

Mr. Margaritis Schinas

Vice-President for Promoting our European Way of Life

Ms. Ylva Johansson

Commissioner for Home Affairs

Rue de la Loi 175

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Brussels, 26th May 2021

Dear Commissioner Johansson,

Dear Vice-President Schinas,

on May 7 Commissioner Johansson visited Ankara to negotiate the continuation of the EU-Turkey statement with Vice-President Fuat Oktay, Minister of Foreign Affairs Mevlüt Çavuşoğlu and Minister of Interior Süleyman Soylu . During this time, I visited Samos to talk with the refugees who are the subjects of these negotiations, and with the authorities who have to implement the ‘deal’. The EU-Turkey statement has created an illusion of responsibility sharing, prevention of arrivals and protection for refugees. I have witnessed that this illusion does not coincide with the reality on the ground for both refugees and local populations. With this letter I want to share these observations with you, hoping that you have the chance to change this reality.

First, the fate of Syrian refugees on the Greek islands. The condition for readmission by the Turkish government that keeps the migrants on the Greek islands, has led to overcrowded camps, in which the EU standards on reception are far from fulfilled. Since 2016, 5,708 asylum claims made by Syrian asylum seekers on the islands - of which merely 2,839 in 2020¹ - have been declared inadmissible on the ground that Turkey is considered a ‘safe third country’ in which the migrant’s protection and rights are safeguarded. This is also the position of the European Commission, despite the dire situation of many Syrian refugees in Turkey. Also despite the fact that Turkey insists on a geographic limitation in relation to the Refugee Convention, which means that only those fleeing as a consequence of "events occurring in Europe” can be given refugee status.

Yet, since March 2020, the situation for Syrian refugees worsened, President Erdoğan has announced that he will refuse to take a single refugee back from Greece. The consequences for the Syrian refugees are devastating: they are locked in camps without any prospect of return or integration. They are not only the victims of a civil war, but also the victims of a geopolitical conflict between the EU and Turkey. The ongoing refusals of asylum claims - despite the impossibility of readmission, supported and even encouraged by the Commission, are a clear breach of the EU asylum rules. The Asylum Procedures Directive requires that the ‘safe third country’ actually readmits the asylum seeker. If not, Member States must give access to a full asylum procedure and grant protection if needed. And this makes sense, as we can’t leave refugees in a legal limbo, they have the right to a dignified life and sustainable future.

¹ [RSA PROASYL EU-TR RoL Capture.pdf \(rsaagean.org\)](#), p.5



Second, I would like to discuss the current and new camps on the Greek islands. In Vathy camp in Samos, many people find themselves in desperate circumstances and are in need of immediate mental healthcare. Many organisations are worried that these mental health problems will only get worse once the asylum seekers are transferred to the new EU-funded 'Multi-Purpose Center' on the island. The Commissioner has repeatedly stated that the new center is open and that asylum seekers will not be detained. Yet, I have seen that the Multi-Purpose Centre on Samos is built on a completely remote location, has the characteristics of a prison, lacks sufficient places with shadow, and contains 1000 pre-removal detention places. In practice, all separate units can be closed down if authorities wish to do so. There is reason to fear for the lack of oversight by NGO's, as they increasingly face problems to get access to the camps. And again, there is no relocation scheme if the center exceeds its capacity. This truly is a recipe for disaster.

Thirdly and finally, my observations regarding the systematic allegations of pushbacks on the Greek islands. It seems that, in response to President Erdoğan's refusal to readmit any refugees to Turkey since March 2020, the Greek government has responded with a systematic refusal to let people claim asylum. Arrivals have dropped by 86% on Samos compared to the previous year and the Greek authorities so far refuse to investigate the claims of pushbacks. Meanwhile, other EU-countries and the Commission remain silent. Erdoğan is often accused of instrumentalizing the refugees, by facilitating their departure to the EU. That may indeed be the case, but the answer can never be that the EU is doing the same.

The EU-Turkey statement does not require a reiteration, it needs a reality check. Containing refugees on the Greek islands for an indefinite period equals denying them of all rights and is therefore inhumane and illegal. Pushing back, denying the right to apply for asylum is also against our rules and European values.

The only outcome of this reality check should be that the EU starts taking its responsibility and complies with its own rules. Instead of focusing on negotiating with Turkey, we should evacuate refugees from the Greek islands to other Member States. Hundreds of European municipalities and citizens already showed their willingness to do so.

Tineke Strik