%CE%B9%CE%B5%CF%83/%CF%80%CF%81%CE%BF%CF%83%CF%86%CF%85%CE%B3%CE%B9%CE%BA%CF%8C-%CE%B6%CE%AE%CF%84%CE%B7%CE%BC%CE%B1/summary-statement-of-refugee-flows-11-04-2016>).

<sup>53</sup> See, UNHCR’s online map “Sites in Greece” available at: <http://rrse-smi.maps.arcgis.com/apps/MapSeries/index.html?appid=d5f377f7f6f2418b8ebadaae638df2e1>.

<sup>54</sup> UNHCR, *Greece as a country of asylum: UNHCR observations on the current situation of asylum in Greece*, December 2014.

<sup>55</sup> Second line reception concerns reception of asylum-seekers, unaccompanied children after their initial reception and screening.

<sup>56</sup> Interview at UNHCR office in Athens, 16 February 2016.

<sup>57</sup> E-mail correspondence with EKKA on 9 March 2016.

Centre for Social Solidarity (EKKA)<sup>58</sup> received requests to place 1,839 asylum-seekers in a reception facility,<sup>59</sup> while 12,771 adults and accompanied children sought asylum the same year.<sup>60</sup> The actual need being much higher than the referrals of 2015 is also confirmed by representatives of Médecins du Monde (MdM), which operates reception facilities. They said that many asylum-seekers do not ask for accommodation knowing that they would need to wait for a very long time.<sup>61</sup> There are also no special shelters for asylum-seekers who require special care other than unaccompanied children, such as people with dementia or serious mental health disorders.<sup>62</sup>

In December 2015, UNHCR, with funding from the European Commission, launched an accommodation programme to provide a further 20,000 asylum-seekers and relocation beneficiaries with reception places “through apartment and hotel rental schemes, hotel vouchers and host family programs.”<sup>63</sup> These places are progressively being made available since January 2016. As of early March 2016, 2,788 places were made available through the NGO Praksis since the beginning of the programme,<sup>64</sup> largely to relocation beneficiaries.<sup>65</sup>

In addition to the limited number of reception places currently available for asylum-seekers, some of the NGOs running shelters for unaccompanied children and asylum-seekers, as well as those providing legal aid to asylum-seekers, have complained from lack of funding for their services. While the funds distributed to NGOs through the European Refugee Fund had

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<sup>58</sup> EKKA is a government agency under the Ministry of Labour, Social Insurance and Social Solidarity, which coordinates social support services in Greece: <http://www.ekka.org.gr/EKKA!show.action?lang=en>.

<sup>59</sup> Interview with a representative from EKKA on 12 February 2016, Athens. Also as per 2015 statistics report EKKA shared with Amnesty International by e-mail on 1 April 2016 (E-mail by Christos Dimopoulos, Coordinator of Service for the Management of Accommodation Requests for asylum-seekers and unaccompanied children, 1 April 2016).

<sup>60</sup> Statistical data of the Greek Asylum Service (1.1.2015-31.12.2015), available at: [http://asylo.gov.gr/en/wp-content/uploads/2016/01/Greek-Asylum-Service-statistical-data-2015\\_en.pdf](http://asylo.gov.gr/en/wp-content/uploads/2016/01/Greek-Asylum-Service-statistical-data-2015_en.pdf).

<sup>61</sup> Interview with representatives from MdM on 26 February 2016, Athens. Both EKKA and MdM representatives interviewed on 12 and 26 February respectively said that single male adults are unlikely to be placed in a reception facility since the limited capacity meant that vulnerable individuals and single parent families were prioritized. 2015 statistics EKKA shared with Amnesty International on 1 April 2016 state that single adult asylum-seekers waited in 2015 on average three months for placement in a reception facility, while nuclear families and single parent families waited for around 20 and 32 days respectively.

<sup>62</sup> Interview with representatives from MdM, Athens, 26 February 2016.

<sup>63</sup> UNHCR, *Greece: Refugee Emergency Response – Update #8*, 29 November – 31 December 2015 .

<sup>64</sup> European Commission, *Progress report on the implementation of the hotspot approach in Greece*, 4 March 2016.

<sup>65</sup> A Praksis representative told Amnesty International that approximately 80% of those who benefited from the scheme as of 17 February 2016 were relocation applicants. Interview with Praksis representative, 17 February 2016, Athens.

ended in March 2015, there were still no calls for applications to funds under the Asylum, Migration and Integration Fund as of mid-March 2016. For example, a shelter for unaccompanied children run by the NGO Ars in Thessaloniki had staff who had been unpaid for four months during Amnesty International's visit on 9 February 2016.<sup>66</sup> Gaps in funding not only caused problems with the payment of staff salaries but also for services provided to children, including clothing and leisure activities.

## STRANDED IN IDOMENI IN SQUALID CONDITIONS

Since the end of February 2016, following the new restrictions on Afghan nationals on the Balkans route, large numbers of refugees and asylum-seekers, including families with very young children, babies and people with disabilities have been sleeping rough in Idomeni, on the Greek side of the border with Macedonia. While there were around 7,000 people stranded at the border, the shelter capacity in the only existing informal transit camp at the border was a maximum of 2,500.<sup>67</sup> The Greek authorities, apart from the police, continued to be absent in Idomeni. Later in March 2016, with the complete closure of the border, the situation at the border got worst. Amnesty International met many refugees and asylum-seekers from Syria staying in completely unacceptable conditions.

During this latest visit at the border from 7 to 9 March 2016, between 11,000 and 13,000 people were estimated to be stranded in Idomeni in appalling conditions.<sup>68</sup> All humanitarian assistance including, shelter, food, sanitation facilities and medical care, was provided solely by humanitarian organizations, NGOs and volunteer groups. With the capacity of the big rub hall tents<sup>69</sup> in the camp stretched to the limit, NGOs had provided thousands with small camping tents offering some shelter. Amnesty International met Syrian refugees, including heavily pregnant women, families with young children, elderly and people with disabilities, who were sleeping on the cold and wet ground in small tents unfit for the cold, rainy weather. With 180 toilets and showers,<sup>70</sup> at the time of the visit, sanitation facilities were insufficient for the thousands of people stranded in the area. People complained about children being sick and vomiting as a result of the cold weather and lack of hygiene.

*"The conditions here are not good and we are sleeping on the ground; our blankets are soaked with water. There are no bathrooms. This is why people are getting sick,"* a 9-month pregnant woman from Syria told Amnesty International. She and her husband, traveling with other families, were hoping to get to Germany, where other family members had already settled. *"We wanted our children to settle down in freedom. The only reason we are here now is that we wanted to put our children in a safe environment."*<sup>71</sup>

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<sup>66</sup> Since March 2015, operations in this shelter were funded by the much more restricted state budget.

<sup>67</sup> Amnesty International, *Greece: Chaos erupts at Idomeni border as Balkans route shut down*, press, 29 February 2016: <https://www.amnesty.org/en/press-releases/2016/02/idomeni-border-crisis/>.

<sup>68</sup> UNHCR, Winter Operations Cell – Daily Report, 9 March 2016 available at: <http://data.unhcr.org/mediterranean/download.php?id=840>.

<sup>69</sup> Rubb hall tents are tents, which are mostly used in emergencies, with a size of 10 meter to 24 meter.

<sup>70</sup> Information provided by MSF during the visit.

<sup>71</sup> Idomeni, 8 March 2016.

Many of the refugees and migrants Amnesty International spoke to in Idomeni were hoping to continue their journey onwards to Western Europe to reunite with family members, who had made the journey before. A 70-year-old couple from Aleppo, Syria, sleeping on the ground in a small tent, told Amnesty International: “*Why don’t they let us go? They want us to die here? It’s cold and we are on top of each other.*”<sup>72</sup>

30 year-old Rena, traveling with her 3 children, was hoping to reunite with her husband in Germany when she left Syria. While in Turkey, she met Suha, a 40 year-old Syrian woman traveling alone hoping to meet her husband in Denmark. “*We couldn’t wait for family reunification. It takes too much time, paper work and energy. But we didn’t know the border would be closed.*”<sup>73</sup>

As time passed, refugees and migrants began to lose hope that the border would open again. Greek authorities sent around 20 buses to Idomeni to transfer people to nearby camps on 25 March 2016. Despite enduring dire conditions, it was only around 400 who decided to leave the camp in Idomeni not knowing what to expect in the camps they would be transferred to.<sup>74</sup> By the end of March 2016, there were still over 11,000 refugees and migrants in Idomeni enduring squalid living conditions.<sup>75</sup> The Greek authorities must urgently improve the material accommodation conditions in Idomeni and ensure access to basic services; while making available accommodation in line with international standards in Idomeni or elsewhere, including accommodation that is suitable to the needs of vulnerable groups. Refugees and migrants trapped in Idomeni should have access to quality information on their rights and obligations, including alternative accommodation options across the country.

## RECEPTION IN ATHENS TEMPORARY ACCOMMODATION SITES

Of the 31 temporary accommodation sites set up by the Greek government on mainland Greece to accommodate refugees and migrants in an irregular situation, five are in Athens in

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<sup>72</sup> Idomeni, 7 March 2016.

<sup>73</sup> Names in this paragraph are changed.

<sup>74</sup> See for example, *Ekathimerini*, *Buses sent to Idomeni camp to transfer refugees*, 25 March 2016; the Guardian (AFP in Idomeni), *Greece removes migrants from Macedonian border camp*, 26 March 2016.

<sup>75</sup> Data available through UNHCR’s *Sites in Greece* online map: <http://rrse-smi.maps.arcgis.com/apps/MapSeries/index.html?appid=d5f377f7f6f2418b8ebadaae638df2e1>; also information provided by the Coordination Centre for the Management of Refugee Crisis in Greece available at: <http://www.media.gov.gr/index.php/%CF%85%CF%80%CE%B7%CF%81%CE%B5%CF%83%CE%B9%CE%B5%CF%83/%CF%80%CF%81%CE%BF%CF%83%CF%86%CF%85%CE%B3%CE%B9%CE%BA%CF%8C-%CE%B6%CE%AE%CF%84%CE%B7%CE%BC%CE%B1/summary-statement-of-refugee-flows-11-04-2016>. For detailed information on many of temporary accommodation sites as of 7 April 2016 see: UNHCR report: *Site profiles – Greece*, available at: <http://data.unhcr.org/mediterranean/country.php?id=83>.

Elliniko, Eleonas and Schisto.<sup>76</sup> These camps currently host both people who have left the islands and arrived on mainland Greece, as well as those who returned from Idomeni not being able to cross the border into Macedonia.

On 1 March 2016 Amnesty International submitted a request to the Ministry of Interior to visit all five temporary accommodation sites in Athens.<sup>77</sup> The Ministry informed Amnesty International only on 11 March that it could access two of the sites – the old airport in Elliniko (Elliniko II) and the site in Eleonas – the next day. The organization was not allowed access to the centre in Schisto as well as the two other sites in Elliniko; the Olympic hockey stadium (Elliniko I) and the baseball stadium (Elliniko III).

While conditions at Eleonas, mainly used for families and vulnerable refugees and migrants, were overall adequate for short term accommodation at the time of Amnesty International's visit, the sites in Elliniko were clearly inadequate even for a short stay.<sup>78</sup>

During Amnesty International's visit to Elliniko on 12 March 2016, Amnesty International was only allowed to enter Elliniko II section of the centre in the unused airport and only after midday. Researchers talked to the management of the facility as well as refugees and migrants staying there.<sup>79</sup> The facility had been open for approximately two weeks and was at its full capacity of 1,400 people. Residents in the centre were mainly from Afghanistan; many returnees from Idomeni after the Greek-Macedonian border was shut for Afghan nationals in February 2016.

The conditions of the camp were inadequate even to host refugees and migrants for a few days, while some of them had been staying there for weeks. All 1,400 of the refugees and migrants in the facility were staying on the first floor of the old departure hall without any privacy. They were sleeping on the floor using blankets. Some had created some privacy by sleeping in small tents they said they had received from an NGO. E., a 18-year-old girl from Afghanistan had been in Elliniko for two weeks after having returned from Idomeni. She told Amnesty International that she found it very difficult to sleep because having to sleep amongst so many unknown men disturbed her.

All refugees and migrants Amnesty International interviewed said there was no heating and the place was very cold at night, and that they were not given enough food. There was only one doctor in the camp from 8am to 8pm.<sup>80</sup> The building had five toilets for woman and five

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<sup>76</sup> The three sites in Elliniko have a total capacity of 4,000: 1,400 in the Olympic hockey stadium (Elliniko I), 1,300 in the baseball stadium (Elliniko III) and 1,300 in the old airport (Elliniko II). See, UNHCR's online map "Sites in Greece" available at: <http://rrse-smi.maps.arcgis.com/apps/MapSeries/index.html?appid=d5f377f7f6f2418b8ebadaae638df2e1>.

<sup>77</sup> TG EUR 25/2016.004, 1 March 2016, addressed to Mr Ioannis Mouzalas, Minister for Migration Policy.

<sup>78</sup> Amnesty International visited the Eleonas transit centre on 16 February and 12 March 2016.

<sup>79</sup> Five men and 15 women from Afghanistan.

<sup>80</sup> The camp coordinator appointed by the Minister for Migration Policy told Amnesty International that a

toilets for men. Due to lack of washing facilities, sinks in the toilets were being used to wash clothes and dinner plates. A total of ten individual showers - five for women and five for men - had been installed two days before Amnesty International's visit. Women interviewed said they were not using these showers because the water was too cold and there was no curtain to separate the showers. Women Amnesty International interviewed complained that they were not provided with female hygiene products.

*"It's a total mess – there is nothing here. [...]Everybody is sleeping on the floor in the old terminal hall. We don't even have basic things. There is a toilet but it is so dirty. I don't sleep in there – it's smelly",* said Mashid, an Afghan national who slept rough outside the camp with a male friend.<sup>81</sup>

Amnesty International also witnessed a very young girl, cleaning the women's toilet with a mop. Interviewees told Amnesty International that the place had been filthier until recently because cleaning products and material had only been given to them on the day of the organization's visit.

#### AN INFORMAL CAMP IN ATHENS: THE PIRAEUS PORT

*We sleep for two days on the floor with no blankets, there are children and we had no bath. We left a war with rockets to come to a war of hunger... If there was no war in Syria we would not come here... My child should be at school.....we did not come here for us but for our children.*

H, a Syrian man staying in Piraeus with his wife and two girls of 7 months and 5 years, 29 February 2016, Piraeus Port, Athens.

Until the EU-Turkey deal kicked in on 20 March 2016 and during the time of Amnesty International's visits in Greece in February and March 2016, refugees and migrants were taking ferries from the Aegean islands and arriving in two main ports on mainland Greece: Kavala in the north of the country and Piraeus in Athens.

Increasingly since the closure of the Greek-Macedonian border the port had become an informal camp, where thousands of refugees and migrants were seeking shelter. Between 3,000 and 5,000 people have been staying at the port daily, depending on the arrival of ferries bringing over hundreds who had landed on the islands in previous days as well as the departure of buses carrying migrants and refugees to new state-run facilities outside

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new procedure for medical care and referrals in the various accommodation centres was in place from 12 March 2016. This system is to be coordinated by the Ministry of Health with the involvement of humanitarian organisations working in the camps. At the time of writing it was still unclear how this procedure would work and whether it would improve access to health care in transit camps.

<sup>81</sup> Amnesty International interview on 11 March 2016. See also, 'I was the first Afghan refugee turned away at the border', 15 March 2016, available at:

<https://www.amnesty.org/en/latest/campaigns/2016/03/the-first-afghan-refugee-turned-away-at-macedonian-border/>

Athens.<sup>82</sup>

During all visits to the Piraeus port, Amnesty International documented refugees and migrants, including many families with small children and babies, pregnant women, people with disabilities and elderly, enduring squalid reception conditions.<sup>83</sup> Conditions at this makeshift camp – including shelter, food and basic sanitation facilities– were very poor. Refugees and migrants –mainly families with young children- were resting and sleeping on the floor of the terminals with nothing other than a fleece blanket or in small tents inside a cold warehouse and outside the premises at the mercy of the cold temperatures at night. Facilities were insufficient with 4 to 6 showers without hot water in one of the terminals and only 8 or 10 chemical toilets per terminal.

Services - such as translation, provision of clothes or medical care - were provided solely by volunteers and few humanitarian organisations, who were also coordinating with a much stretched UNCHR for some identification and the referral of people with special needs to more adequate reception conditions. Cleaning was provided by volunteers and the port authorities with the help of the refugees. As Amnesty International has documented throughout this refugee crisis in Greece, the state was largely absent when it comes to providing essential services to refugees and migrants in the unofficial camps.

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<sup>82</sup> Amnesty International was told by UNCHR and volunteers in Piraeus that buses were taking refugees and migrants to new temporary accommodation sites in Ritsona, Malakasa, Trikala and Larisa, 11 and 13 March 2016.

<sup>83</sup> Amnesty International visited the Piraeus port on 24 and 29 February and on 10, 11 and 13 March 2016.



# LACK OF SYSTEMATIC PROVISION OF INFORMATION

*When we arrived on Lesbos a bus took us to the camp (Karatepe). We stayed one night in the camp and the next day we went to another camp (Moria) to get our paper. No one told us that the borders were closed or explained us asylum. [...] When we arrived on the island the only thing we were told was that a bus would come to take us to the camp... Once we came to the port [Piraeus], some officials told us of a centre in Athens. But we don't want to go there as we fear it's closed and we'd be detained.*

An Afghan man and his 8-month pregnant wife, 24 February 2016, Victoria Square, Athens.

According to Greek law,<sup>84</sup> asylum-seekers and irregular migrants arriving in Greece must undergo first reception procedures including provision of information to the new arrivals on their rights and obligations in Greece. Yet refugees and migrants arriving in Greece do not systematically receive information on their rights, with insecurity, prolonged suffering and chaos as a result. The majority of refugees and migrants Amnesty International interviewed on Lesbos and on mainland Greece said that they received no information on asylum during their time on the islands, while only some of those interviewed from the nationalities eligible for the relocation scheme had received information about it on the islands.<sup>85</sup>

Until mid-March, the First Reception Service (current Reception and Identification Service),<sup>86</sup> the government body responsible for first reception procedures, was only present

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<sup>84</sup> Law 3907/2011 on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third country nationals and other provisions.

<sup>85</sup> Amnesty International researchers conducted both individual and group interviews with 229 refugees, asylum-seekers and migrants. Of those, 99 were from Syria and Iraq, nationalities which could benefit from the relocation scheme in February and March 2016.

<sup>86</sup> On 1 April 2016 Law 3907/2011 on the establishment of an Asylum Service and a First Reception Service was amended, replacing the First Reception Service with the Reception and Identification Service. Provisions related to the Reception and Identification Service of the new "Law 4375/2016 on the Structure and Operation of Asylum Service, Appeals' Authority, and the Reception and Identification Service and the transposition into Greek legislation of the Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (recast) and other provisions" are under Section 1, Chapter B, Articles 8 to 17 and Section 2, Chapter A, Article 25 to 32. On concerns regarding the recently introduced legislation (Law 4374/2016) including the possibility of a Ministerial Decision converting temporary accommodation shelters to detention centers and the extremely abbreviated processes for the examination of asylum claims at the borders (a total of 15 days) see, AIDA database, Greece: Asylum

on the islands of Lesbos, Chios and Samos.<sup>87</sup> On 31 March 2016, the First Reception Service informed Amnesty International that the Service has presence on all islands where there are “hotspots” without details on the capacity of the Service, while stating that the “hotspots” are now managed by the First Reception Service.<sup>88</sup>

Amnesty International’s research reveals that even on Lesbos, where the Service had a First Reception Centre within Moria camp during the organization’s visits in February and March 2016, the majority of the arrivals did not have any contact with the Service, but instead were screened by the police only to determine their nationality and registered by the police without receiving information on their rights and obligations, including the right to asylum and the relocation scheme.

While Amnesty International already identified the absence of such systems in February 2016 despite the low number of arrivals at the time of the visit in Lesbos, the consequences of these gaps became even more apparent during organization’s visit on the island between 8 and 10 March 2016 when almost 3,000 people arrived.<sup>89</sup> Reception capacity –although improved since 2015- was overstretched. Information provided to refugees and migrants in the camps about the situation on the border and options, including access to asylum in Greece, the relocation scheme for eligible nationalities, and family reunification through the Dublin system was not consistently given.

While it was the duty of the First Reception Service, as per Greek law, to provide information on rights and obligations to and screen all new arrivals for vulnerabilities, the Service was carrying out these duties neither on a systematic manner as part of the procedure all new arrivals go through nor in an ad hoc manner through outreach in the Moria camp.<sup>90</sup> The Asylum Service had an office next to the lower registration area but did not have any capacity to go out and provide information to new arrivals.<sup>91</sup> The police, on the other hand, which had systematic access to almost every refugee and migrant who arrives on the island,<sup>92</sup> does not have the competency to screen vulnerabilities or provide quality information on asylum, relocation or other rights in Greece.

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reform in the wake of the EU-Turkey deal, available at: <http://www.asylumineurope.org/news/04-04-2016/greece-asylum-reform-wake-eu-turkey-deal>.

<sup>87</sup> Official website of the First Reception Service: <http://firstreception.gov.gr/index.php?lang=en>.

<sup>88</sup> E-mail exchange with First Reception Service on 30 and 31 March 2016.

<sup>89</sup> UNCHR, Lesbos data snapshots from 7 to 13 March, available at: <http://data.unhcr.org/mediterranean/country.php?id=83>

<sup>90</sup> Lawyers from ProAsyl, Amnesty International interviewed on 12 February 2016, confirmed that people who are referred to Pikpa after having registered in Moria camp, arrived there without having received any information on their rights and obligations, including the asylum system in Greece.

<sup>91</sup> Interview with a registration officer from the Asylum Service, 11 February 2016, Moria camp, Lesbos.

<sup>92</sup> In February and March 2016, during Amnesty International’s visits on Lesbos, refugees and migrants from certain nationalities (Moroccans, Algerians, Tunisians and Pakistanis) were not approaching the police for registration fearing they would be detained.

Only unaccompanied children identified and referred to the First Reception Service had systematic access to information through sessions held by the staff of the First Reception Service and UNHCR, IOM and EASO on their rights, the asylum system in Greece, the Dublin procedure and the relocation scheme.

Until 20 March 2016, when the Moria hotspot became a detention facility, a number of humanitarian and human rights organizations and volunteers present on the island were trying to fill this gap. However, as none of them had systematic access to all arrivals, it was not possible for them to ensure that everyone receives quality information. With the withdrawal of several organizations, including UNHCR's suspension of certain activities, from the Moria camp following the EU-Turkey deal, it is likely that the gaps in information provision and vulnerability screening have become even greater.

A 16 year-old boy from Mazar-i-Sharif, Afghanistan told Amnesty International that he left his home after being threatened by Taliban because his father is in the Afghan army. After the threat, his parents arranged for him to leave Afghanistan accompanied by his aunt and his cousin, whose father had been already been killed by the Taliban. He queued for two hours in Moria to be registered. He told Amnesty International: *"They gave me a paper. They told me it says that I have a month to leave Greece. I don't know about asylum. I want to go to Idomeni. In Afghanistan there is no hope to be alive"*.<sup>93</sup>

A woman from Aleppo, Syria, with a 9 month-old baby was sitting in the mud on a blanket inside Moria camp waiting to be registered for around five hours, when Amnesty International researchers talked to her.<sup>94</sup> She said all their belongings and money fell into the sea due to big waves while they were traveling to Lesbos in the evening. She did not have information about the registration process or where to go to find milk to feed her baby. Her only knowledge regarding the situation at the Greek-Macedonian border was that lots of people were waiting there hoping to continue the journey through Europe.

Similarly, three friends -two men and a woman with a one year-old baby from Aleppo, Syria, had been sitting on the ground outside the camp for five hours and said that they had not eaten anything the whole day. The woman wanted to go to Austria to be reunited with her husband. They told Amnesty International that no information had been given to them about next steps or what to do if they needed to stay overnight in Lesbos considering that they were travelling with a baby. They didn't know about asylum options or family reunification and only were aware of the EU relocation scheme because some volunteers had mentioned it to them. They were prepared to travel to the north of the country as they couldn't see any other option.<sup>95</sup>

Once on mainland Greece, refugees and migrants continued to lack access to quality information on rights and obligations, including asylum, relocation, accommodation options. Staff of the Asylum Office was not present in the Elliniko transit camp at the time of Amnesty

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<sup>93</sup> Interview on 9 March 2016, Moria camp.

<sup>94</sup> Interview on 9 March 2016, Moria camp.

<sup>95</sup> Interview on 8 March 2016, outside Moria camp.

International's visits on 17 February and 12 March 2016. The camp coordinator told Amnesty International that UNCHR and IOM regularly visited the camp to provide information on asylum and voluntary returns. However, at the time of Amnesty International's visit, neither of these organizations had staff present in the camp. None of the people interviewed by Amnesty International in Elliniko had initiated an asylum application or had information about how to seek asylum in Greece except a 27 year-old man from the Democratic Republic of Congo (DRC), who had been staying in the hockey stadium section of the Elliniko transit centre for around a month, none of the interviewees knew about their rights and options in Greece. "No one comes to talk to us", A., a 25-year-old man from Afghanistan told Amnesty International. Another woman, who had travelled with 14 people (two families) from Afghanistan, said she was prepared to accept what the Greek government would suggest if borders remained closed. But she wasn't aware of any possible option, including asylum.<sup>96</sup>

Many showed police papers to Amnesty International delegates in Greek and asked them to be translated as they did not know what the documents said, demonstrating the absence of quality information provision that reached all residents in this centre even when the centre was running well below its capacity.<sup>97</sup> The man from DRC, on the other hand, told Amnesty International that he went to the transit centre in Eleonas and received some information on asylum procedure in Greece there.<sup>98</sup>

In the transit centre in Eleonas, on the other hand, Skype appointments were being arranged for residents interested in seeking asylum. The Asylum Service visited the centre on Thursdays to take applications. Information on asylum and relocation was also provided by the Asylum Service on Thursdays if a particular person was interested. UNHCR also visited the camp once or twice a week in February to provide information on asylum and relocation, while IOM visited the centre twice a week for information on voluntary return programmes. Despite these services however, it became clear in interviews Amnesty International had with refugees and migrants at the Eleonas centre in February 2016 that their options were not clear to them.

A., 17 year-old boy from Mali, for example, was identified as an unaccompanied child after his arrival in Eleonas centre, and was assisted for transfer to a children's shelter and to make an asylum application. However, he still lacked clear information on what was to happen to him next. Upon his arrival on the island of Kos on 27 January 2016, he was given a police paper ordering him to leave the country, which showed his age as 22. He told Amnesty International that he was not told what the paper said or that his age was written wrongly as the paper was in Greek and an interpreter there only spoke English, which he did not. As a result he slept rough in Athens for four evenings and was finally brought to Eleonas by other refugees as he was clearly vulnerable as an unaccompanied child. He had been staying in the centre for around ten days when Amnesty International interviewed him on 16 February 2016. He explained:

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<sup>96</sup> Amnesty International interviews on 12 March 2016.

<sup>97</sup> These were documents given to them by the police on the islands of their arrival, ordering them to leave the country in 30 days.

<sup>98</sup> Interview on 17 February 2016, Elliniko I (hockey stadium), Athens.

*“Other refugees on Victoria Square brought me here. When I told the management my age, they did not contest it. They said that I will be transferred to a shelter for children. I don't know when this will happen. They also helped me make an asylum application, but I don't know what the procedure is; what will happen next. Can you ask them for me?”*

Access to information was a serious problem at the Piraeus port with little information being provided to residents about asylum procedures, relocation and the destination of the buses for official camp sites.

An Iraqi man who was staying with his wife and two small children at Piraeus port told Amnesty International on 29 February 2016: *“When we arrived in the port, no one explained us anything. We have been here almost a week now and we still don't know what is going to happen to us”*.

Similar testimonies were given by Afghan nationals to Amnesty International on Victoria square in February 2016.<sup>99</sup>

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<sup>99</sup> Victoria Square in central Athens had been another location where refugees and migrants set up a make-shift camp. This square was evacuated on 6 March 2016, but refugees and migrants continued to come there to gather information from other refugees and migrants about the situation at borders and their rights. CNN Greece, *Police forces evacuated Victoria square from the refugees*, 6 March 2016, available at: <http://www.cnn.gr/news/ellada/story/24219/ekriktikos-mixanismos-exerragi-sto-ix-paratiriti-tis-superleague>.

# DETECTION OF VULNERABLE REFUGEES AND MIGRANTS

Besides the duty of the First Reception Service (called the Reception and Identification Service as of 1 April 2016) to provide information as described above, the responsibilities of the Service also include a medical screening for the provision of the necessary medical treatment; psycho-social support and the identification of vulnerable groups, including unaccompanied children, pregnant women and victims of torture, so they can be referred to the appropriate authorities including the Asylum Service and the National Centre for Social Solidarity (EKKA).

Except for unaccompanied children, Amnesty International research on the islands as well as mainland Greece found that arrivals were not screened for their vulnerabilities in a systematic manner, and as such people with serious health problems, single parents alone with large number of small children, women and men at risk of sexual and gender based violence and other vulnerable groups frequently went unnoticed and left without the specialized care they may be in need of. Despite some good coordination between humanitarian organisations to identify and refer vulnerable people with particular needs, there was still no system in place leaving many without the assistance they were in need of and entitled to.

Both the screening team leaders from the Greek Police as well as the Frontex Coordinator Amnesty International interviewed on Lesbos have confirmed that unaccompanied children were the only vulnerable group for which they had a specific *modus operandi*.<sup>100</sup> According to this, once a guest officer identifies an unaccompanied child, the screening process was terminated, the Greek screening team leader was informed and the child was referred to the First Reception Service (now Reception and Identification Service) for registration.

For other individuals with special needs, there were neither guidelines to identify them nor standard operating procedures on what to do once identified available to the Frontex guest officers and Greek police officers. The police officers Amnesty International talked to in February have stated that they do not identify vulnerable individuals except unaccompanied children; however, they prioritize individuals with special needs within the registration process if they are prompted by international or non-governmental organizations.

The fact that the First Reception Service on Lesbos did not screen arrivals for vulnerabilities was also confirmed by the Director of the Service in the Moria camp, who said the Service only deals with people referred by the police, which, with the exception of a small number of

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<sup>100</sup> Amnesty International interviews on 10 and 11 February 2016.

shipwreck survivors, had only included unaccompanied children as of mid-February 2016.<sup>101</sup>

Amnesty International spoke to a Syrian woman travelling with five young children. She was outside the Moria camp, having already registered with the police, but was completely lost and very distressed. She thought she had to wait for a bus that would take her and her kids to Germany. No information seemed to have been given to her about next steps after registration and about potential protection measures for her and her children.<sup>102</sup>

On 10 March 2016 during a visit to Karatepe camp, Amnesty International spoke to a family of five (mother, father, two daughters and a 30 year-old son) from Teishur, Syria. Another son, aged 27, was already in Germany. The daughters (aged 27 and 11) were suffering from a muscular disease. Although they had been prioritized for registration in Moria and taken to Kara Tepe on the same day, the girls, like the rest of the family, were sleeping on the floor in the containers and no other support was provided to them, except a wheelchair. The family was planning to travel to Athens with the intention of moving on to Idomeni, but they had little knowledge of the squalid humanitarian conditions in the border at the time and what would be the implications of going there given their circumstances. They said the EU relocation scheme was not attractive for them because their son had already found treatment for the girls in Germany and they wished to travel there as quickly as possible.<sup>103</sup>

Amnesty International also spoke to two refugees at the Piraeus port who travelled with serious illnesses and found themselves trapped in Greece, with no information on where to go in case they started to feel worse.

K., a 19-year-old Kurdish man and his 37 year-old mother L., from Aleppo, told Amnesty International that they had been in Piraeus for three days. Amnesty International met them in their small tent outside terminal E2. K's testimony showed not only lack of identification and care for those with special needs, but also lack of information available to them: *"My mother is very ill. She has heart problems. She had two major operations in 2000 and 2004 and should go to hospital every 20 days for treatment but she hasn't been seen by a doctor for three months. Here she hasn't seen any doctor either. I am very worried about my mother. It's very cold here [Piraeus] but she is afraid of going to a hospital. She believes she will have to stay and won't be able to continue the journey when the border opens. If we can't go we will*

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<sup>101</sup> Interview on 12 February, in Moria, Lesvos. This was also confirmed by a lawyer working for Proasyl during an interview in Mytilini, Lesvos, on 12 February 2016. Representatives of the First Reception Service in Athens told Amnesty International that the high number of arrivals coupled with insufficient personnel prevented the Service from screening all arrivals. More staff was anticipated to be hired with short term contracts in the coming months. (Interview, Athens, 15 February 2016).

<sup>102</sup> Interview on 9 March 2016

<sup>103</sup> After its visit to Karatepe in March 2016, Amnesty International was informed that the Syrian family was referred to an NGO-run shelter on Lesvos. Due to the final closure of the borders, the family decided to apply for the relocation programme and is currently waiting for the registration of their claim. There were serious concerns about the health of the two girls.

*have to go back to Syria.*<sup>104</sup>

On 9 March 2016, Amnesty International spoke to S., a 25 year-old Iraqi single woman with a 20 month-old son, in Chersos camp, a camp set up and run by the Greek army in northern Greece. She had been travelling with another family she met on the journey, including men she said she felt threatened by. She told Amnesty International that she wanted to escape these men but they were holding her phone, and identity and registration documents. At no point during her time in Greece had authorities on Lesbos or the camp in Chersos identified her as having special needs as a woman travelling alone with a baby and potentially at risk of gender-based violence. When asked if she had tried to seek help from authorities in the camps, she said: "I don't know who to speak to, who is official and who isn't." When Amnesty International asked what options were available for her, the army commanding officer said there were no separate tents for women traveling alone, and that the only option they could offer was to put her in a tent with another family.

Amnesty International also spoke to other women in Chersos on 9 March 2016, who complained of the living conditions in the camp, in particular of the dirty toilets and having to sleep on the wet ground in tents. The women also said that they were not feeling safe and felt at risk of exploitation by men in the camp. They also feared being robbed of their money and documents.

In order to be able to ensure vulnerable groups the rights they are entitled to, the Greek authorities first need to be able to identify them. Amnesty International recognizes the difficulty to identify vulnerabilities at a location where people do not want to remain and their main goal is to continue on with their journey. This is, however, not a reason not to set up basic systems to ensure that those who may be in need of help can seek assistance, be identified and offered special care for their specific needs as well as receive quality information on their rights and obligations.

While there were serious gaps in the identification of vulnerabilities and provision of specialized services adequate for vulnerable refugees and migrants even before the sharp increase in the number of arrivals in Greece in 2015, the gaps are even larger since the closure of the Balkans route. Greece must ensure that all vulnerable refugees and migrants trapped in the country are identified and that their specific needs are met.

#### UNACCOMPANIED CHILDREN

Even for those few who have been identified, mostly unaccompanied children, whether seeking asylum or not, the situation remains precarious on mainland Greece. Children are routinely held in police stations or immigration detention centres, due to shortage in transit and long-term shelter spaces. There is a serious risk that more children will end up in detention for longer periods with the closure of the Balkans route unless there is a significant increase in the number of shelter space.<sup>105</sup>

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<sup>104</sup> Amnesty International interview at Piraeus port, Athens, 13 March 2016

<sup>105</sup> Interviews with the NGOs running shelters for unaccompanied children, Arsis (9 February 2016, Thessaloniki) and Praksis (13 February, Lesbos and 2 March, Athens), as well as with Save the Children (13 February 2016, Lesbos), and MdM, 26 February 2016, Athens).



The number of shelter places available for unaccompanied children is drastically below needs. According to the National Centre for Social Solidarity (EKKA), the state organization responsible from the placements in reception facilities, social housing and shelters for unaccompanied children, there were 347 shelter spaces for unaccompanied children as of 8 March 2016, and 119 unaccompanied children were waiting to be placed in a shelter.

## CHILDREN HELD IN EVZONI POLICE STATION

Amnesty International visited the border guard station in Evzoni, a town near Idomeni, on 10 February 2016, where six unaccompanied children were being held under “protective custody.” The children held in the police station at the time of the visit were from Morocco and Afghanistan and aged between 16 and 17. They had been held in the police station waiting to be transferred to a children’s shelter for 15, 9, 8, 7, 6 and 1 days.

At the time of the organization’s visit, the border guard station was used solely for the detention of unaccompanied children. The children described very poor conditions including lack of natural light, lack of heating and hot water. They said that mice were walking amongst them. Clean blankets were brought by activists who visited the centre. The toilet in the detention area was blocked and the odour coming from the toilet was unbearable. The police station’s fund for food provision allowed them to provide two hot meals a day and sometimes breakfast.

The police had no interpreters and said that they communicated with the children in English. However, at the time of Amnesty International’s visit, only one child could speak the language. The head of the police station told Amnesty International that the reasons for their detention in the police station and what will happen to them next is explained by non-governmental organizations, which visit the station.

Amnesty International interviewed three of the children held in Evzoni police station. They were all identified as unaccompanied children by non-governmental organizations in Idomeni although two of them were screened, fingerprinted and registered by the Greek police on the islands they had arrived on from Turkey.

On 22 March 2016, Amnesty International was also informed by an activist in Idomeni about the very poor detention conditions of several unaccompanied male children held at the Polykastro police station. The children were in detention for twenty days and had no access to outside exercise while access to medical assistance was limited.<sup>106</sup>

Under international law, states are required to consider “the best interest of the child” in every decision concerning them.<sup>107</sup> EU legislation allows detention of unaccompanied children and families with children, but only as a last resort.<sup>108</sup> However, in Amnesty

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<sup>106</sup> E-mail correspondence with an activist, 22 March 2016.

<sup>107</sup> UN Committee on the Rights of the Child (CRC), *CRC General Comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin*, 1 September 2005, CRC/GC/2005/6.

<sup>108</sup> Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, Article 17.

International's view, children and in particular unaccompanied children, should never be detained for immigration purposes, as detention can never be in their best interest.<sup>109</sup>

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<sup>109</sup> UN General Assembly, Convention on the Rights of the Child, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3; UN High Commissioner for Refugees, UNHCR's Revised Guidelines on Applicable Criteria and Standards relating to the Detention of Asylum seekers, 26 February 1999; and UN High Commissioner for Refugees, Alternatives to Detention of Asylum Seekers and Refugees, April 2006, POLAS/2006/03.

# RECOMMENDATIONS

There are no quick solutions for the over 46,000 people currently stranded in mainland Greece. As things stand however, it is clear that many are living in squalid conditions without access to adequate information on their options, while many with vulnerabilities are going unidentified or their special needs uncared for. Greece was already struggling to process and meet the needs of migrants and asylum-seekers before the EU-Turkey deal and the closure of the Balkan route.<sup>110</sup> The pressure has only mounted since. The plight of those trapped will only deteriorate even further unless urgent measures are taken by Greece and the European Union. To this end, Amnesty International makes the following recommendations:

## **AI calls on the Greek authorities to:**

- Ensure access to adequate reception conditions for all refugees, asylum-seekers and migrants in Greece by
  - Significantly increasing the official reception capacity for registered asylum-seekers in light of the likelihood that asylum applications will increase following the closure of the Balkans route and the EU-Turkey deal.
  - Significantly increasing the permanent shelter space available for unaccompanied children, as well as the transit shelters for them.
  - Ensure that those with specific vulnerabilities are systematically identified and special processes and services are put in place to ensure that their basic rights, safety and security are protected.
  - Increasing capacity to house refugees and migrants in an irregular situation and ensuring adequate physical reception conditions, including access to beds, food, clean water, sanitation, medical treatment, privacy and security, in all locations where they are being accommodated.
- Increase the capacity of the Asylum Service to register asylum applications and potential relocation beneficiaries, and to swiftly prepare and submit “take charge” requests for asylum-seekers, who can benefit from provisions of the Dublin III Regulation, which relate to best interest of the child, family unity, dependents and humanitarian grounds.
- Ensure systematic provision of adequate information to all refugees and migrants arriving in Greece on asylum procedures, the EU relocation scheme and family reunification possibilities.

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<sup>110</sup> On the plight of the refugees on the islands following the beginning of the implementation of the EU-Turkey deal, see Refugees detained in dire conditions amid rush to implement EU-Turkey deal, 7 April 2016, available at: <https://www.amnesty.org/en/latest/news/2016/04/greece-refugees-detained-in-dire-conditions-amid-rush-to-implement-eu-turkey-deal/>.

- Prohibit the detention of children by law and immediately end it in practice, in particular ending the detention of children in police stations under “protective” custody.
- Urgently announce calls for applications to Asylum, Migration and Integration Fund and ensuring a swift distribution of the fund to non-governmental organizations providing reception services and legal aid to refugees, asylum-seekers and vulnerable migrants.

**AI calls on other EU member states to:**

- Use all available means to urgently accept asylum-seekers from Greece including by
  - relocating a significantly larger number of people without applying restrictive selection criteria,
  - easing family reunification and,
  - allowing asylum-seekers to obtain visas from member states’ representations in Greece for onward legal travel.

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