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For immediate release

UN reproaches Greece following new evidence of ill-treatment of asylum seekers – report summarising the evidence from the frontlines released today

In the wake of the [announcement](#) by the Turkish government that the EU-Turkey deal on migration would be suspended, a collective of local, national and international civil society organisations have released today [a new report](#) highlighting the human consequences of the EU-Turkey deal and the related Greek containment policy.

Officially released today, the evidence found in the report was previously submitted in June to the United Nations Committee Against Torture by Refugee Rights Europe, Greek Helsinki Monitor and the World Organisation Against Torture (OMCT), ahead of its review of Greece, making a strong case for the need for redress of ill-treatment of refugees in Greece.

As a result of the policy, the conditions for asylum seekers trapped on the Greek islands have rapidly deteriorated. Conditions in the camps on the islands fail to meet humane standards – with overcrowding, failing sanitation services and a lack of support for individuals suffering from severe mental and physical health problems. The length of time spent on the islands as a result of the containment policy, and slow processing of applications, means that individuals are forced to remain in harmful conditions.

The new report released today by Refugee Rights Europe and partners is a rigorously researched account based on first-hand evidence, testimonies and observations documented by 12 civil society organisations operating on the Greek islands and the mainland in 2019, combined with in-depth

research conducted by Refugee Rights Europe in Chios, Lesbos and the Greek mainland in 2016-2018. The issues raised in the report have been taken up by the UN Committee Against Torture, that recently made a number of [strong recommendations](#) for Greece to address within a year's time (see Annex).

Amongst the key issues are the alarmingly poor conditions in detention, with inadequate sanitation facilities and a lack of access to medical care and legal safeguards. The report also indicates the prevalence of ill-treatment by the police in detention centres, ranging from beatings, standing on people's backs and heads and aggressive behavior.

In addition, evidence points to an alarming rate of gender-based violence against refugee and asylum-seeking women and girls occurring in Greece, and in particular on the islands. There is often a lack of special protections and safeguards in place, while post-rape emergency care is critically lacking on many of the islands.

Overall, the UN Committee Against Torture [requests](#) that Greece addresses the specific recommendations on: non-refoulement; detention of unaccompanied migrant and asylum-seeking children; sexual and gender-based violence against refugee and asylum-seeking women; and, human rights defenders and humanitarian workers and volunteers.

Alice Lucas, Advocacy and Policy Manager at Refugee Rights Europe, said: "The new Greek government, which ascended into power this July, is faced with an opportunity to seek new solutions which can help transform the lived realities of thousands fleeing war, persecution and protracted crises. Alongside our partners, we're calling for an urgent end to the containment policy and immediate measures to improve the conditions for those trapped on the islands, accompanied by increased resources to receive asylum seekers on the mainland."

Panayote Dimitras, Spokesperson at Greek Helsinki Monitor (GHM), said: "Our report shines a light on the wide-ranging rights violations and ill-treatment facing refugees in Greece. We welcome the recent observations of the UN Committee Against Torture in which many of our concerns are acknowledged – including the use of excessive force, the lack of recourse to legal aid whilst in detention, the high prevalence of sexual and gender-based violence and the unlawful detention of minors."

Gerald Staberock, OMCT Secretary General, said: "When arbitrary detention and beatings of refugees become a pattern, when families and unaccompanied children are held in substandard conditions without access to healthcare, when even those ready to return to their country of origin remain detained for months, there must be an end in sight. We urge Greece to end the arbitrary detention of migrants, to place children in adequate accommodation, to take steps for a long term and sustainable reception plan, and to ensure the availability of essential services, including social housing, health care and education."

Background: The EU-Turkey Statement

- On 18th March 2016, the EU and Turkey signed the [EU-Turkey Statement](#), essentially allowing Greece to return to Turkey any new so-called 'irregular migrants' from Syria in exchange for European aid. The Greek containment policy was put in to effect to implement the deal, prohibiting movement from the islands to mainland Greece until their asylum claims have been [processed](#).

- The legality of this geographical restriction has been widely questioned, and in April 2018 a Greek court [ruled](#) against the policy. However, the ruling was swiftly [blocked](#) by the Greek Government, which transposed EU Directive 2013/33 into Greek law, thus, in effect, continuing the containment policy on the islands.

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Annex: Key excerpts from the ‘Concluding observations on the seventh periodic report of Greece’, United Nations Committee Against Torture

Non-refoulement – the State party should:

- a) Ensure that in practice no one may be expelled, returned or extradited to another State where there are substantial grounds for believing that he or she would run a personal and foreseeable risk of being subjected to torture and ill-treatment;
- b) Enhance efforts to ensure the criminal accountability for perpetrators of acts that put the lives and safety of migrants and asylum seekers at risk, and ensure that victims, witnesses and claimants are protected against ill-treatment or intimidation that may arise as a consequence of their complaints;
- c) Guarantee that all asylum seekers have the opportunity for an individual review, with automatic suspensive effect against expulsion decisions, and are protected from refoulement and collective return.

Asylum system – The State party should:

- a) Reinforce the capacity of the Asylum Service to substantively assess all individual applications for asylum or international protection;
- b) Guarantee that the accelerated border procedures under the EU-Turkey Statement of March 2016 and other readmission agreements are subject to a thorough assessment on a case-by-case basis of the risks of violations of the principle of non-refoulement, ensuring respect for all safeguards with regard to asylum and deportation procedures;
- c) Ensure that any measures restricting the freedom of movement of asylum seekers are consistent with its obligations under the Convention and other international human rights treaties;
- d) Formulate clear guidelines and related training on the identification of torture victims and others in need of international protection among asylum seekers and migrants.

Immigration detention – The State party should:

- a) Refrain from detaining asylum seekers and irregular or undocumented migrants for prolonged periods, use detention as a measure of last resort and for the shortest period possible and continue the application of non-custodial measures, in conformity with international standards;
- b) Guarantee that detained asylum seekers and migrants have access to counsel, including legal aid services;
- c) Guarantee judicial review or other meaningful and effective avenues to challenge the legality of administrative immigration detention;
- d) Take the necessary measures to ensure appropriate reception conditions for asylum seekers and migrants;
- e) Strengthen its efforts to ensure adequate living conditions in all immigration centres;

- f) Ensure that asylum seekers and migrants held in detention are provided with adequate medical and mental health care, including a medical examination upon admission and routine assessments;
- g) Establish an effective and independent oversight mechanism of the Reception and Identification Service to which individuals held in immigration detention can bring complaints;
- h) Ensure that all allegations of torture and ill-treatment by law-enforcement officials are promptly, thoroughly and impartially investigated by the authorities, that the perpetrators are prosecuted, and if found guilty, punished and that victims are provided with redress.

Unaccompanied migrant and asylum-seeking children – The State party should:

- a) Ensure that children are not detained solely because of their immigration status. Detention should be used only as a measure of last resort and for the shortest period possible;
- b) End the practice of detaining migrants and asylum seekers, especially unaccompanied children, in police holding cells and other detention facilities that are not suitable for long stays.

Sexual and gender-based violence against refugee and asylum-seeking women – The State party should:

- a) Take effective measures to ensure that all cases of gender-based violence – in particular against refugee, asylum-seeking and migrant women and girls, and especially those involving actions or omissions by State authorities or other entities that engage the international responsibility of the State party under the Convention– are thoroughly investigated, that the alleged perpetrators are prosecuted and, if convicted, punished appropriately, and that the victims or their families receive redress, including adequate compensation;
- b) Ensure that police officers and prosecutors refrain from turning away alleged victims of gender-based violence. The State party should also consider revising police practices that may deter women from seeking protection from the authorities in cases where they have been subjected to or are at risk of gender-based violence;
- c) Provide mandatory training on prosecution of gender-based violence to all justice officials and law enforcement personnel and continue awareness-raising campaigns on all forms of violence against women;
- d) Adopt specific protective measures, including the establishment of a mechanism to prevent and respond to sexual and gender-based violence against refugee, asylum-seeking and migrant women and girls, especially those held in RICs- ‘hotspots’, reception centres and other immigration detention facilities;
- e) Ensure that survivors of gender based-violence are able to access shelters and receive the necessary medical care, psychological support and legal assistance they require;
- f) Compile and provide to the Committee statistical data, disaggregated by the age and the ethnicity or nationality of the victim, on the number of complaints, investigations, prosecutions, convictions and sentences recorded in cases of

gender-based violence, as well as on the measures adopted to ensure that victims have access to effective remedies and reparation.

Human trafficking - The State party should:

- a) Intensify its efforts to prevent and combat trafficking in human beings, including by putting in place effective procedures for the identification and referral of victims among vulnerable groups, such as asylum seekers and migrants, including unaccompanied minors
- b) Enhance the efforts to investigate claims of human trafficking, including past cases of trafficking for purposes of labour exploitation, and prosecute perpetrators and ensure that victims of trafficking obtain compensation
- c) Ensure access to adequate protection and support for all victims of trafficking, especially secure shelters and counselling services.