



NO END IN SIGHT

THE MISTREATMENT OF ASYLUM SEEKERS IN GREECE

ACKNOWLEDGEMENTS

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TABLE OF CONTENTS

INTRODUCTION	04
IMMIGRATION DETENTION	06
LACK OF LEGAL SAFEGUARDS	08
ACCESS TO THE ASYLUM PROCEDURES	10
LIVING CONDITIONS	14
LACK OF ACCESS TO HEALTHCARE	18
POLICE VIOLENCE	22
VIOLENCE AGAINST WOMEN	26
UNACCOMPANIED CHILDREN	28
THE SITUATION FOR LGBTQI+ ASYLUM SEEKERS	32
RACIAL DISCRIMINATION AND XENOPHOBIA	34
PUSH-BACKS	37
CONCLUSIONS AND RECOMMENDATIONS	38

INTRODUCTION

IN ADVANCE OF GREECE'S PERIODIC REVIEW AS A PARTY TO THE CONVENTION AGAINST TORTURE, REFUGEE RIGHTS EUROPE, ALONG WITH PARTNER ORGANISATIONS, SUBMITTED A VERSION OF THIS REPORT TO THE COMMITTEE AGAINST TORTURE ON THE SITUATION FOR ASYLUM SEEKERS AND REFUGEES IN GREECE.

The civil society actors that contributed to this report represent a diverse range of sectors, geographic regions, and organisational structures: from national and international NGOs to small volunteer-based aid groups and grassroots legal aid organisations. These organisations, many of which are on the frontlines of the humanitarian crisis on mainland Greece and the islands, are intimately familiar with the reality of life within the labyrinthine and often inhumane asylum system in place there.

THIS REPORT FINDS EVIDENCE OF SWEEPING HUMAN RIGHTS VIOLATIONS OF DISPLACED PEOPLE AND REFUGEES ON MAINLAND GREECE AND THE ISLANDS OF CHIOS, LESVOS AND SAMOS,

This report finds evidence of sweeping human rights violations of displaced people and refugees on mainland Greece and the islands of Chios, Lesbos and Samos, violations that could amount to cruel and unusual treatment and torture. As a result of the so-called Containment Policy, bought into effect following the EU-Turkey Statement in 2016, thousands are currently trapped on the islands without access to shelter, healthcare or education, including many women and children. Those living on the islands, often in severely overcrowded camps, face dire living conditions, including unhygienic conditions and inadequate housing and bathing facilities.

Non-governmental organizations (NGOs) cited in this report describe incredibly poor conditions in detention, with inadequate sanitation facilities and a lack of access to medical care. There is a lack legal safeguards, including access to a lawyer. There are also alarming reports of ill-treatment by the police in detention centres, ranging from beatings, standing on people's backs and heads and aggressive behavior. Across mainland Greece and the islands, aid organisations and NGOs have stated that reports of ill-treatment by the police and in detention centres often go un-investigated, and that there is little to no redress available for the victims.

There is an alarming rate of gender-based violence against refugee and asylum-seeking women and girls occurring in Greece, and in particular on the islands. Both in camps and Reception and Identification Centres (RICs)—the government-run facilities through which asylum seekers first pass—there is often a lack of special protections and safeguards in place. Post-rape emergency care is critically lacking on many of the islands. In addition, the report highlights the concerning treatment of unaccompanied children. A persistent issue reported by multiple groups is the practice of placing children in so-called protective custody in unsuitable conditions in police stations and police detention facilities for long periods.

THERE IS AN ALARMING RATE OF GENDER-BASED VIOLENCE AGAINST REFUGEE AND ASYLUM-SEEKING WOMEN AND GIRLS.

Overall, the findings of this report suggest that refugees and asylum seekers in Greece continue to confront an extremely hostile environment, one characterized by uncertainty, violence and neglect. In order that their human rights are upheld, this report concludes with a set of urgent recommendations that should be implemented on the local and national level.



Photo credit: Tessa Kraan



IMMIGRATION DETENTION

IMMIGRATION-RELATED DETENTION IN GREECE HAS BEEN CRITICISED BY LEADING HUMAN RIGHTS ORGANISATIONS ON MULTIPLE OCCASIONS AND DESCRIBED AS TAKING 'ARBITRARY AND PROLONGED' FORMS¹.

According to field research conducted in 2017 by Refugee Rights Europe's (RRE), 18.4% of the asylum seekers interviewed had been arrested or detained since they had arrived on Chios.² Random detention by police appeared to be commonplace as well as many related stories about refugees who were detained and beaten by police for no apparent reason.

18.4% OF THE ASYLUM SEEKERS INTERVIEWED HAD BEEN ARRESTED OR DETAINED SINCE THEY HAD ARRIVED ON CHIOS.

Similarly, during the field research conducted in 2018 on Lesbos, RRE found 23.2% of respondents had been detained by the police at some stage in Lesbos. A Syrian

man, aged 21, recounted having been in prison for 51 days on the grounds of 'illegal entry'. Others explained that they had been arrested whilst finding themselves in the near vicinity of brawls between other refugees. Many respondents also explained that if asylum seekers decide to go back to Turkey or to their country of origin through the voluntary return process, they risk being detained for three to four months before being deported.³

23.2% OF RESPONDENTS HAD BEEN DETAINED BY THE POLICE AT SOME STAGE IN LESBOS.

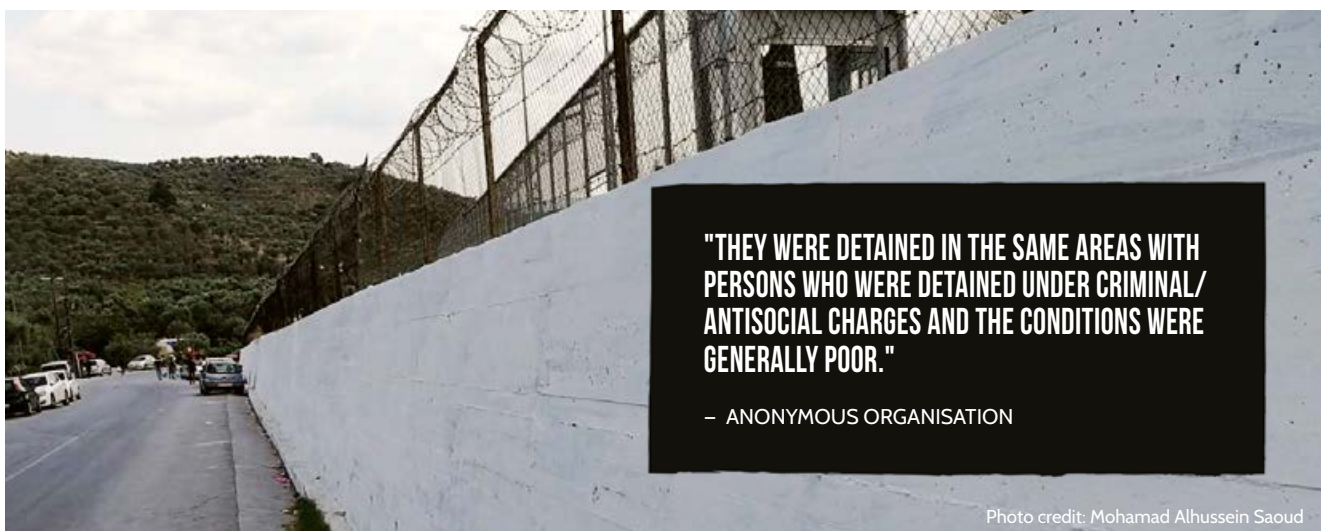
In its 2018 report on administrative detention practices, the Greek Council for Refugees (GCR) highlighted the practice of the detention of vulnerable groups, including families with children and unaccompanied children, often in inappropriate conditions and without appropriate medical care.⁴ During the previous year, GCR reported handling cases of single-parent families, as well as cases of detained people, who, among others, were victims of torture or had serious health problems, including mental health. In general, the GCR report highlights detention conditions which continue to violate fundamental rights and, in many cases, amount to inhuman and degrading treatment. Police cells in police stations and police headquarters, which are by their nature inappropriate for prolonged detention, were still used throughout 2018. According to GCR findings, these detention places have no access to a yard, and detainees never have the opportunity of outdoor exercise or access to an outdoor area, third-country nationals (administrative) detainees are detained together with persons facing criminal proceedings, there is lack of sufficient natural light

and ventilation, sanitation conditions are poor, the use of mobile phones is not allowed, there is no recreational activity whatsoever, no medical services are provided, and there is no appropriate space for visits or cooperation with a lawyer.

The report also observed delays in the full registration of applications for international protection for a period ranging from one to four months, during which the detainees are deprived of the procedural guarantees provided to asylum applicants. Furthermore, the authorities do not include in the duration of detention of an asylum seeker the time that lapses between when the detainee expresses the intention to apply and the full registration of the application. This indicates that applicants for international protection may be detained for a period exceeding the maximum time limits of 3 months.

APPLICANTS FOR INTERNATIONAL PROTECTION MAY BE DETAINED FOR A PERIOD EXCEEDING THE MAXIMUM TIME LIMITS OF 3 MONTHS.

Organisations working on the ground across Greece report that the overall conditions in detention for asylum seekers held for immigration reasons are poor. In Northern Greece, individuals held in detention centres in police stations are held in unsuitable cells, without adequate light, hygiene or toilet facilities. Cells are usually at capacity, and individuals often complain about the cleanliness of the conditions, including, for example, mattresses with fleas.⁴



¹ <https://www.amnesty.org/download/Documents/EUR2556642017ENGLISH.PDF>; <https://www.hrw.org/news/2017/08/02/greece-huge-rise-detention-migrant-children>

² Refugee Rights Europe (2017), *An Island at Breaking Point*. https://refugeerights.org.uk/wp-content/uploads/2018/08/RRE_AnIslandAtBreakingPoint.pdf.

³ See also <https://www.amnesty.org/download/Documents/EUR2556642017ENGLISH.pdf>

⁴ https://www.gcr.gr/media/k2/attachments/GCR_Ekthesi_Dioiketik_Kratisi_2019_en.pdf

⁵ Information provided by Elpida Home.

An anonymous organisation provided the following account of conditions in the detention area "Section B", in the Moria RIC on Lesbos in 2017, for detainees held under the 'pilot program' fast track deportation procedure, applicable to persons whose nationalities have low acceptance rates for asylum:

"...during visits to the detention facility we were consistently informed by persons being detained that they had not seen a lawyer and believed they did not have access to a lawyer.

...While details regarding the 'pilot program' are difficult to ascertain as this was not a formal procedure, it was a fast-track deportation program for persons who, based on nationality, had less than 1% acceptance rate for asylum. This mainly affected Algerian, Pakistani and Bangladeshi men. Due to restrictions in the capacity of detention (how many people could be detained) this program was seemingly applied arbitrarily. Through this program,

persons affected were detained upon arrival in Greece for the duration of their asylum application.

...They were detained in the same areas with persons who were detained under criminal/antisocial charges and the conditions were generally poor. There was an epidemic of drug use and self-harm in the detention facility, primarily among Algerians, and instances of violence. Access to psychological support and medical care was severely under resourced with only one nurse responsible for their care. When the nurse was not on shift, the administration of medication was the responsibility of the police officers on duty. We have second-hand accounts outlining how police would over administer medication, which exacerbated the drug addiction among detainees. Illicit drugs were also obtained by detainees through other means."

Ill-treatment in detention centres is widely reported.⁶ Once inside the police station, there are reports of ill-treatment, ranging from beatings, standing on people's backs and heads, and aggressive behaviour. On the island of Samos, one asylum seeker claimed to have been kept handcuffed to a chair for a whole night, while others show signs of mistreatment, like handcuff marks and bruises from beatings.⁷ Across mainland Greece and the islands, aid organisations and NGOs have stated that reports of ill-treatment by the police and in detention centres often go un-investigated, and that there is little to no redress available for the victims.

"ACCESS TO PSYCHOLOGICAL SUPPORT AND MEDICAL CARE WAS SEVERELY UNDER RESOURCED WITH ONLY ONE NURSE RESPONSIBLE FOR THEIR CARE. WHEN THE NURSE WAS NOT ON SHIFT, THE ADMINISTRATION OF MEDICATION WAS THE RESPONSIBILITY OF THE POLICE OFFICERS ON DUTY."

– ANONYMOUS ORGANISATION



Photo credit: Zsuzsanna Fodor

⁶ See <https://dm-aegean.bordermonitoring.eu/2018/09/23/the-prison-within-the-prison-within-the-prison-the-detention-complex-of-moria-camp/> and <https://rm.coe.int/16808afaf6>

⁷ Information provided by Samos Volunteers

LACK OF LEGAL SAFEGUARDS

AID GROUPS AND NGOS REPORT THAT IN MOST CASES, DETAINED INDIVIDUALS ARE UNABLE TO ACCESS A LAWYER.⁸ MOREOVER, ACCESS TO LEGAL AID IS REPORTEDLY IMPOSSIBLE IN MOST CASES.

Often, the family of individuals in detention will resort to arranging a private lawyer. The practical difficulties in finding and accessing a lawyer often mean that individuals are not able to access the remedy of free appeal before the deadline of 48 hours after arrest. In addition, lawyers often struggle to contact their client, and police reportedly intervene in the communication between the individual and the lawyer. This means that they are often unable to report ill-treatment by police whilst in detention.⁹

As reported by the legal aid group Equal Rights Beyond Borders,

“in Chios detention center of the police department, the communication between the lawyer and the client takes place through the small window of the door of the detention area, and next to the lawyer, the policeman is supervising the whole visit. Rarely, and this is upon discretion of the police officer, the detainee is temporarily released to see the lawyer in the chairs of the corridor of the police department.”

Equal Rights Beyond Borders further reported that in the Department of Aliens of Attica, lawyers retrieve all the information regarding the detention via third parties.

There is no access to a special meeting place for the lawyer and the detainee.¹⁰ Moreover, they reported that in the pre-removal detention centre of Amygdaleza, an unaccompanied child who had a substance addiction was not seen by a medical doctor and had to endure withdrawal on his own for nine days. He was not able to access an interpreter in order to express his special needs and his will to claim asylum. As reported by Equal Rights Beyond Borders, he only managed to register for asylum as an unaccompanied child after being allowed to contact his lawyer eight days after his arrest. Again, there was no interpreter available, and the lawyer and social worker were forced to bring their own in order to allow the child to access the procedure.¹¹

AN UNACCOMPANIED CHILD WHO HAD A SUBSTANCE ADDICTION WAS NOT SEEN BY A MEDICAL DOCTOR AND HAD TO ENDURE WITHDRAWAL ON HIS OWN FOR NINE DAYS.

In another case, an asylum seeker whose claim was lodged and examined at the Regional Asylum

Office (RAO) Chios was arrested for violating theft provisions (related to his drug addiction). The police department kept him detained, and he was later tried before the criminal court of Chios. He received a penalty of four years imprisonment without recognition of special instances or suspension of the execution and was transferred to the judicial prison of Kordalios. The police department gave no notification of these legal proceedings to the Greek Asylum Service (GAS), despite the fact that the asylum seeker had a valid asylum application card. Often, there is no notification of GAS in cases of imprisonment of applicants, which can lead to an issuance of an interruption of the asylum procedure. For almost two months, the person was considered disappeared by GAS and was not able to contact his lawyer. Eventually, he was reportedly allowed to make a phone call to his asylum lawyer after two months of detention. However, due to the lack of communication between the services, the lawyer found that all the deadlines for legal remedies were exhausted and was not able to appeal the conviction.¹²



Photo credit: Zsuzsanna Fodor

⁸ In particular: in central Thessaloniki police station, Korydallos, Corinth, Mytilene police station & “section b” on Lesbos, Vathy police station & Vathy hotspot on “Samos, the “hotspot” in Vial camp on Chios, the “hotspot” and police station on Leros and the “hotspot” and police station on Cos. Information provided by Advocates Abroad.

⁹ Information provided by Equal Rights Beyond Borders.

¹⁰ Ibid.

¹¹ Case study provided by Equal Rights Beyond Borders.

¹² Ibid.



Multiple aid groups report an alarming absence of available information on asylum procedures and rights in a language and format that asylum seekers can understand. In many cases, information is provided only in Greek.¹² On the island of Samos, asylum seekers held in detention at Vathy police station reportedly did not know how long they were going to be detained, nor did they have access to a lawyer.¹³ A lack of translation services at police stations is reported across islands.¹⁴

ON THE ISLAND OF SAMOS, ASYLUM SEEKERS HELD IN DETENTION AT VATHY POLICE STATION REPORTEDLY DID NOT KNOW HOW LONG THEY WERE GOING TO BE DETAINED, NOR DID THEY HAVE ACCESS TO A LAWYER.

During 2018, third country nationals who had crossed the land border in Evros, mainly those from countries with 'low recognition' rates (but including families), were only provided access to register their intent to claim asylum after they had already been transferred from the RIC to the Pre-Removal Centre.¹⁵ However, this meant that they remained under active Deportation Orders, so a risk of direct or indirect refoulement

was present (no guarantee against the enforcement of removal). These persons were not provided with proof of their expressed willingness to seek asylum. Lastly, the limitations on the maximum allowed period of detention are not counted against until after the full registration of the claim—often well after an individual has already been detained. Without adequate monitoring, these cases are not highlighted and addressed. Another routine practice observed by NGOs is that of asylum seekers being released straight from police detention facilities or the RIC after their initial registration, without referral through the proper channels to official accommodation sites – leaving those individuals without recourse to further humanitarian assistance, and vulnerable to exploitation. Aid groups have encountered such cases, which include Unaccompanied and Separated Children (UASCs, sometimes referred to as Unaccompanied Minors or UAMs), who were released from police premises with a police note issued by the competent police authorities, but without having any registered asylum willingness number included therein.

As reported by Arsis, in the Fylakio RIC in Evros, unrelated men and women, as well as adults and children, are all kept together in the same wings.¹⁶ Organisations have raised serious concerns regarding the risks of sexual and gender-based violence in the centres, as well as the heightened risk of exploitation and abuse of children in detention. In Samos, unaccompanied children are reportedly held in cells with adults.¹⁷ In Chios, in the detention center of the police department (mostly administrative detention), men and women are not separated but the common practice of the police is to avoid detaining women. In the past years, children were also kept together with adults but now this practice seems to have been discontinued.¹⁸ Additionally, the practice of detaining unaccompanied children for indefinite periods of time in so-called 'protective custody' is still ongoing.

Samos Volunteers, a grassroots volunteer-based aid organisation, describes the conditions facing detained asylum seekers in the police cells in Vathy as follows:

"The station is extremely small, with only one big cell housing however many "inmates" are there at the moment. The state of the cell is bad: it has no beds [...], it is dirty, and it is not meant for medium term incarcerations, which means that people spending a week in it do not have their needs met whatsoever. They do not have any sort of translator, be it at the moment of imprisonment or throughout the person's stay, so people often ignore why they've been incarcerated. There was a man that had been in the police station for five days, and neither him nor his family could understand why, as nobody spoke Farsi, and they didn't speak any English."

The conditions in detention facilities and treatment by police contribute to the already fragile mental health of the refugees, asylum seekers and migrants in Greece. In one particularly harrowing example, a visiting observer to Vathy police station on Samos found a detainee in the common hall, lying on a mattress with his legs sitting on the chairs and handcuffed to the chairs with both hands. The individual was showing signs of severe mental health distress. It is reported that this individual spent the weekend in this manner. It is not apparent why this individual was not taken to hospital.¹⁹

¹² Information provided by Elpida Home and Equal Rights Beyond Borders.

¹³ Information provided from Still I Rise, based on observations from visiting Vathy police station between September 2017 to January 2018; Please see Annex A in this report for observations on detention conditions in Vathy police station on the island of Samos, written by a visiting lawyer who wishes to remain anonymous.

¹⁴ Information provided by Samos Volunteers and Equal Rights Beyond Borders.

¹⁵ Information provided by HumanRights360.

¹⁶ Arsis.

¹⁷ Information provided by Still I Rise.

¹⁸ Information provided by Equal Rights Beyond Borders.

¹⁹ Information provided by Still I Rise.

ACCESS TO THE ASYLUM PROCEDURES

RRE RESEARCH CONDUCTED ON THE GREEK ISLANDS IN 2017 AND 2018 INDICATED THAT THERE ARE A NUMBER OF CONCERNS REGARDING ACCESS TO THE ASYLUM PROCEDURE AND THE LENGTH OF TIME INDIVIDUALS ARE FORCED TO WAIT TO HAVE THEIR CLAIM ASSESSED, AND THEREFORE THE IMPACT ON THEIR ABILITY TO MOVE OFF THE ISLANDS.

In Chios in 2017, researchers found the situation was highly ambiguous: individuals reported having no information about the process or whether their asylum case was being processed. Many Syrian respondents reported that

they were not provided with detailed reasons about why they were rejected - instead they were handed papers stating that Turkey would protect them. The lack of details on the grounds for rejection made appealing the case extremely difficult. Furthermore, a limited number of organisations had capacity to provide guidance and information on the asylum process. Grassroots initiatives seek to fill in the service gaps, but their resources and capacity are not sufficient for the current level of needs among refugees there. Indeed, 86% of respondents said that they had no access to information about their legal rights or opportunities to change their situation. Similarly, 78.3% reported that they had no access to information about European asylum law and immigration rules. Consequently, people live in complete uncertainty about their future, which appears to foster a strong sense of desperation and unnecessary frustration.

78.3% REPORTED THAT THEY HAD NO ACCESS TO INFORMATION ABOUT EUROPEAN ASYLUM LAW AND IMMIGRATION RULES.

- Chios in 2017

MORE THAN 68% OF RESPONDENTS HAD ARRIVED IN THE MORIA CAMP DURING 2018, THERE WERE ACTUALLY TEN RESPONDENTS WHO HAD BEEN THERE SINCE DECEMBER 2016 OR LONGER.

- Lesbos in 2018

The situation was found to be similar on Lesbos. Whilst more than 68% of respondents had arrived in the Moria camp during 2018, there were actually ten respondents who had been there since December 2016 or longer. Almost all new arrivals were reportedly told they would have to wait until 2019 or even 2020 for an admissibility or vulnerability assessment. Aid organisations working on the ground also told researchers that even those who have been identified as vulnerable face a significant wait to be transferred to the mainland. Those considered vulnerable were supposed to be moved to safe accommodation provided in Mytilene. However, RRE was informed that this accommodation was full, leaving many vulnerable displaced people in unsafe conditions in Moria camp awaiting transfer.



Photo credit: Tessa Kraan



The process by which vulnerability assessments are conducted remains a source of serious concern. NGOs working on the ground and human rights groups have raised concerns regarding the significant delays to vulnerability assessments due to a lack of staff and expertise. In July 2017 on Lesbos, there were only seven vulnerability experts with a severe backlog and a three-month wait for an opinion.²¹ Alarming reports indicate that vulnerabilities are often missed, with individuals going through the asylum procedure without having their vulnerability assessment completed first. Médecins Sans Frontières (MSF) reported that, out of the total number referred to its clinic on Lesbos, almost 70% belonged to a vulnerable group that had not been recognised, including victims of sexual violence, torture or those with serious mental health disorders.²²

VULNERABILITIES ARE OFTEN MISSED, WITH INDIVIDUALS GOING THROUGH THE ASYLUM PROCEDURE WITHOUT HAVING THEIR VULNERABILITY ASSESSMENT COMPLETED FIRST.

Multiple legal aid organisations operating on the ground similarly reported a large number of critical barriers to accessing the asylum procedure in Greece, including systemic structural problems, administrative errors, severe delays and backlogs, a lack of access to legal aid and what appeared to be a lack of coordination between the Greek Asylum Service and European Asylum Support Office.²³

Waiting times for initial asylum interviews can be extensive throughout Greece, with different waiting times seemingly dependent on the nationality of the individual:

- Interview appointments from the RAO Thessaloniki are scheduled for 2023 (especially for Kurdish applicants).²⁴ Other nationals normally receive an interview date in 2021, which also entails a waiting time of two years.
- Interviews for Syrian applicants in the so-called “fast-track” unit for international protection in Athens are currently scheduled for 2021.
- Interviews for Turkish asylum seekers with the RAO Attika are currently scheduled for 2025.
- Turkish asylum seekers do not have to pre-register via Skype. However, in Athens, Turkish applicants have to give their phone number to RAO Attika and will be contacted, often in months.
- Refugees arriving on Lesbos will not receive an interview until early 2020.
- On Samos people reportedly are being told they will have to wait until 2022 for an interview.²⁵

Not being registered leads to exclusion of access to health care and cash assistance as well as the risk of being returned. In addition, long waiting times mean that refugees and displaced people are left in potentially harmful situations in poor and overcrowded conditions on the islands and the mainland.

²¹ https://reliefweb.int/sites/reliefweb.int/files/resources/aida_vulnerability_in_asylum_procedures.pdf

²² <http://www.asylumineurope.org/reports/country/greece/asylum-procedure/guarantees-vulnerable-groups/identification>

²³ Mobile Info Team, Advocates Abroad, Equal Rights Beyond Borders, Avocats Sans Frontières France, Berlin Law Clinic.

²⁴ Information provided by Mobile Info Team.

²⁵ Information provided by Avocat Sans Frontières and Berlin Law Clinic.

As well as long waiting periods for an initial asylum interview, almost one out of three applications in Greece is pending for more than six months, according to the Greek Council for Refugees.²⁶ An illustrative example is S, an applicant from Uganda, considered vulnerable under Greek Law by KEELPNO. S applied for international protection at the end of 2018 and is scheduled to be interviewed in February 2021, more than 25 months after his registration. Another example is F, an applicant from Iran who has been on Samos for more than eight months. His interview at the beginning of February 2019 was postponed without any stated reason or a new interview being scheduled.

ASYLUM SEEKERS WILL OFTEN HAVE THEIR POLICE NOTES EXPIRE BEFORE THEY ARE ABLE TO REGISTER THEMSELVES THROUGH SKYPE.

A major and persistent issue is the so-called 'Skype procedure' for initial asylum registration on the mainland. For several years now, the only route available to those arriving in Greece through mainland routes (i.e. not via the islands, where there is a separate process) is to register as an asylum seeker and to obtain an interview date is to contact the Greek Asylum Service (GAS) over Skype.²⁷ This service is currently available in 13 different languages, and an asylum seeker must use their own Skype account to call the correct GAS Skype ID matching their language, within a narrow time slot provided in a weekly schedule that changes regularly.²⁸ As, at any given time, there may be dozens or hundreds of, for example, Arabic-speaking asylum seekers attempting to call the single Arabic GAS Skype line within the designated Arabic weekly time slot, it is not



Photo credit: Tessa Kraan

unusual for asylum seekers to call the line every week for months in frustration and never be able to get through. As a result, asylum seekers will often have their police notes expire before they are able to register themselves through Skype, lose their access to humanitarian assistance and risk detention. In their 2018 report on administrative detention practices, the Greek Council for Refugees found that, as in previous years, they encountered multiple cases of individuals who had been arrested due to lack of documentation after repeated unsuccessful attempts to make an appointment via Skype with the GAS.

A corollary issue is the structural discrimination built into the Skype system by offering the service only in 13 languages (as of June 2019, these are: English, French, Arabic, Farsi, Kurmanji, Sorani, Pashto, Albanian, Bengali, Hindi, Georgian, Russian and Ukrainian), which blocks those who do not speak one of the designated languages from clear routes to accessing asylum. In one 2018 case reported by an anonymous aid worker in Koutsochero camp in mainland Greece, a Somali-speaking man had resided in the camp for four months and had not yet been able to register as an asylum seeker as Skype is not offered in Somali, nor had he been able to access assistance from either the UNHCR or camp authorities, as he was unable to communicate with them. The man was eventually instructed by the SMS agency on site to travel to the asylum office

in Athens and present himself in person to register. However, upon arrival at the GAS office, the man was repeatedly turned away, and after several days of sleeping on the street, he returned to the camp (at his own expense) only to find that in his absence he had been de-registered and had lost his accommodation status as a resident, which had the corollary effect of also removing him from the cash assistance programme.

IT IS PARTICULARLY DIFFICULT FOR URDU SPEAKERS TO GET AN ANSWER ON THE URDU LINE, WITH INDIVIDUALS ROUTINELY WAITING TO GET THROUGH FOR SIX MONTHS OR MORE.

Some of the languages offered by GAS are more difficult to access than others. Mobile Info Team reports that it is particularly difficult for Urdu speakers to get an answer on the Urdu line, with individuals routinely waiting to get through for six months or more.²⁹ In practice, the only realistic possibility for many Urdu speakers to successfully apply for asylum is reportedly to either show up at the RAO nearly every morning, hoping that one day there will be a spontaneous free registration slot for them (which is rare, as vulnerable individuals or nationals of countries with higher acceptance rates are preferred for these slots), or to get arrested after their police note expires and to apply from the detention or pre-removal centre.

²⁶ With regard to waiting times, Greek law states that an examination of an application needs to be concluded within six months. Making a decision regarding the application could be extended to nine months if the case is complex, in fact and law, or when the applicant is not complying with their obligations under Greek law such as compliance with, and appearance before, the competent authority. Another reason for extending the conclusion of the examination under Greek law is the influx of large numbers of aliens or stateless persons simultaneously applying for international protection, though no threshold is provided for what is considered to be large numbers. In addition, on top of the nine months extension, three months can be added when there are exceptional circumstances. Greek law thus states that the Greek Asylum Service needs to take a decision on any application within a maximum of eighteen months, provided that extending the decision beyond six months is only implemented for problematic cases or under exceptional circumstances.

²⁷ See <https://www.mobileinfo team.org/skype> for a more detailed description of the process.

²⁸ http://asylo.gov.gr/en/?page_id=987

²⁹ Ibid.

In Northern Greece (in the jurisdiction of the RAO of Thessaloniki), there is a pilot project in which third country nationals wishing to apply for asylum and staying in a camp don't have to pre-register through Skype anymore, but can express their willingness to apply to the Reception and Identification Service (RIS) in the camp. Lists with the potential applicants are then forwarded to the RAO Thessaloniki. However, waiting times are extensive. The standard waiting time is at least three months. Aid group Mobile Info Team reports multiple cases of individuals waiting six months or more to receive an appointment for registration. This is especially problematic when people with chronic diseases are involved, as it is not possible to receive a Greek Social Security Number (AMKA) without an International Protection Applicants Card ("white card"). Without the AMKA, free medical treatment is only possible in case of emergency. Within the context of the new eligibility rules for the cash assistance, a white card is also mandatory to receive cash assistance. The pilot of the RAO Thessaloniki is undoubtedly an improvement compared to the Skype system. However, if the "RAO Thessaloniki doesn't have enough staff to process registrations in a timely manner, there remain significant issues."³⁰

THE UNCERTAINTY ABOUT THE WAITING PERIOD HAS A PROFOUND EFFECT ON THE MENTAL STATE OF THE PEOPLE IN THE CAMP, GENERATING STRESS AND ANXIETY AS THEY WAIT TO BE CALLED.

Procedures within the hotspots on the islands are notoriously complex and constantly changing, with even 'official' actors on the island confused as to each other's respective roles and responsibilities. There is a persistent lack of communication between different authorities regarding vulnerability assessment dates. Moreover, interview dates are subject to frequent changes and sometimes cancelled at the last minute. When this occurs, the asylum seeker is not immediately informed of a new date. Instead, they are told they need to wait to be called to set a new interview date. As reported by Samos Volunteers, the uncertainty about the waiting period has a profound effect on the mental state of the people in the camp, generating stress and anxiety as they wait to be called.

On Samos, organisations providing legal aid are often prohibited from entering the camp, making it difficult to accompany clients to their interview, as

the GAS office is located inside the RIC on the island. Access is often denied to counsellors to attend the personal interview, in contravention of Greek national law. There are also significant capacity issues for legal organisations working in Greece to support asylum applicants, meaning that many are not able to lodge appeals within the specified time frame.³¹

ACCESS IS OFTEN DENIED TO COUNSELLORS TO ATTEND THE PERSONAL INTERVIEW, IN CONTRAVENTION OF GREEK NATIONAL LAW.

There are reports that on Samos, the GAS no longer provides asylum seekers with the transcript for their interview because they claim that they do not have the paper to print it on. Asylum seekers are told to ask their lawyer to request the transcript. Those without a lawyer approach local NGOs, which do often do not have the capacity or resources to print all the transcripts.

Moreover, aid organisations and NGOs report that since March/April of 2018, asylum seekers no longer receive a convocation paper, instead receiving the interview date on their IP card. In one example, a man who was tortured in his home country and arrived in Greece in November 2018 is still waiting for an interview and has not had access to any medical or psychological support in the meantime. He suffers from vertigo as a result of head injuries from acts of torture, and finds it difficult to stand up. He came for a meeting in the legal centre to ask about his procedure, and told Samos Volunteers:

"I stay in bed in my tent all day every day. It has been a month since I have left the camp. The only reason I got up today was because we had a meeting, otherwise I would have just stayed in the tent. Really, they are torturing us here."



Photo credit: Zsuzsanna Fodor

³⁰. Information provided by Mobile Info Team.

³¹. Information provided by Samos Volunteers.

³². Ibid.

LIVING CONDITIONS

LIVING CONDITIONS FOR ASYLUM SEEKERS ACROSS GREECE REMAIN GENERALLY POOR; FOR THOSE LIVING IN HOTSPOTS ON THE ISLANDS, THE CONDITIONS ARE UTTERLY UNACCEPTABLE AND ARE WELL BELOW INTERNATIONALLY RECOGNISED HUMANITARIAN STANDARDS.

According to the data published by the Greek Ministry of Migration Policy, as of January 2019, three of the five RICs on the Greek islands were filled over their capacity, in some cases severely so.³³

LOCATION (RIC)	CAPACITY	POPULATION
Lesvos (Moria)	3100	4965
Samos (Vathy)	648	3817
Chios (VIAL)	1014	1352
Kos (Pili)	836	816
Leros (Lepida)	1001	860

Following the implementation of the EU-Turkey Statement in 2016, the Greek islands have become increasingly overcrowded and conditions have severely deteriorated, particularly on Lesvos, Samos, and Chios. In the RIC on Samos near the town of Vathy, the facility, which was initially built with a

capacity for 648 people, now houses around 4000 asylum seekers.³⁴ Samos Volunteers describes the conditions as “deplorable.” The camp is infested with vermin, and many residents suffer from bites from rats and bed bugs. Scabies is also very common among camp residents. According to Still I Rise, students often miss class, forced instead to queue to see a medic after sustaining serious rat bites. The rats frequently enter the tents where residents live and destroy residents’ belongings: “A student asked if we could give him a new backpack as he left his in his tent and forgot some food in it, so the rats living in his tent destroyed it to get to the food.”³⁵

THE JUNGLE IS HIGHLY INSECURE, PARTICULARLY AT NIGHT WHEN THERE IS NO LIGHTING, AND WOMEN DO NOT LEAVE THEIR TENTS, EVEN TO RELIEVE THEMSELVES, DUE TO FEARS OF ASSAULT.

Due to the overcrowding in this former military barracks, which was converted to a reception centre in 2016, hundreds of asylum seekers—including single

women and unaccompanied children—live outside of the camp perimeter on a steep slope known as “The Jungle.” Upon arrival, asylum seekers are left to find their own accommodation, and many resort to living in the Jungle in cheap pop-up tents or ad-hoc structures, with no access to sanitation facilities or

electricity. The Jungle is highly insecure, particularly at night when there is no lighting, and women do not leave their tents, even to relieve themselves, due to fears of assault. The lack of official appropriate accommodation has also led to the emergence of an informal currency in living spaces within the camp. Newly-arrived asylum seekers often must ‘purchase’ space in another’s tent or container as their only option for accommodation. NGOs are almost always denied entrance to the camp, and offers of material support are routinely denied: both small aid groups and international NGOs have been denied requests to enter the hotspot to distribute aid, carry out repairs, provide infrastructure improvements, or even to conduct vaccination campaigns.

The only official detention centre on Samos is the Vathy police station, which is a five-minute drive from the camp. The station is extremely small, with only one big cell. Conditions in the cells are reportedly extremely poor and unclean, with detainees not provided even with beds.³⁶



Photo credit: Tessa Kraan

³³ http://asylo.gov.gr/en/?page_id=987

³⁴ Information provided by Samos Volunteers.

³⁵ Information provided by Still I Rise.

³⁶ Information provided by Samos Volunteers.

The following testimonies were provided to RRE in May 2019 from two Ghanaian asylum seekers on Samos:

Dear Sir,

I write to bring to your notice about the problems we the refugees are facing at Samos camp. First and foremost, our living condition at the camp is very bad. Most of us live in the middle of the bush also we sleep in tents. The scary part of this unfortunate phenomenon is that, almost every day, we kill rats, snakes and other reptiles which harm us. A friend was biting [sic] by a scorpion quite recently [...] The food we eat at the camp is very bad. Many people complain of stomach upset after eating the food at the camp. We join long queue for food and even at times many people do not even get some food after joining that queue. I therefore take this opportunity to ask whether it is wrong to be a refugee? I therefore stand for all the refugees and plead on our behalf that the situation is getting worse everyday. We ask for your cooperation."

"Firstly, one major problem is about food. To be fed even once a day is a big deal. It takes hours to just get fed once a day. The food is badly cooked, the queues are so long that sometimes it takes the whole day to get a loaf of bread. Due to this people need to enter the forests around and fetch firewood to be able to prepare their own foods. The bushes/forests are full of deadly animals. Only heaven can understand the trauma we go through to get fed [...] The problem of accommodation is pure jungle living. Refugees share their beds and clothes with snakes and rats and mice and legions of cockroaches. It leaks when it rains, and there's no repairs and space problems. The last but not the lest [sic] is the problems of water and sanitation. It takes days to get shower. Walking to far away distances to fetch water is so hectic. People ease themselves anywhere [sic] because of latrine problems. There's so much filth because of the problems of garbage collection."

M.R., an unaccompanied minor on Samos described conditions living in the container to a representative from Still I Rise:

"We had just two very old mattresses for all of us, 20 people. We have never had pillows, we made pillows by ourselves with bags done in Alpha Center and putting inside extra clothes... There is a hole on the roof and the water is getting inside of the container when it rains. The first time rained all night and in the morning I asked the technician to repair the hole but they told me to wait two weeks, after that maybe they would have fixed it or maybe not. The hole is still there. To collect the water we used plastic bags until the rain stopped. Now we put a strip of plastic with tape in the ceiling to stop the water from coming in. We have been engineers!"

Issues with food provided in the hotspots are commonly reported. An unaccompanied child on Chios describes the food as follows: ³⁷

"As far as food is concerned, minors eat the same food as the others at the camp. They are finished portions delivered in a plastic box. We always had to [wait] for our food to get. Most (hours) for breakfast, about two to three hours, and for the other meals, lunch and dinner, about an hour. The food quality is not good. More than once we found worms in the beans. Because the food was disgusting, I swear, it was disgusting, we never ate lunch and dinner before."



Photo credit: Zsuzsanna Fodor

³⁷ Information provided by Equal Rights Beyond Borders.

Research conducted in Chios in 2017, found that large numbers of people, including many families, were residing in small and fragile tents.³⁸

HOT WATER WAS A RARE CURRENCY, REPORTEDLY ONLY AVAILABLE IN SOUDA CAMP FOR A FEW HOURS PER DAY.

Camps were so overcrowded that many were forced to sleep in the streets or on the beach, and issue which was particularly acute for new arrivals. In general, the living environment was unsanitary and dirty. Meanwhile, hot water was a rare currency, reportedly only available in Souda camp for a few hours per day. The situation was worse in Vial, where no water was available in the toilets. In both Souda and Vial camps, refugees were provided readymade meals three times per day. Only those who were living in flats instead received money and could cook for themselves. Access to adequate food was



Photo credit: Mohamad Alhussein Saoud



Photo credit: Zsuzsanna Fodor

irregular, and spoiled food was commonplace, with many respondents reporting having suffered from food poisoning. One respondent mentioned having resided in the streets for approximately one month, during which time he was forced to eat food that he found or was given by passers-by.

ACCESS TO WATER IN THE CAMP FOR BATHING AND USING THE TOILET WAS LIMITED.

According to research conducted on Lesbos in 2018, overcrowding was a severe and urgent issue as a result of the containment policy on the island.³⁹ People were living in tents and shipping containers, lacking privacy and security. Overcrowding forced people to pitch tents in other areas, where they were at risk of being bitten by reptiles. Access to water in the camp for bathing and using the toilet was limited. Despite new toilets having been installed one month prior to the research study, water in the toilets was cut off during the nighttime and for several hours in the afternoon, raising serious concerns about hygiene standards. The unsanitary conditions in the camps on Lesbos risked contributing to the spread of disease, inflammation, scabies and skin infections. A refugee who had been on Lesbos for more than seven months told researchers that he was only able to have a shower every 15-20 days.

Subsequent to the closure of the Balkan Route in March 2016, accommodation sites were rapidly opened across mainland Greece to accommodate the approximately 60,000 asylum seekers in Greece, including approximately 10,000 who were evacuated from the ad hoc camp at Idomeni in Northern Greece. According to eyewitness accounts, asylum seekers evacuated from Idomeni were brought to multiple sites around Thessaloniki, including to former factories, warehouses, and industrial buildings. At Softex/Karamanlis camp, in Thessaloniki, asylum seekers were brought to a site in which tents had not been erected, and where there was no available drinking water.

³⁸. Refugee Rights Europe (2017), *An Island at Breaking Point*. https://refugeerights.org.uk/wp-content/uploads/2018/08/RRE_AnIslandAtBreakingPoint.pdf

³⁹. Refugee Rights Europe (2017), *An Island In Despair*. https://refugeerights.org.uk/wp-content/uploads/2018/11/RRE_AnIslandInDespair.pdf.

An eyewitness from RRE's team recounts the arrival of hundreds of asylum seekers brought on buses to Sindos, a former tannery in the industrial outskirts of Thessaloniki:

"Inside the darkened warehouse were rows of hundreds of filthy military tents, set up on the bare concrete which was thick with dust. There was water leaking through the ceiling and, which appeared to be crumbling asbestos tiles, and pooling on the floor. Outside, there was an open pit which was filled with metal debris, and aggressive pit bulls barking through the chain link fence on the adjacent lot. There were two rows of chemical toilets erected outside, with sinks. However, one of the soldiers—who was wearing latex gloves and a surgical mask to receive refugees—commented that he thought the only potable water was from a single (unmarked) tap on the side of the building, which he said was groundwater. He could not confirm whether it had been tested. People arrived on buses to this place and refused to get off the bus. Women were crying, and screaming 'we are not animals.'"

Based on field research at various locations in Greece in 2016, RRE encountered generally inadequate living standards for asylum seekers on the mainland, while living conditions varied dramatically both between different camps, and within individual sites.⁴⁰ More than a third, 39.3%, of respondents said their shelter leaked water when it rained. Across all camps studied, only 18% of respondents had access to a heater. The majority kept warm using clothing and blankets, which was a great concern to many as temperatures were plummeting in the

run-up to winter. Additionally, only 26.6% said they had a secure lock on their shelter or room, which also gave rise to serious security concerns.

ONLY 26.6% SAID THEY HAD A SECURE LOCK ON THEIR SHELTER OR ROOM, WHICH ALSO GAVE RISE TO SERIOUS SECURITY CONCERNS.

- Multiple camps in 2016

Many camps featured problems with hygiene and sanitation. While the majority described toilet facilities in their camps as 'OK', some 19.7% described them as 'very dirty'. Moreover, 28.6% said they did not have enough water to shower and wash. 58.5% did not have access to hot water, and 60.7% said reported they were unable to wash any time they wanted. In one of the larger camps, women respondents explained that there were too few showers for all the residents. The majority of respondents, 77.8%, were able to access a full meal three times a day. However, many described the food as extremely poor, sometimes "inedible."

Following an announcement by the Ministry of Migration Policy that it would impose a six-month limit on the receipt of the ESTIA cash assistance program, several NGOs raised concerns that the policy would likely lead to an increase in destitution among refugees in Greece.⁴¹ During the research conducted by RRE, some respondents reported being homeless on the streets of Athens. While significant improvements were made to mainland sites in 2017 and 2018, including the replacement of tents with Isobox containers, the capacity of these sites remains limited. As a result, vulnerable asylum seekers who have endured months (or potentially years) in condemnable conditions on the islands have been transferred into tents on the mainland. As of June 2019, RRE is aware of at least three mainland sites where there are now hundreds of asylum seekers again housed in tents: Skaramangas, Nea Kavala, and Vagiochori.



Photo credit: Zsuzsanna Fodor

⁴⁰ Refugee Rights Europe (2016), *Life in Limbo*. https://refugeerights.org.uk/wp-content/uploads/2018/08/RRE_LifeInLimbo.pdf.

⁴¹ https://rsaegean.org/en/evictions-of-recognized-refugees-from-accommodation-will-lead-to-homelessness-and-destitution/?fbclid=IwAR3SQ_1KGclWQO4mZEMPP7wd7zjwJUNtjobSsabAiRiFL-tnroXb1qCrFPk

LACK OF ACCESS TO HEALTHCARE

HEALTH ISSUES AND LIMITED ACCESS TO HEALTHCARE ARE MAJOR CHALLENGES FOR REFUGEES LIVING IN MAINLAND GREECE, WITH MANY REPORTING THEY EXPERIENCE CONSTANT HEALTH PROBLEMS.

20.1% OF THOSE WHO HAD EXPERIENCED HEALTH PROBLEMS REPORTED THAT THIS WAS DUE TO POOR MENTAL HEALTH OR EMOTIONAL WELLBEING.

- Mainland Greece in 2016

Research conducted by RRE in 2016 found that, in total, 73% of respondents had experienced

health problems during their time in the camp; the majority due to the spread of contagious diseases, unhygienic conditions inside the camps, or a lack of effective treatment for chronic diseases or existing health issues.⁴² Meanwhile, a striking 20.1% of those who had experienced health problems reported that this was due to poor mental health or emotional wellbeing. In total, 79.4% of those who had experienced health problems sought medical help - in most cases offered by international NGOs inside the camps or by the Greek hospitals through referral from the camp doctor. Of those with experience of healthcare, 51.9% rated it as 'OK', while 26.26% described it as either 'bad' or 'very bad'. A lack of medical supplies and treatment was among the biggest concerns to camp residents. Respondents explained that paracetamol was prescribed to treat most medical concerns. The number of doctors and their reception hours were also perceived as inadequate. Another issue creating barriers to healthcare was a lack of translation services, which in many cases caused delays to treatment and created unnecessary frustration.

94.3% OF WOMEN REPORTED THEY EXPERIENCED HEALTH ISSUES IN CHIOS.

- Chios in 2017

On the island of Chios, in 2017, 71.3% said they had experienced health problems since arriving in Chios. While all emergency care can be obtained from the local hospital free of charge, less than a third (28.5%) of those people with a health condition had been able to access medical care. The figure was even higher for women, with 94.3% reporting they experienced health issues in Chios. Less than a third (30.3%) of these women had been able to access medical care. While 37.1% said they had suffered from a common health problem that could happen anywhere, 40.8% said it had started due to the unhealthy environment in the camp. Alarming, 31% described their health problem as a mental health issue rather than a physical ailment. Indeed, it became evident through the study that incidents of poor mental health were widespread, with many respondents considering self-harm and substance abuse.



Photo credit: Tessa Kraan

⁴² http://refugeerights.org.uk/wp-content/uploads/2018/08/RRE_LifeInLimbo.pdf

61.1% OF THOSE WITH A HEALTH PROBLEM SAID THAT THEY HAD NOT RECEIVED MEDICAL CARE.

- Lesbos in 2017

On Lesbos, the vast majority of respondents had experienced a health problem; only 13.8% said that they had remained healthy whilst on the island. 57.1% of those who reported health problems believed that these had been brought on by the unhealthy camp environment, and an alarming 61.1% of those with a health problem said that they had not received medical care. There are significant obstacles preventing people from accessing medical care. Medical treatment from the hospital of Mytilene has to be paid for by residents, as well as the transport to get there, which makes it inaccessible for many. Of the 86.2% who reported experiencing a health problem since arriving on the island, 45.9% stated that their health concern was a mental health problem, as opposed to a physical ailment. The extreme and worsening conditions on the island, and the length of time spent there, appear to have contributed to an exacerbation of mental health concerns among camp residents. Indeed, many respondents appeared to suffer from severe depression and some expressed suicidal thoughts.



Photo credit: Tessa Kraan

THE WAITING LIST FOR ACCESS TO PSYCHOLOGICAL CARE IS AROUND TWO MONTHS.

- Samos in 2017

Similarly, in Samos, people are often unable to access a doctor, as the medical team available for refugees on Samos is critically understaffed.⁴³ With only one doctor in the hotspot (who is also in charge of assessing vulnerability for the asylum process), people are typically unable to access medical attention unless it's an emergency. The responsible

medical actor, Hellenic Centre for Disease Control and Prevention (KEELPNO) has only one doctor, who specialises in triage, stationed on Samos, cooperating for diagnoses with an outdated and understaffed hospital, which only has the capacity for the small local island population. The same applies to psychosocial support.⁴⁴ The RIC on Samos only has one psychologist for a population of approximately 4,000 people, and the waiting list for access to psychological care is around two months. Sometimes, sexual assault victims have been unable to get an HIV test simply because the hospital had ran out of supplies to perform these tests.⁴⁵

ORGANISATIONS WORKING ON THE GROUND REPORT THAT IN MOST CASES, UNLESS IT IS AN EMERGENCY, THE POLICE WILL NOT NOTICE MEDICAL NEEDS.

A, an applicant from Cameroon who identifies as homosexual, disclosed that he had been gang-raped in his country of origin. He lives in uncertainty about his HIV status, which if contracted could be grounds for the GAS to acknowledge vulnerability and is therefore critically important to his potential legal status in Greece. Another example is H. Because H had suicidal thoughts, an NGO providing medical support stated in September 2018 that immediate psychological support was needed. Only after an organisation working on the ground used its (informal) connections with KEELPNO was it possible to arrange an appointment for H with a psychologist after more than 1.5 months. Organisations working on the ground report that in most cases, unless it is an emergency, the police will not notice medical needs.⁴⁶

⁴³. Information provided by Samos Volunteers

⁴⁴. Ibid.

⁴⁵. Ibid.

⁴⁶. Ibid.



Racial discrimination within the medical system is also an issue. As reported by Samos Volunteers:

“The hospital staff discriminates on racial on a daily basis, from not seeing patients, to declaring they are “too dirty”, to inappropriate treatment of patients. We have frequently had to go to the hospital with our beneficiaries, as they are denied assistance if they are not with a “white person”, and even then they have tried to refuse to see them... Another of our community volunteers, with a pre-existing heart condition, was denied assistance twice...Furthermore, the hospital does not offer any help regarding medical papers or acquiring medicine, and usually tells refugees they have simply “run out”. Asylum seekers are expected to buy antibiotics and expensive medicine out of their own pockets...”

The following testimonies was provided to RRE in May 2019 from two Ghanaian asylum seekers living on Samos:

“There’s a major healthcare problem. Before I start there is only one doctor here, when he can. Seeing a doctor is tougher than going to space. Therefore, nothing like first aid. Serious problems are taken care by a private hospital. It’s pathetic to see people in the camp who need immediate medical attention. Again, getting your police papers is more treacherous than death. Refugee form queues in the skin bleaching sunlight or the rain for days to get it done.”

“It is very pathetic to notice a situation at the camp where over three thousand refugees are being taking care of only one doctor. How can this help us? This doctor doesn’t come to work always, even if we are lucky for him to come to work a day, he works for few hours. The situation here is very appalling because the clinic at the camp does not work on weekends. Just imagine in case something happened to us on weekends?”

Photo credit: Zsuzsanna Fodor

The following testimony was recorded by Equal Rights Beyond Borders, from an unaccompanied child who lived in the VIAL hotspot on Chios from 2017-2018:

“Many of the minors also had razor blades to cut themselves. This was also because many of them wanted to talk to a psychologist but were rejected. The procedure for talking to a psychologist was as follows for minors: you cut yourself. After that they take you to the hospital to be sewn. Then comes the police and brings you to jail for two or three days. Then you can go to a psychologist and they make many promises to move you and get you out of the camp. But that usually does not happen, it's promises [...] Whatever illness you have, they will give you Panadol, a painkiller. For everything, headache, fever, cancer, Panadol [...] There was no procedure to go to the hospital or to see a doctor. The procedure was: Wait until the minor is about to die and then they put him in a police bus to take him to the hospital. If you are in the hospital, they will treat you at some point. But it was very difficult alone. Sometimes, volunteers from an independent NGO accompanied us to the hospital. They always fought with the hospital so we could see a doctor. It was very difficult.”

There are also reports of individuals with serious medical conditions languishing for weeks without adequate care, including the following account from Still I Rise:

“S. is 12 years old and suffers from Duchenne muscular dystrophy. He is bound on a wheelchair and can't move his legs. The family has plenty of medical papers in English (from doctors in Iran) documenting his condition and the need of immediate medical help and support for his condition. The family has been on Samos for 6 weeks now and they have been living in a tent on level 3 since their arrival. They have a paper from both the hospital and the RIC doctor stressing the importance of an immediate transfer to the mainland to be treated by a specialist. He was prescribed medicines for his condition but nobody provided the family with them.

After six weeks, the family was informed they will move into an apartment on Samos today (29/07/19), but at the time of writing they were told they are not moving in today. No further information was given to them. The family has an open card but no information on when they will be transferred.”



Photo credit: Zsuzsanna Fodor

POLICE VIOLENCE

POLICE VIOLENCE AGAINST REFUGEES AND ASYLUM SEEKERS HAS BEEN WIDELY REPORTED ACROSS GREECE.

On Samos, this violence appears to be so commonplace that Samos Volunteers comments that “There are constant reports of ill-treatment by the police towards the asylum seekers. It has become par for the course on the island.” Another aid worker on Samos

observes “everyone who goes through the police station on Samos is constantly yelled at and called [the pejorative term] ‘malaka’, at least.”⁴⁷ Refugees from African countries are reportedly treated with particularly brutal force by the police.⁴⁸

SAMOS VOLUNTEERS REPORTED THAT THE POLICE SEVERELY BEAT PEOPLE WHO WERE RESTLESS WHILE WAITING IN A DISTRIBUTION LINE FOR SHOES AND CLOTHES.

On Samos, seven asylum seekers were arrested following peaceful demonstrations in January

and February 2019.⁴⁹ In January, during five days of peaceful demonstrations organised by the African community to ask for more timely and fair assessments of their asylum cases, the police closed off the exit points of the camp. The demonstrators marched to the camp management offices, at which point several were reportedly physically assaulted.⁵⁰ In another incident, Samos Volunteers reported that the police severely beat people who were restless while waiting in a distribution line for shoes and clothes.



Photo credit: Still I Rise

⁴⁷. Information provided by Samos Volunteers.

⁴⁸. Ibid.

⁴⁹. Reported in Samos24: <https://www.samos24.gr/7-%CE%BC%CE%B5%CF%84%CE%B1%CE%BD%CE%AC%CF%83%CF%84%CE%B5%CF%82-%CF%83%CF%84%CE%B7-%CE%B4%CE%B9%CE%BA%CE%B1%CE%B9%CE%BF%CF%83%CF%8D%CE%BD%CE%B7-%CE%B3%CE%B9%CE%B1-%CF%84%CE%B1-%CE%B5%CF%80%CE%B5%CE%B9/>

⁵⁰. Information provided by Samos Volunteers.

As reported by Samos Volunteers:

"It is important to note that the riot police go up to the camp (in full gear), every day of the week, in order to intimidate people. Asylum seekers in line for food get beaten up with batons fairly regularly, including children and women."

Still I Rise shared additional episodes of police violence:

"In one occasion I saw police beating two asylum seekers who were complaining and shouting 'you are racist' because they were being evicted from their container so that another group of people could move in. They were beaten up, sent to court and spent three months in detention. Unaccompanied children have also been beaten up by police officers."



Photo credit: Zsuzsanna Fodor



Photo credit: Tessa Kraan

Volunteers also provided an alarming example of police violence against one individual during peaceful demonstrations in January and February 2019:

"One of our community volunteers, B (one of the leaders of the peaceful demonstrations), had his arm severely beaten by the police while he was peacefully trying to communicate with camp management about the dire situation in the camp. He was arrested days later (having only a first rejection and an appeal in place), quickly received a second rejection on his first day in jail, and got transferred to a deportation centre in Lesvos shortly after, where he was held for weeks with no information whatsoever on his case, waiting on a sort of limbo till the authorities decided his fate."

In 2019, Still I Rise received reports from five unaccompanied children of a shocking incident of police violence:

“At around 2 AM the police entered inside a container in the minors’ level and they forced 6 UAMs to get out of bed. The boys said that the police pulled them from their beds with force and brutality, when they asked where they were going or what was going on the police said ‘let’s go have breakfast’. They told the boys not to speak and threatened to punch them if they talked to each other. They had to look at the floor all the time. They reported that the behaviour of the police was very intimidating, the children were very scared and confused.

Then they brought them to the police offices in the camp. They wrote down their names and again asked them to sit down, look down and not speak. After a while they were brought to the central police station of Samos where a Greek man was waiting for them. This man was looking for three boys, one with a red t-shirt and two with white t-shirts. The police asked them to show their hands and in particular the knuckles, because they were looking for someone who broke a car window with his hand.

Only when the man left the police gave them an explanation in English. There weren’t any translators. Two of the boys who can speak a little bit of English were translating for all the others. They report that the police told them that one window of a car had been broken and something was stolen from inside. So they were looking for the person responsible, but it turned out it wasn’t any of them. At that point they said that the police drove them by bus not to the camp but, in the middle of the night at around 3 am, the police left them in the middle of nowhere.

They can’t remember exactly where, but they had to walk first five minutes on the road and then they had to go through the jungle for another 10 minutes to go back to their container. They arrived there at around 3/3:30 AM.”



Photo credit: Still I Rise

Yet another incident reported to Still I Rise by a group of unaccompanied minors suggests a culture of unrestrained police violence against highly vulnerable individuals:

“Some UAMs were waiting in line for food at lunch. They claim that on Wednesday the rest of the camp population gets chicken while they get something else, and their food wasn’t good. So they decided to go outside of the camp manager’s office and demanded to speak to her to complain (they claim there were approximately 7 or 8 of them) but she wasn’t there. The police came and told them to leave. They didn’t. So the police started pushing them, and then they took M. while the others ran away.

He claims the police put a cloth on his mouth that instantly put him to sleep, so the police was able to carry him to the police station in the camp where he was woken up by water being thrown in his face. He claims he was beaten again there, and took to the police station in town. There, he says the police beat him again. When they let him go and he came straight to our center (as it is near the police station in town). He was in shock: shaking and crying and couldn’t walk well. He had some visible scratches on his neck and left leg, and says his right leg and stomach hurt as he was punched in the stomach.”

THEY [THE POLICE] WOULD INSTRUCT ASYLUM SEEKERS TO ARM THEMSELVES WITH METAL POLES OR STICKS AND ENFORCE ORDER IN RETURN FOR FASTER ASYLUM PROCEDURES AND TRANSFERS TO THE MAINLAND.

There are several first-hand accounts from anonymous sources that on at least several occasions in the Moria hotspot, police officers enlisted Afghan asylum seekers to conduct crowd control during food distribution. They would instruct asylum seekers to arm themselves with metal poles or sticks and enforce order in return for faster asylum procedures and transfers to the mainland. Other reports on police violence include humiliation of asylum seekers where they were forced to strip naked during interrogations or interventions.⁵¹

Moreover, actors on the ground report the regular use of chemical irritants during protests, use of chemical irritants in close quarters, regular intervention and excessive force used by riot police, arbitrary violence against asylum seekers regardless

of whether they are active participants during the protest, violence against asylum seekers even after they have submitted to police or following their arrest, violence against unaccompanied children in the unaccompanied children's area, and negligence towards unaccompanied children during fires and arson attacks.⁵²

AID ORGANISATIONS ON SAMOS HAVE REPORTED THAT POLICE ARE CHARGING 50 EUROS IN ORDER TO REGISTER COMPLAINTS.

In particular, aid organisations on Samos have reported that police are charging 50 euros in order to register complaints. Other anonymous sources have reported the same phenomenon on the mainland, but in the even higher amount of 100 euros. This means refugees and asylum seekers, in particular vulnerable women and children, may be effectively barred from recourse to redress for crimes committed against them.⁵³



⁵¹. Ibid.

⁵². Anonymous submissions from Lesbos.

⁵³. This has been reported by Samos volunteers, Avocats Sans Frontières France and Berlin Law Clinic.

VIOLENCE AGAINST WOMEN

THE RATE OF GENDER-BASED VIOLENCE AGAINST REFUGEE AND ASYLUM SEEKING WOMEN AND GIRLS IN GREECE IS ALARMING. IN MORIA ON LESVOS, THE SITUATION IS PARTICULARLY ACUTE, WITH ONGOING REPORTS OF SEXUAL ASSAULTS AND SERIOUS ABUSE AND EXPLOITATION OF WOMEN AND GIRLS.

On Samos, organisations on the ground also report that sometimes HIV tests and other critical aspects of the Minimum Initial Service Package (MISP) including post-rape emergency care are unavailable, which means people who have been sexually assaulted (both before their arrival to Samos and on Samos) have no access to early detection, or to a proper examination.⁵⁴ Moreover, aid groups on Samos report that in order to report incidences of sexual assault and other gender-based violence, women need to file an official report with the police. However, often women do not feel comfortable or secure going to the police, and so these crimes often go unreported.

THERE IS ONLY ONE UNIT OF BATHROOMS (FOUR CUBICLES) AND SHOWERS (FIVE CUBICLES) AVAILABLE EXCLUSIVELY FOR WOMEN AND IT IS PLACED IN AN AREA WHICH IS NOT PROPERLY LIT AND IS ON A MUDDY SLOPE.

The RIC on Samos does not provide special protection provisions or infrastructure for women: often women are forced to live in makeshift shelters and tents in the camp, with only a padlock for security. There is only one unit of bathrooms (four cubicles) and showers (five cubicles) available exclusively



for women and it is placed in an area which is not properly lit and is on a muddy slope. Women must stand in lines for hours to receive food, which can often become chaotic and violent. Samos Volunteers reports that one woman broke her arm after being pushed over whilst standing in the food line.

WOMEN ARE NOT PROVIDED ACCESS TO A FEMALE INTERPRETER, AND ARE OFTEN FORCED TO RETELL THEIR STORIES AND CONDUCT THEIR INTERVIEWS WITH A MALE AUDIENCE, WHICH ENHANCES THEIR VULNERABLE POSITION.

In Samos, the camp management does not provide sanitary pads or diapers, meaning women and mothers have to buy these two very expensive items out of pocket (or from the 90 Euros provided monthly through the ESTIA cash assistance program). Additionally, women are “not allowed” into most containers on the upper area of the camp, as these are controlled by men of different nationalities who do not accept women inside, limiting their

access to safer bathrooms and showers. Women are not provided access to a female interpreter, and are often forced to retell their stories and conduct their interviews with a male audience, which enhances their vulnerable position.

Women moreover do not feel safe going to the toilet at night. One woman told aid workers:

“During the night we don’t have access to the toilets because many men are drinking alcohol on the way to the toilets and they bother us if we cross their ways. They would come to talk to us, saying come with me etc, they would touch us. So we give up and don’t go to toilets during the night anymore. In the container now I have a bottle to pee in if I need to go to the toilet during the night.”⁵⁵

⁵⁴. Information provided by Samos volunteers.

⁵⁵. Testimony recorded by Avocats Sans Frontières France and Berlin Law Clinic.

IT WAS COMMON FOR WOMEN AND CHILDREN NOT TO LEAVE THEIR TENTS OR CONTAINERS AT NIGHT TO RELIEVE THEMSELVES, DUE TO FEARS OF PHYSICAL OR SEXUAL ASSAULT.

Similarly, at mainland camps in Northern Greece in 2016 and 2017, volunteers have reported the lack of security was so acute that it was common for women and children not to leave their tents or containers at night to relieve themselves, due to fears of physical or sexual assault. Instead, they used adult incontinence pads overnight that were distributed by volunteer groups.

An additional barrier reported by organisations on the ground is the lack of capacity and professional expertise within existing national sexual and gender-based violence services to support the specific needs of refugee women. In one case, a woman residing in Koutsochero camp in mainland Greece experiencing partner violence was assisted to leave the situation and was housed at a woman's shelter in the nearby city. However, the residents and staff of the shelter only spoke Greek.

A few days later, the woman elected to return to the camp as she felt the abusive situation was preferable to the isolation of the shelter.

DUE TO THE DESPERATE CONDITIONS INSIDE THE CAMP ON SAMOS, THERE ARE ALSO REPORTS OF WOMEN AND MINOR GIRLS BEING FORCED INTO SEX WORK.

Similar issues are reported on Samos, where volunteers report that women who have reported sexual and gender based violence receive neither protection support nor alternative secure and safe accommodation. As a result, they typically choose to stay silent and are unable to escape abusive and exploitative situations.⁵⁶ Aid organisations working on the ground strive to support these women, but there appears to be little coordination amongst authorities to protect vulnerable women and girls across Greece. Due to the desperate conditions inside the camp on Samos, there are also reports of women and minor girls being forced into sex work.⁵⁷



Photo credit: Mohamad Alhussein Saoud

⁵⁶. Information provided by Samos Volunteers.

⁵⁷. Information provided by Still I Rise.

UNACCOMPANIED CHILDREN

THE SITUATION FOR UNACCOMPANIED CHILDREN CONTINUES TO BE A SERIOUS SOURCE OF CONCERN IN GREECE. ACCORDING TO UNHCR STATISTICS, AS OF APRIL 2019, THERE ARE 3,817 UASCS IN GREECE, BUT ONLY 1,121 PLACES AVAILABLE IN SHELTERS AND APARTMENTS AS PART OF THE SUPPORTED INDEPENDENT LIVING SCHEME FOR SUCH CHILDREN.⁵⁸

The poor overall living conditions for refugees in Greece – and the extended periods spent in waiting – are particularly unsuitable for children, and there are a significant number of unaccompanied children in many camps at heightened risk. In Chios, 50% of the children interviewed by RRE in May 2018 were unaccompanied, with 72.4% of all children reporting that they have family somewhere in Europe, meaning they may be eligible for family reunification under the Dublin Regulation. As of July 2019, the UNHCR reports a worrying 433 unaccompanied children living in the Moria RIC.⁵⁹

A persistent issue reported by multiple rights groups is the practice of placing unaccompanied children in so-called 'protective custody'.⁶⁰ ARSIS, a national child protection and advocacy organisation, reports on this issue as follows:

"In practice unaccompanied minors are put in protective custody in police stations and police detention facilities, spending up to two, and in some cases three months, in order to be placed in an appropriate shelter. For 2017, our professionals supported a total number of 353 minors in protective custody in the area of Thessaloniki only, while for 2018 this number reached 725 minors. Currently for this year we have supported 185 minors in those conditions. Hygiene conditions are extremely poor and the minors sleep in uncleaned beds and bedlinen, they are not provided with any non-food or clothing item, nor nutrition to live up to their development needs. There is no translator available by the police to explain to them basic procedures, and access to medical services is also periodic. These conditions were recently found by the European Court of Human Rights to be against Article 3 of the European Convention on Human Rights."

A recent case brought by the Greek Council of Refugees (GCR) to the European Court of Human Rights (ECtHR) further highlights the severity of this issue. The case concerned two female unaccompanied children who sought legal and social assistance in January 2019, but who instead remained homeless and without the appointment of a legal guardian. Eventually, they were transferred to a detention facility for adult women, until, at the intervention of GCR, they were ordered to be transferred to an appropriate accommodation facility.⁶¹

HUMANRIGHTS360 FOUND THERE IS TYPICALLY A LARGE MARGIN OF DOUBT AND IN THE MAJORITY OF CASES (MORE THAN 50%), THE INDIVIDUAL WAS NOT ASSESSED TO BE A CHILD.

HumanRights360 reports that during 2018 at the Fylakio RIC in Evros, the age assessment process continued to be challenging since almost all cases were referred for X-ray without any contact with the individual in question.⁶² Most of the time, the only criteria used in order to refer a child to the age assessment procedure was the personal and arbitrary decision of the Reception and Identification Service (RIS) officers, who determine age either by assessing the individual's visual appearance in person or their registration photo. HumanRights360 found there is typically a large margin of doubt and in the majority of cases (more than 50%), the individual was not assessed to be a child. The referral to the age assessment procedure occurred even in specific cases where the person held a copy or carried a picture of an original document on their phone that proved them to be underage.



Photo credit: Tessa Kraan

⁵⁸ <https://data2.unhcr.org/en/documents/details/69780>.

⁵⁹ Ibid.

⁶⁰ Information provided by HumanRights360 and Arsis.

⁶¹ <https://www.gcr.gr/en/news/press-releases-announcements/item/1069-the-european-court-of-human-rights-grants-interim-measures-in-favour-of-two-detained-unaccompanied-girls>.

⁶² Information provided by HumanRights360.

This practice raises serious problems. For example, there have even been cases in which the RIC assesses an individual as an adult whilst the RAO assesses them as a child, after accepting the original birth certificate during the registration procedure. Moreover, there are often delays in this process, with possible significantly adverse impacts (e.g. referral to the pre-removal centre of those deemed adults by virtue of the first decision, detention of adults, missed deadlines, e.g. for Dublin III procedures). HumanRights360 recently filed an appeal against an age assessment decision. After the person's registration with the RAO of Fylakio, HumanRights360 presented his original birth certificate and succeeded in getting an order from the Prosecutor to transfer the child back to protective custody.

During 2018, HumanRights360 observed that detention of UASCs was systematically imposed and was prolonged for periods ranging from a few days to more than two months, pending their transfer to an accommodation facility. UASCs and other vulnerable persons were detained in both police stations and the RIC of Fylakio in so-called "protective custody" in unacceptable detention conditions.⁶³ In a large number of cases, including UASCs and other vulnerable persons, there are allegations of informal forcible removals (push-backs) from Greece to Turkey at the Evros river border.⁶⁴

The situation is particularly serious in Moria on Lesbos where children spend on average five months in the hotspot before they can move to the mainland.⁶⁵ There is an acute lack of available care, particularly mental healthcare, coupled with pervasive substance abuse amongst children, who are often experiencing severe trauma.



An anonymous organisation describes the conditions for UASCs in Moria as such:

"The overall situation for unaccompanied minors is alarming. The living conditions in the shelters are substandard and supervision is minimal and not 24/7 (supervision even differs for the two children sections as they are coordinated by different organisations; a child in the one section may for example take a guardian to see a doctor until 11pm, whereas a child in the other section depends on the time a guardian works or decides to show up).

There is a huge shortage of capable caregivers (supervisors) for children. Up to mid- afternoon only two coordinators and two nurses (although this is on paper, the nurses of the sections often do not work on the times they should be working) are present for more than 300 children. Furthermore, only one psychologist is available. After the public officials leave, the police are the only point of contact for the children. Their presence causes fear among the traumatized youth. Many officers deal tactlessly and with disinterest with the youngsters. They do not speak their language and have no experience in dealing with trauma. We even see abuse of power."

As reported by multiple organisations, the police do not appear to have sufficient (if any) safeguarding training for the care of vulnerable children and young people, nor is there availability of translators. One organisation reported an alarming incident in which a child reported to the police that he had been sexually assaulted. In response, the police apparently went to the section where the children are housed and shouted "who raped this boy", whilst pointing to the individual who had reported the crime.

A CHILD DECLARED HIS AGE TO BE 17 DURING HIS INITIAL REGISTRATION BUT WAS REGISTERED AS AN ADULT.

Throughout Greece, a large number of incidences have been reported, in which authorities have failed to correctly register children at the outset of the asylum procedure. In an example provided by a legal aid organisation operating on one of the islands, a child declared his age to be 17 during his initial registration but was registered as an adult (he said "2002"; they reportedly wrote "2000"). He reportedly corrected them immediately, and was told "don't worry, you tell them at your interview." Six months later, he still had not received an interview date and was living in the camp with adult males. He reported multiple, repeated incidents of rape, and had not yet been given an appointment either for age determination or received a consultation. Furthermore, his asylum claim was based on a history of sexual abuse and violence. He had not been able to access any psychological support despite being clearly traumatised. Furthermore, his sexually transmitted diseases and injuries as a result of ongoing sexual violence went untreated, despite having asking to see the camp doctor.

⁶³ P.D.141/1991, art. 118; <https://www.ecre.org/greece-detention-remains-a-systematic-and-arbitrary-practice/>

⁶⁴ Information provided by HumanRights360.

⁶⁵ Information provided anonymously.

There are moreover multiple reports of children who are being housed as adults, and who are not provided safe or appropriate shelter. In a specific case from Moria, a child was left sleeping rough in a forest in the Mytilene area following disciplinary action taken by the provider of the shelter where he lived. The child was told he was no longer welcome at the shelter, and was transferred to Moria by police. However, there were no arrangements made to receive him, and he was allocated to a shelter with adult men. Out of fear, he left Moria and took up camp in the forest in the Mytilene area with no sleeping bag or tent, where he remained for several days.

Equal Rights Beyond Borders provided a testimony from another unaccompanied child who was made homeless on Chios after his tent and belongings in the now defunct Souda camp on Chios were destroyed by police in 2017:

“In September, the other tents were destroyed in Souda. They told us to go to Vial. But there was no place in Vial. I told them, ok, I need a tent, they said, not our problem, go and find accommodation. So, on the street. But why on the road two hours from the city to sleep? This makes no difference. So I went to town to sleep on the street. I stayed for about a month.”

Organisations report that there is a chronic lack of appropriate accommodation for UASCs across Greece, which means many of them are forced to stay in the RIC on islands for extended periods of time. To illustrate this problem, at the time of writing, there is an unaccompanied child who has been on Samos for a year and five months. Even when transferred on to the mainland, some shelters have rules stating that if children are out of the shelter/hotel for over 24 hours they are not allowed back in again. This often leaves them homeless. Furthermore, there is no referral pathway or system for them to be put back on the shelter allocation system run by National Center for Social Solidarity (EKKA Greece). In other cases, due to the lack of spaces available in shelters, children are simply transferred from the islands to so-called “safe zones” (often, just several designated containers) within accommodation centres on the mainland, many of which are located in remote areas and which may lack appropriate facilities for UASCs. In 2018 in Koutsochero camp near Larissa, children aged 16-17 were not able to access formal education, as it was not available for their age level.



Photo credit: Zsuzsanna Fodor



Photo credit: Tessa Kraan

IN THE SUMMER OF 2018, ORGANISATIONS ON THE GROUND REPORTED THAT UASCs WERE ONLY GIVEN ONE LITRE OF WATER PER DAY. THE ENTIRE CAMP HAD BEEN INFESTED WITH VERMIN - RATS AND BED BUGS - FOR AT LEAST A YEAR AND A HALF.

According to reports from Still I Rise, conditions for unaccompanied children on Samos are dire. Unaccompanied children are designated to live on 'Level 2', an area of the camp designated for them, and one that is meant to be under constant police supervision. In practice, some children live on this level while many others live in other parts of the camp or even in "the Jungle." Police reportedly often lock them in on Level 2 and leave. Sometimes they allow adults into the area to charge their phones or shower. For over a year and a half, two out of the six containers allocated to children were completely uninhabitable but were not repaired or replaced, while the other four containers did not have doors or windows. It took RIC management more than one and a half years to make these repairs. In the

summer of 2018, organisations on the ground reported that UASCs were only given one litre of water per day. The entire camp had been infested with vermin - rats and bed bugs - for at least a year and a half. At the end of 2017, NGOs offered to sanitise the camp and eradicate the vermin, but were refused by the camp manager.

STARTING IN DECEMBER OF 2018, NO CLOTHES OR NON-FOOD ITEMS WERE PROVIDED BY RIC STAFF, ONLY BY THE EUROPEAN ASYLUM SUPPORT OFFICE.

During the winter of 2018-2019, there were approximately 300 unaccompanied children in the Samos RIC. Many lived in the forest and were not provided with a tent upon arrival. Instead, they had to buy one. Starting in December of 2018, no clothes or non-food items were provided by RIC staff, only by the European Asylum Support Office. UASCs living on the level would sleep in shifts and on the floor, as around 25 children lived in a container meant for 8. They had no mattresses

throughout the winter, and most of their containers leaked water when it rained. In November 2018, 22 unaccompanied minor girls resided in the Samos RIC, all housed in a half container in the police station area. As on other islands, there are reports of children identifying themselves as unaccompanied children to UNHCR upon arrival, who are then registered as adults by Frontex and the police. As on the mainland, many of them have to go through a lengthy age assessment process whilst they are treated by authorities as adults, forcing them to remain in unsafe conditions on Samos for a longer period of time than necessary.⁶⁶



Photo credit: Still I Rise

⁶⁶ Information provided by Still I Rise.

THE SITUATION FOR LGBTQI+ ASYLUM SEEKERS

AS REPORTED BY AVOCATS SANS FRONTIÈRES FRANCE AND BERLIN LAW CLINIC, LGBTQI+ ASYLUM SEEKERS ARE IN A PARTICULARLY PRECARIOUS SITUATION: THEY RISK BEING THREATENED AND INTIMIDATED BY OTHER PEOPLE IN THE CAMP AND OFTEN NEED TO HIDE.⁶⁷

One person reported that they were targeted due to their sexual orientation, and were beaten up by a group of other asylum seekers, after which they spent days in the hospital. The person wished to report this to the police, but the police informed them that they would charge a fee of 50 euros to file a complaint, a price the victim could not afford. In another case, an asylum seeker tried to report to the police that others had abused them in the camp by stubbing out cigarettes on their body. The police refused to accept the complaint unless it was in Greek, and provided no interpretation.



Photo credit: Zsuzsanna Fodor

⁶⁷ Information provided by Avocats Sans Frontières France and Berlin Law Clinic



RACIAL DISCRIMINATION AND XENOPHOBIA

THERE HAS BEEN A REPORTED INCREASE IN HATE CRIME INCIDENTS AGAINST REFUGEES AND ASYLUM SEEKERS IN GREECE.⁶⁸ IN PARTICULAR, THERE HAVE BEEN SEVERAL INCIDENCES IN WHICH FAR RIGHT ORGANISATIONS HAVE ORGANISED DEMONSTRATIONS AGAINST THE REFUGEE POPULATION ON THE ISLANDS, WHICH HAVE OFTEN TURNED VIOLENT, WITH REPORTS OF RACIST ATTACKS.

In Samos, there are reports not only of commonplace discrimination from shopkeepers refusing to serve asylum seekers, but also of severe racially motivated violence: *“There are reports of a sort of “vigilante” group of locals following African refugees and beating them up in the late hours of the night (usually around 3am), in order to remain anonymous. We know of at least three cases of people suffering severe beatings by these kinds of groups.”*

[A PREGNANT WOMAN] WAS TURNED AWAY BY THE MIDWIFE WHO REPORTEDLY TOLD HER THAT SHE “DOES NOT TREAT BLACK PEOPLE BECAUSE THEY ARE TOO LOUD.”

Organisations also report that across the islands, there has been an increase in reports of discrimination by locals against refugees, often

refusing them entry to shops and cafes.⁶⁹ In other cases, refugees have been refused medical care, seemingly motivated by racist views. In one particular incident a pregnant woman went to visit the hospital on Samos, but was turned away by the midwife who reportedly told her that she “does not treat black people because they are too loud.”⁷⁰



Photo credit: Zsuzsánna Fodor

⁶⁸. HumanRights360 is an active member of the Racist Violence Recording Network and records incidents of hate crimes in the Evros region.

⁶⁹. Information provided by Samos Volunteers.

⁷⁰. Anecdote provided by Avocats Sans Frontières France and Berlin Law Clinic.



THERE MIGHT BE PARTICULAR DISCRIMINATION AND RACIST ABUSE TOWARDS ASYLUM SEEKERS FROM SUB-SAHARAN AFRICA.

Moreover, according to reports, there might be particular discrimination and racist abuse towards asylum seekers from sub-Saharan Africa in Greece and on the islands. One refugee testifies that *"There is [a lot of] discrimination in the camp and during the procedure. For example, only Arab and Afghan people have access to small containers; African people just have access to the big containers with 40 people inside - men and women. 'Somali men don't have access to containers, they are only in tents'. Another refugee told aid workers that the 'Police said go back to Africa.'"*

A Ghanaian asylum seeker on Samos provided the following testimony:

"Now talking about racism, I can testify to this myself. I once went to the hospital (emergency unit), but the doctor told me that us 'blacks' had nothing to add to their country, and at the end sacked me from the hospital. There is discrimination everywhere at the camp. At the hospital, at the asylum, at the canteen, etc."

Racist abuse by police is commonly reported. Arsis reports that police "frequently" start racist discourses with their staff members in front of the unaccompanied children they are accompanying, particularly against Pakistani and Algerian children. Racism is also reported within the medical system.

In a testimony provided to Equal Rights Beyond Borders, an unaccompanied child living on Chios from 2017 to 2018 said:

"Of course, the Greek population was always treated first [in the hospital], then the refugees, no matter how bad the situation was. There are two different queues in the hospital, one for refugees and one for Greeks. Some Greeks feel disgusted by refugees. They avoid sitting next to refugees and sometimes even leave the room."

Arsis also reported racist violence and discrimination directed against unaccompanied children, ranging from bus drivers refusing them entry, to a more extreme incident detailed as follows:

"In March 2019, there was a racist attack against a shelter where children were residing in Konitsa, Epirus. A group of far right extremists attacked the children with batons and knives, while they were doing sports and one child ended up hospitalised. ARSIS followed the procedures to press charges with the Public Prosecutor so that the perpetrators are identified and persecuted."

Similarly, there are issues related to racial discrimination and xenophobia within the context of children's access to education. Under Greek law, children have to meet two official requirements in order to go to school: a set of vaccinations and an official address. In Samos, all children residing in the camp received vaccines (largely through a campaign by Médecins Sans Frontières), and the hotspot now has an official address. Despite meeting the requirements, parents declared that they would not allow their children to be in the same class with refugees, that they "were dirty", "did not know where they came from," and that they "did not know anything about their living conditions." Parents declared that they would physically bar refugee children access to the school and would forcibly remove them if they entered. As a result, there are only a handful of refugee children going to school

on Samos. Approximately 14 of them have to attend school after the Greek children have departed, in order not to interact with them, thus segregating the refugee community even more.

A NUMBER OF MOTHERS SAID THEY CHOSE NOT TO SEND THEIR CHILDREN TO SCHOOL BECAUSE OF THE EMBARRASSMENT OF NOT BEING ABLE TO CLOTHE THEM PROPERLY.

RRE's research on the Greek mainland also highlighted that the education provided to children varied widely between different camps. 56.7% of the child respondents in RRE's study said they did not have access to any form of education in Chios. 65.2% of child respondents said that they had access to educational opportunities in Lesbos. A number

of mothers said they chose not to send their children to school because of the embarrassment of not being able to clothe them properly. Others reported long waiting periods, or transport issues interfering with schooling. Meanwhile, service providers claimed that some children did not want to go to school or to learn Greek because they were aiming to continue on to a different European country; researchers found that children in some camps were teaching themselves German.



"A GROUP OF FAR RIGHT EXTREMISTS ATTACKED THE CHILDREN WITH BATONS AND KNIVES, WHILE THEY WERE DOING SPORTS AND ONE CHILD ENDED UP HOSPITALISED."

– REPORTED BY ARSIS

Photo credit: Zsuzsanna Fodor

PUSH-BACKS

SINCE AT LEAST 2018, IN A NUMBER OF CASES INCLUDING UNACCOMPANIED MINORS AND OTHER VULNERABLE PERSONS, THERE HAVE BEEN ALLEGATIONS OF INFORMAL FORCIBLE REMOVALS (PUSH-BACKS) OF FOREIGN NATIONALS FROM GREECE TO TURKEY AT THE EVROS RIVER BORDER.

The persons who alleged that they had been pushed back from Greece to Turkey had again entered Greek territory and had subsequently been apprehended by the Greek police. This new status quo in the Evros region is illustrated by a report published by HumanRights360 in coordination with Greek Council for Refugees and the Association for the Social Support of Youth.⁷¹



Photo credit: Zsúzsanna Fodor



Photo credit: Tessa Kraan

REPORTS REVEAL AN ALARMING ARRAY OF PRACTICES AND PATTERNS CALLING FOR FURTHER INVESTIGATION.

Testimonies in this report substantiate a continuous and uninterrupted use of the illegal practice of push-backs. These reports reveal an alarming array of practices and patterns calling for further investigation: the persons involved in implementing the practice of push-backs are reported to speak Greek and wear either police or military clothing, and they often employ violence. The practice is a threat for the rule of law in the country. Following the report on push-backs, the Prosecutor of Orestiada has begun a preliminary investigation into the push-back allegations.

⁷¹ <https://www.humanrights360.org/the-new-normality-continuous-push-backs-of-third-country-nationals-on-the-evros-river/>

CONCLUSIONS AND RECOMMENDATIONS

CURRENT POLICIES AND PRACTICES IN PLACE IN GREECE CONTRIBUTE TO A HOSTILE AND SOMETIMES LIFE-THREATENING ENVIRONMENT FOR DISPLACED PEOPLE AND ASYLUM SEEKERS IN WHICH THEIR HUMAN RIGHTS ARE NOT UPHELD.

For the Greek government to fulfill its stated commitment to the elimination of torture and inhuman treatment, a number of immediate changes are required. The research findings specifically suggest there is an urgent need to address the following matters at local and national levels:

- 1** Arbitrary detention on the islands must end, while human rights ought to be upheld within detention facilities.
- 2** The Greek government ought to take urgent action to address reports of police violence on the mainland, e.g. at the Evros border, and provide police with additional training on international human rights obligations and the use of force.
- 3** The Greek government moreover needs to drastically improve access to sexual and reproductive healthcare and deploy additional specialist social workers and psychologists to address the alarming rate of gender-based violence occurring against women and girls, and LGBTQI+ persons in displacement.
- 4** The Greek government ought to take urgent steps to address failings in camp design that contribute to heightened risk of sexual abuse.
- 5** The Greek government must end the detention of children in all circumstances. Children must be provided with adequate accommodation, separate from adults, care and support at all stages of the asylum process in line with the best interests of the child, national and international law.
- 6** By the end of 2019, the Greek government ought to have taken concrete steps to ensure that the requirements of the EU Directive on reception conditions for asylum seekers, and any subsequent directives, are fully implemented on all of the Greek islands. In order to facilitate the transfer of asylum seekers off the islands, conditions on the mainland must be vastly improved.
- 7** The Greek government ought to immediately cease attempts to curtail the grace period for newly recognised refugees under the ESTIA programme, which risks making hundreds of refugees homeless, particularly since Greece's welfare system is not currently equipped to offer the necessary support.
- 8** The Greek government must take steps to support a long term and sustainable reception and integration plan, ensuring availability of essential services including social housing, healthcare and education,
- 9** The Greek containment policy must be lifted, ending the practice of restricting the freedom of movement of asylum seekers to certain geographic areas.





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