

Subject: Urgent appeal from 13 NGOs not to approve amendments that will be harmful to asylum seekers

Athens, 9 March 2017

Dear Member of the Parliament,

We are writing to urge you to reject any changes to legislation, based on the European Commission's Joint Action Plan (JAP) on the implementation of the EU-Turkey Statement¹, which will worsen the situation for Greek islanders and further erode the rights of people arriving to the islands in search of safety and protection in Europe.

The protections enshrined in Greece's asylum legislation, as you voted for in April 2016, are vital in ensuring that the rights of people entering Greece are protected, in accordance with the letter and spirit of the 1951 Refugee Convention.

The Greek Parliament took a stand for those most in need and proved to be an example, when it mitigated the implications of the EU-Turkey statement, by making sure those most vulnerable would be protected under provisions in 4375/2016². Unfortunately, the JAP recommends amending Greek Law 4375/2016, and we urge you not to support such amendments.

More specifically, the legislation you put in place in April 2016 exempts from border procedures vulnerable persons and those eligible for family reunification under the Dublin Regulation. This makes it possible for individuals who have family elsewhere in Europe, or who have been tortured, children, people with disabilities, pregnant women and those with health concerns to leave the overcrowded islands and have their asylum applications processed on the mainland.

Removing this safeguard would mean that significantly larger numbers of people would be required to remain on the islands for prolonged periods of time to go through admissibility procedures that have proven slow. We fear that this would have negative impacts on the safety and wellbeing of vulnerable asylum seekers while putting further undue pressure on the islands' population causing additional overcrowding. It could also result in the return to Turkey of very vulnerable people, those entitled to be reunited with their families in Europe, and even unaccompanied children.

Alarmingly, these changes in procedures, making vulnerable people and those with family in Europe go through the admissibility procedure, and potentially be returned to Turkey, are already reflected in a Greek Asylum Service flowchart illustrating current island procedures under the EU-Turkey Statement, published in February 2017³. We find this odd, as you have not yet voted to make the necessary amendments to current law.

Proposed changes to Law 4375/2016 will make reunification with family members already in Europe less likely and can have terrible consequences for vulnerable people.

¹ <https://www.neweurope.eu/wp-content/uploads/2017/02/december2016-action-plan-migration-crisis-management-en-4.pdf>

² Law 4375/2016, Article 60, para 4(f)

³ <http://asylo.gov.gr/en/wp-content/uploads/2017/02/Asylum-procedure-in-the-context-of-the-EU-Turkey-statement.pdf>

In general, the JAP recommends further restricting freedom of movement by keeping more people on the islands, creating more detention centres, fast-tracking asylum proceedings and limiting appeals steps all with the goal of facilitating deportations, possibly sending people into harm's way. Many of our organizations have documented the negative impact of these policies and practices on people seeking safety in Europe. It seems that the EU has transformed Greece into a laboratory for testing policies deter arrivals and create a fortress Europe.

We believe that you can and should stand up to external pressures and reject any changes to legislation that will further worsen the situation for people seeking safety and a better life in Europe. It is in your hands to give to Greece the opportunity to become an example of a country upholding human rights and protecting the rights of people seeking safety and a better life in Europe.

Representatives from our organisations are willing to meet with you for further information and clarification.

Yours sincerely,

1. ActionAid
2. Care
3. Danish Refugee Council
4. Greek Council for Refugees – Ελληνικό Συμβούλιο για τους Πρόσφυγες
5. Greek Forum of Refugees- Ελληνικό Φόρουμ Προσφύγων
6. Greek Helsinki Monitor- Ελληνικό Παρατηρητήριο των Συμφωνιών του Ελσίνκι
7. Human Rights Watch
8. Integration Center for Migrant Workers - Ecumenical Refugee Program- Κέντρο Συμπαραστάσεως Παλινοστούντων και Μεταναστών- Οικουμενικό Πρόγραμμα Προσφύγων
9. International Rescue Committee
10. Jesuit Refugee Services
11. Norwegian Refugee Council
12. Oxfam
13. Save the Children