

**PUBLIC INTERVENTION OF NGOs AND OTHER GROUPS
FOR REFUGEES AND MIGRANTS
Athens, 16.07.2009**

Within the public debate on migration, we have noticed many inaccuracies, a large amount of misinformation and a general approach which is not only one-sided but also exaggerates the seriousness of the issue, presenting it as a major national problem. Such an atmosphere allows no space for a calm and analytical approach to the entire issue, which would aim at shedding light on all aspects and focusing on substantial measures that could be taken to solve the problems. As a result, the discussion transforms refugees and migrants into targets rather than what they are: victims of armed conflicts, persecution, poverty and strict migration policies. Since we perceive the existing "dialogue" more as a monologue, and since no opportunity to speak has yet been given to the representatives of organisations that deal with migrants and refugees, we see it as our duty to intervene in the debate in order to inform Greek society about our position on this topic.

We first wish to recall that among those that are so often derogatorily called "illegal migrants", there are many people who have fled from countries that are suffering from armed conflict, either because of external military operations or civil war (e.g. Iraq, Afghanistan, Somalia, Sudan), or which are ruled by an authoritarian regime (e.g. Iran). These migrants are thus ASYLUM SEEKERS. Apart from the moral and humanitarian duty we have to help these people, there is also a legal framework (international treaties, national legislation) that protects them. **IN OTHER WORDS, WE HAVE A LEGAL OBLIGATION TO PROTECT THEM.**

This obligation entails the following duties:

Unhindered entry into the country for those who wish to claim asylum, access to the asylum procedure, fair examination of asylum claims, offering of housing, food, medical care, work permits and financial support pending the procedure.

OUR COUNTRY DOES NOT COMPLY WITH THESE DUTIES.

In particular:

Our country does not allow asylum seekers to enter the country (coast guard operations, landmines). The authorities arrest asylum seekers at the borders and automatically order their administrative deportation. They bar access to the asylum procedure or remove asylum seekers from the asylum system with irregular practices. They do not examine asylum claims in a fair way. They do not offer housing, food, or financial benefits.

Due to such unlawful practices, many asylum seekers find themselves outside the asylum procedure and live in poverty, either homeless or in sordid lodgings.

Second, we want to draw attention to another category of aliens, namely those who live in Greece and who have been served with a deportation order even though their expulsion is impossible. In some cases, they are people who come from countries facing war or a humanitarian crisis, and their expulsion would thus be in violation of international law. In other cases, they come from countries to which they cannot be expelled for practical reasons, because there is no diplomatic co-operation with the Greek authorities. Despite several interventions of the Greek Ombudsman, and despite the fact that there is no doubt that the expulsion of these people cannot take place, the Greek authorities do not regularise their stay in any way, leaving these people in illegality and poverty.

At the same time, the Government is in denial about the fact that thousands of economic migrants live and work in our country illegally, sometimes having done so for many years. The Government refuses to introduce a new procedure to regularise their stay, even though they are people who have integrated into Greek society in all other respects. Meanwhile, the stricter conditions of the migration law regarding renewal of residence permits, renders more and more migrants illegal.

Instead of moving towards the direction of adapting its policy to the requirements of international law, and regularising the status of asylum seekers and of those migrants who have been living in the country for many years, the Government:

A/ renders the legal framework even stricter

In particular:

The recent presidential decree 81/09 assigns the examination of asylum claims exclusively to police directors. It further deprives asylum seekers of the right to have their asylum claim examined at second instance, in violation of European standards.

Recent legislative changes extend the duration of administrative detention to up to one year. They thus allow the disproportionately strict deprivation of liberty of people who have not violated any other law apart from lacking necessary administrative documents.

A new provision gives the possibility to police directors to order the expulsion of every third country national who is being prosecuted for misdemeanours, without requiring his prior final conviction by a court. It is a provision which among others flagrantly violates the presumption of innocence.

B/ proclaims the creation of detention centers all around the country and implements massive arrests

We consider that the announcements regarding the hasty use of old military camps as detention centers, combined with the recent extension of the length of detention and the negative record of our country regarding conditions of detention (repeated convictions by the European Court of Human Rights, repeated critical reports by the CPT etc.) are grounds of grave concern.

It is beyond doubt that migrants and refugees are not the ones to blame for the situation of illegality and poverty that prevails in urban centres (centre of Athens, Patra). Rather, the blame lies with the authorities of our country, which do not respect international legal obligations and do not take any measures whatsoever to assist those migrants who have been living and working in our country for many years.

We call upon the Greek authorities to abandon practices of mass arrests and to take all necessary measures in order to live up to international obligations towards migrants and refugees, to effectively address current problems and take measures to assure non-repetition of these violations.

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MOVEMENT FOR THE PROTECTION OF THE RIGHTS OF MIGRANTS AND
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