



WALLING OFF WELCOME:

New reception facilities in Greece reinforce a policy of refugee containment and exclusion

45 civil society organisations urge EU institutions and national governments to abandon policies that contain people seeking asylum at Europe's borders and to instead facilitate asylum seekers' social inclusion and subsequent integration. They must fulfil their commitments to share responsibility for ensuring displaced people's adequate reception and protection, in line with EU and international law and reverse the extension of containment policies represented by the new reception facilities under construction. Where new or adapted structures are already in place, measures must be taken to ensure that they create conditions that meet EU and international standards. A true show of EU solidarity would build bridges between communities, not walls.

In early September 2020, the Moria Reception and Identification Centre (RIC)—Europe's largest and most notorious refugee camp—located on the Greek island of Lesbos, burned to the ground in a devastating fire that left thirteen thousand people displaced.¹ EU Commissioner for Home Affairs Ylva Johansson responded to the tragedy by acknowledging that Europe had to provide better reception for displaced people seeking protection. Emphasising that there should be “no more Morias” and that the bloc needed a “fresh start” on migration, European Commission leaders presented an EU Pact on Migration and Asylum² that purported to offer a regional solution to the failures of the existing approach.

Simultaneously, a European Taskforce³ was established not only to “resolve the emergency situation on Lesbos” but to implement a joint pilot with the Greek authorities for the establishment of new reception facilities—these would be “in line with the framework proposed in [the Pact]” and could thus serve as a model for the region. But one year later, this fresh start has not come. Greece and the European Union (EU) remain focused on deterrence and containment policies rather than the effective protection of those in need.

* Photo source: IRC/L. Gouliamaki

1. Moria migrants: Fire destroys Greek camp leaving 13,000 without shelter (BBC, 9 September 2019) <link> accessed 24 August 2021

2. A fresh start on migration: Building confidence and striking a new balance between responsibility and solidarity (European Commission, 23 September 2020) <link> accessed 24 August 2021

3. Migration: A European taskforce to resolve emergency situation on Lesbos (European Commission, 23 September 2020) <link> accessed 24 August 2021

With financial and technical support from the European Commission, Greek authorities are constructing fences and concrete walls around existing camps, building closed camps in remote locations on the Aegean islands, and introducing legislation to further restrict the freedom of movement in and access to camps. These walls are a physical manifestation of containment policies adopted by the EU and its Member States to isolate asylum seekers away from local communities. By reinforcing such policies, they seriously risk impeding the effective identification and protection of vulnerable people; limiting access to services and assistance for asylum seekers; hindering independent monitoring of conditions inside facilities; and exacerbating the harmful effects of displacement and containment on individuals' mental health. Moreover, these policies are likely to preclude displaced people's integration in local communities, to their detriment and that of Greece.

AN EXTENSION OF THE EU'S CONTAINMENT POLICY

In December 2020, the European Commission and the Greek government published a memorandum of understanding establishing plans for the construction of Multi-Purpose Reception and Identification Centres (MPRICs) to replace the infamous refugee camps on five Greek islands.⁴ Samos will be the first island where a new facility will become operational, with the MPRIC expected to open at the end of September 2021.⁵ On Lesbos and Chios, the construction of new facilities is being prepared, while on Kos and Leros, existing camps are being converted into closed facilities.⁶

The European Commission is funding these projects with grants exceeding €250 million. The Commission announced an award of €121 million in November 2020 for the construction of reception centres on Samos, Kos, and Leros, and an additional €155 million for new centres on Lesbos and Chios.⁷ Based on available information, these centres will be at remote locations without easy access to external services or host communities. The camps will be surrounded by a double, military-grade fence and residents will only be permitted to enter and exit at restricted hours.⁸ Residents will be under constant surveillance by Centaur, an integrated digital system that includes CCTV and video monitors, drones, perimeter violation alarms with cameras, control gates with metal detectors and X-ray devices, and an automated loudspeaker system for public announcements.⁹

Changes to EU reception facilities are not limited to the islands. On the Greek mainland, authorities are constructing concrete walls and chain-link fencing around several existing camps. In a number of camps on the mainland, plans are in motion to install drone patrols, magnetic gates with thermographic cameras, X-ray machines, and security cameras at the entrances and exits. According to external reports, these surveillance measures will be implemented in 39 camps around the country, with the European Internal Security Fund covering 75 percent of

4. Memorandum of Understanding: Commission support for the situation on the Greek islands Questions and Answers (*European Commission*, 3 December 2020) <[link](#)> accessed 24 August 2021

5. Ξεκινά τον Σεπτέμβριο η λειτουργία της νέας Κλειστής Ελεγχόμενης Δομής Σάμου (*Hellenic Ministry of Migration and Asylum*, 29 July 2021) <[link](#)> accessed 24 August 2021

6. Migration: Commission and Greece agree joint plan for a new reception centre in Lesbos (*European Commission*, 3 December 2020) <[link](#)> accessed 24 August 2021

7. Visit of Ylva Johansson, European Commissioner, to Samos and Lesbos, Greece: press conference with Notis Mitarachi, Greek Minister for Migration and Asylum (*European Commission*, 29 February 2021) <[link](#)> accessed 24 August 2021

8. Notis Mitarakis 'Η Μαλακάσα θα είναι η πρώτη ελεγχόμενη δομή στην ηπειρωτική Ελλάδα' (*Youtube*, 1 June 2020) <[link](#)> accessed 31 January 2021; Notis Mitarakis 'Άρθρο του Υπουργού Μετανάστευσης και Ασύλου, κ. Νότη Μηταράκη, στον "Ελεύθερο Τύπο της Κυριακής" για την συμπλήρωση ενός έτους διακυβέρνησης (*Official website*, 5 July 2020) <[link](#)> accessed 31 January 2021; Notis Mitarakis 'Σημεία Συνέντευξης του Υπουργού Μετανάστευσης και Ασύλου, κ. Νότη Μηταράκη, στην εφημερίδα «Τα Νέα»' (*Official website*, 26 September 2020) <[link](#)> accessed 31 January 2021

9. Corina Petridi 'Greek camps for asylum seekers to introduce partly automated surveillance systems' (*Algorithm Watch*, 27 April 2021) <[link](#)> accessed 24 August 2021

the costs. The concrete walls alone will cost €28.4 million.¹⁰ The Greek government and European Commission insist that the new MPRICs on the islands and closed camps on the mainland represent joint efforts to improve the security and safety of residents and staff in facilities.¹¹

DE FACTO DETENTION OF ASYLUM SEEKERS

Since the EU-Turkey Statement was agreed to in 2016, “geographical restrictions” were imposed on asylum seekers, limiting their movement to the islands and requiring them to stay in reception and identification centres (RICs).¹² These ‘geographical restrictions’ generally apply to all applicants regardless of their individual needs or vulnerabilities, and applicants typically lack the means (e.g., legal aid) to request they be voided.¹³ The result, for many years, has been severely overcrowded facilities on the Greek islands, especially in times of increased arrivals. This, in turn, means people have to survive in undignified conditions, without adequate access to accommodation, infrastructure, security, or basic services such as medical care.¹⁴

Moreover, Greece’s new asylum law—the International Protection Act (IPA),¹⁵ which took effect on 1 January 2020—further restricts asylum seekers’ freedom of movement by increasing authorities’ discretionary power to impose restrictions on them.¹⁶ In what can be considered *de facto* detention, newly arriving individuals are automatically subject to a “restriction of liberty” that bars them from leaving the RIC for the first five days, even upon lodging an application for international protection. This period may be extended for a maximum of 25 days to allow for the completion of reception and identification procedures. According to the IPA, detention should only be “applied exceptionally, after an individual assessment and only as a measure of last resort.” In practice, however, authorities systematically continue the restrictions on freedom of movement without conducting individual assessments.¹⁷

According to the European Reception Conditions Directive, an asylum applicant “may move freely within the territory of the host Member State or within an area assigned to them by that Member State.”¹⁸ However, detaining a person solely because they are seeking asylum breaches international,¹⁹ European,²⁰ and Greek²¹ law. EU officials clearly recognize that arbitrarily restricting asylum seekers’ freedom of movement would breach EU laws. In defending the construction of MPRICs, EU Commissioner Ylva Johansson has insisted that the new structures on the islands would not be closed. Yet, Greek authorities have consistently described them as “closed and controlled,”

10. Alexia Kalaitzi and Katy Fallon ‘Concrete walls and drones: Greek plans for refugee camps decried’ (*Aljazeera*, 25 May 2021) <link> accessed 24 August 2021

11. Parliamentary questions - Answer given by Ms Johansson (*European Parliament*, 6 July 2021) <link> accessed 24 August 2021

12. Hellenic Republic Joint Ministerial decision No. 1140/2019 (December 2019); The Hotspot approach to managing exceptional migratory flows (*European Commission*) <link> accessed 24 August 2021

13. RSA, HIAS, et al ‘The Workings of the Screening Regulation Juxtaposing proposed EU rules with the Greek reception and identification procedure’ (January 2021)

14. Conditions in ‘Moria 2.0’ camp are abysmal (*Oxfam International*, 21 October 2020) <link> accessed 24 August 2021

15. Hellenic Republic Law No. 4636/2019 (1 November 2019)

16. Hellenic Republic Law No. 4636/2019 (1 November 2019) Article 45(2)

17. Country Report Greece - Grounds for Detention (*AIDA*, 10 June 2021) <link> accessed 24 August 2021; Amnesty International ‘Greece: Worrying legal developments for asylum-seekers and NGOs’ (3 May 2020)

18. Reception Conditions Directive (26 June 2013) Article 7(1)

19. Convention Relating to the Status of Refugees (1951) Article 31

20. Charter of Fundamental Rights of the EU (2009) Articles 6 and 52(1); Reception Conditions Directive (26 June 2013) Recital 15 and Article; Dublin III Regulation (1990) Recital 20 and Article 28; Asylum Procedures Directive (26 June 2013) Article 26

21. Hellenic Republic Law No. 4636/2019 (1 November 2019) Article 45-46

blurring the line between detention and the limited restriction on freed movement allowed in the Directive.²² In addition, the government is soon to adopt legislation that will codify the typology of “closed controlled” camps.²³ Instead of channelling funds for the protection of people, the EU is spending millions of euros to fund these camps, not just condoning but enabling a model that forces people applying for protection to live behind walls and under constant surveillance.

OBSTACLES TO IDENTIFYING AND PROTECTING VULNERABLE PEOPLE

The individual needs of applicants for international protection should be immediately assessed at the time of arrival²⁴ and taken into consideration by authorities determining next steps in their reception.²⁵ In the Greek context, “vulnerable groups” comprise children, both unaccompanied and in families; direct relatives of victims of shipwrecks; persons with disabilities; older persons; pregnant women; single parents with minor children; victims of human trafficking; persons with serious illnesses; persons with cognitive or mental disabilities; and survivors of torture, rape, or other severe forms of psychological, physical, or sexual violence.²⁶ Notably, the IPA excludes post-traumatic stress disorder (PTSD) from the list of conditions that qualify an asylum seeker as “vulnerable.”

Over the last few years, the process for conducting vulnerability assessments has been plagued by a persistent shortage of qualified staff²⁷ and resources.²⁸ The result—unreliable or incomplete examinations of individuals’ potential risks and special needs—leaves many vulnerable persons unidentified and thus without access to the procedural guarantees and assistance they need.²⁹ This problem is exacerbated by the use of accelerated screening and interview procedures on the islands, which risk being expanded under the proposed EU Pact on Migration and Asylum.³⁰ In the past, many victims of torture, rape, or other forms of psychological, physical, and sexual violence and abuse were only recognised as such after a second re-examination performed months after their arrival. The same was true for women submitted to female genital mutilation and persons with severe mental health issues.³¹

The new reception facilities are likely to further undermine the protection of vulnerable individuals by impeding access to necessary services even for those who are properly identified. As described below, nongovernmental organisations (NGOs) that provide essential services will have limited access to the MPRICs and walled-off camps.³² In addition, the remote location of MPRICs on the islands and restrictions on camp residents’ movement will create obstacles to accessing specialised services outside of reception facilities in nearby communities.

22. Visit of Ylva Johansson, European Commissioner, to Samos and Lesbos, Greece: press conference with Notis Mitarachi, Greek Minister for Migration and Asylum (*European Commission*, 29 February 2021) <[link](#)> accessed 24 August 2021, minutes 50:30 - 52:50

23. Σχέδιο Νόμου «Αναμόρφωση διαδικασιών απελάσεων και επιστροφών πολιτών τρίτων χωρών, ζητήματα αδειών διαμονής και διαδικασιών χορήγησης διεθνούς προστασίας και άλλες διατάξεις αρμοδιότητας Υπουργείου Μετανάστευσης και Ασύλου και Υπουργείου Προστασίας του Πολίτη» (*Ministry of Migration and Asylum*, 18 June 2021) <[link](#)> accessed 1 September 2021

24. Hellenic Republic Law No. 4636/2019 (1 November 2019) Article 58(2)

25. Hellenic Republic Law No. 4636/2019 (1 November 2019) Article 58(4)

26. Hellenic Republic Law No. 4636/2019 (1 November 2019) Articles 39(5) and 58(1)

27. RSA, HIAS, et al ‘The Workings of the Screening Regulation Juxtaposing proposed EU rules with the Greek reception and identification procedure’ (January 2021)

28. Country Report Greece - Identification (*AIDA*, 10 June 2021) <[link](#)> accessed 24 August 2021

29. MSF, RSA and Pro Asyl ‘Border procedures on the Greek islands violate asylum seekers’ right to special procedural guarantees’ (RSA, 25 February 2021) <[link](#)> accessed 24 August 2021

30. For A Europe That Truly Protects: Joint NGO Policy Brief on the Screening Regulation Proposal (*IRC*, 6 May 2021) <[link](#)> accessed 24 August 2021

31. Country Report Greece - Identification (*AIDA*, 10 June 2021) <[link](#)> accessed 24 August 2021; Observed by practitioners of Fenix Aid (2020-June 2021)

32. Choosing Love and Justice Limited ‘Under Pressure – How Greece is Closing in on Civil Society Organisations Working with Refugees’ (27 February 2021) page 17-20

DECREASE IN ACCESS TO SERVICES, ASSISTANCE, AND MONITORING

Since the end of 2019, Greek authorities have imposed legislation that restricts the operations of civil society organisations (CSOs) working with displaced people and people on the move. The Council of Europe Expert Council on NGO Law;³³ three UN Special Rapporteurs;³⁴ a report commissioned by the European Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE);³⁵ and the European Commission's 2021 Rule of Law Report³⁶ all warned that Greek legislation contradicts European and international standards and legislation on the freedom of association.

Greek authorities have, on several occasions, stated that they will deny access to reception facilities to NGOs that do not register with the State.³⁷ They insist this is in the interest of communities' safety. However, authorities have broad discretion in authorizing NGOs' registration and deciding which organisations stay registered,³⁸ and the various critiques of the process call into question the validity of authorities' decisions about which NGOs receive this authorization.³⁹ Thus, the authorities' statements serve not as reassurance, but as a warning about the future of access to services inside reception facilities. Indeed, a survey of 70 CSOs published in February 2021 found that 20 organisations had been denied access to several existing camps already and 40 organisations had faced increased difficulties reaching the people they support due to registration requirements.⁴⁰

The Greek NGO legislation has had, and will continue to have, a chilling effect on organisations' ability to operate and access the MPRICs on the islands and camps on the mainland. Civil society action continues to be regulated by legislation that has been deemed not in line with international and EU law and standards. In addition, authorities have broad discretion in authorizing NGOs' registration and which organisations stay registered.⁴¹ As such, the new rules will also hinder NGOs' ability to carry out their critical watchdog function—independent organisations have been vital in highlighting gaps in protection, human rights violations, and the dire circumstances in reception facilities.⁴²

33. Expert Council on NGO Law NGO Law (Council of Europe) 'Opinion on the Compatibility With European Standards of Recent and Planned Amendments to Greek Legislation on NGO Registration' (2 July 2020) CONF/EXP(2020)4 Para 106

34. UN DOC OL GRC 1/2021

35. LIBE Committee (EU Parliament) 'Protecting Civil Society Space: Strengthening Freedom of Association, Assembly and Expression and the Right to Defend Rights in the EU' (October 2020)

36. EU Commission '2021 Rule of Law Report Country Chapter on the Rule Law Situation in Greece' COM (2021) 709 final

37. Επιχείρηση – τάξη στις ΜΚΟ με κατάθεση νομοσχεδίου (*Kathimerini*, 7 June 2020) <link> accessed 17 November 2020; Notis Mitarakis (*Facebook*, 31 July 2020) <link> accessed 17 November 2020; Notis Mitarakis 'Ξεκινά η λειτουργία του Μητρώου ΜΚΟ και μελών ΜΚΟ στο Υπουργείο Μετανάστευσης και Ασύλου' (*Official website*, 14 April 2020) <link> accessed on 20 November 2020; Ενημέρωση Πολιτικών Συντακτών από τον Υπουργό Μετανάστευσης και Ασύλου κ. Νότη Μητράκη (*Ministry of Migration and Asylum*, 12 October 2020) <link> accessed 27 November 2020

38. Choosing Love and Justice Limited 'Under Pressure – How Greece is Closing in on Civil Society Organisations Working with Refugees' (27 February 2021), page 17-20

39. LIBE Committee (EU Parliament) 'Protecting Civil Society Space: Strengthening Freedom of Association, Assembly and Expression and the Right to Defend Rights in the EU' (October 2020)

40. Choosing Love and Justice Limited 'Under Pressure – How Greece is Closing in on Civil Society Organisations Working with Refugees' (27 February 2021), page 17-20

41. Choosing Love and Justice Limited 'Under Pressure – How Greece is Closing in on Civil Society Organisations Working with Refugees' (27 February 2021), page 17-20

42. Choosing Love and Justice Limited 'Under Pressure – How Greece is Closing in on Civil Society Organisations Working with Refugees' (27 February 2021), page 17-20

HARMFUL IMPACT ON MENTAL HEALTH

The use of both policy and physical structures to contain individuals in their immediate, securitized surroundings and isolate them from broader society have clear and alarming psychological consequences on those affected. Detention, containment, and social isolation exacerbate pre-existing psychological trauma that many displaced people have endured in their home countries, in transit, and/or once in Greece. The desperate conditions in which they are forced to live and inadequate access to medical and mental healthcare services can also create new trauma.⁴³

The gaps observed in the protection of asylum seekers on both the Aegean islands and the mainland are linked to the containment and deterrence policies that the European and Greek authorities have adopted. It is deeply concerning that the EU and Greece appear to continue the implementation of these policies, despite the proven clear and significant risk they pose to individuals' health.

THREAT TO INTEGRATION AND SOCIAL INCLUSION

The intensification of containment measures on both the islands and mainland flies in the face of repeated calls by NGOs for Greece to overhaul its approach to migration and focus on integration and social inclusion. The EU Action Plan on Integration and Inclusion states that the “successful integration of migrants depends both on early action and long-term investment. Providing support to migrants and their receiving communities at the earliest possible moment”.⁴⁴ Indeed, a recent report by the International Rescue Committee highlights how “early interventions for integration benefit both refugees and asylum-seekers and the receiving society.”⁴⁵ But the remote locations of and restrictions on movement in the new MPRICs will severely impede asylum seekers' ability to engage with local populations and access essential services, including education and healthcare.

Alarmingly, the Greek government is not only further fortifying and isolating already siloed reception facilities, but directly undoing what few opportunities for integration have been possible. According to new rules that took effect on 1 July 2021, asylum seekers who had managed to secure independent housing in Greece are no longer able to access any financial assistance from the government. To be eligible for cash aid, they must abandon their homes and move into facilities run by the State or its partner organisations.⁴⁶

As the Greek Council for Refugees points out, people who are currently living in private accommodation are “able to live with people of their choosing...[they] are individuals who, with much struggle, have taken steps towards regaining their autonomy.” By withdrawing financial assistance, the Greek government is forcing people out of their homes and into camps where their individual autonomy and independence will be severely restricted, “a major setback in the integration process that will foster the conditions for ghettoization and marginalization.”⁴⁷

43. Country Report Greece - Health Care (A/DA, 10 June 2021) <[link](#)> accessed 24 August 2021; MSF 'Constructing crisis at Europe's border' (June 2021), page 9

44. EU Commission, 'Action plan on Integration and Inclusion 2021-2027' COM (2020) 758 final, page 7

45. IRC 'The time is now: A plan to realise the potential of refugees in Greece' (September 2020)

46. A big setback in integration: The cut in aid to asylum seekers (GCR, 24 June 2021) <[link](#)> accessed 24 August 2021

47. A big setback in integration: The cut in aid to asylum seekers (GCR, 24 June 2021) <[link](#)> accessed 24 August 2021

RECOMMENDATIONS

45 civil society organisations urge EU institutions and national governments, particularly the Greek authorities, the European Commission and its Task Force Migration Management, and Members of the European Parliament to:

1. Ensure the Greek government establishes safety and security measures in the site management of reception facilities that promote the protection of camp residents and staff and without encroaching on their rights and freedoms.
2. Guarantee that new arrivals to the Greek island are not detained by default and that restrictions on movement, in law and practice, comply with international and European human rights standards.
3. Secure a firm commitment from the Greek authorities that they will uphold the freedom of movement of residents of all camps and guarantee access to essential services, including legal aid, formal education (especially for children) and healthcare. Guarantee that asylum seekers located at facilities in remote areas have access to city centres or nearby urban areas by facilitating accessible transport.
4. Guarantee a timely and adequate monitoring and evaluation plan to assess conditions in the new MPRICs and any walled-off camps and their impact on residents' access to rights, material reception conditions, services, assistance, mental health, and formal education (especially for children).
5. Urgently scrutinise the use of EU funds to finance the construction of MPRICs and walls around mainland camps, considering a moratorium on construction until the fundamental rights of residents are guaranteed.
6. Ensure that the access of independent actors, including those providing legal and other services, and monitors to the new or adapted facilities is not unduly restricted. Also ensure that legislation and policies governing NGOs' access to reception facilities in Greece are in line with EU and international law and standards regarding the freedom of association. The EU Commission should proceed without delay in assessing whether Greek legislation restricting NGO activity is compatible with EU law.⁴⁸
7. Urge the Greek government to revoke new restrictions on access to cash assistance, to allow asylum seekers to live in independent housing. The Greek government should also invest in alternative accommodation to reception facilities to promote integration and social inclusion while people complete the asylum process.

8 September 2021

Co-signed by:

- | | |
|---------------------------|--------------------------------------|
| 1. Action for Education | 9. European Lawyers in Lesvos (ELIL) |
| 2. Amnesty International | 10. Feeding Hope @ Hope Cafe Athens |
| 3. Better Days | 11. Fenix - Humanitarian Legal Aid |
| 4. Centre Diotima | 12. Flygtningebørn.dk |
| 5. Changemakers Lab | 13. Glocal Roots |
| 6. Choose Love | 14. Greek Council for Refugees (GCR) |
| 7. Danish Refugee Council | 15. Greek Forum of Migrants |
| 8. Europe Must Act | 16. HumanRights360 |

48. Parliamentary questions - Answer given by Mr Reynders (*European Parliament*, 15 January 2021) <[link](#)> accessed 24 August 2021

17. I AM YOU
18. International Detention Coalition (IDC)
19. International Rescue Committee (IRC)
20. INTERSOS and INTERSOS Hellas
21. Irida Women's Center
22. JESUIT REFUGEE SERVICE GREECE (JRS GREECE)
23. Lesvos Solidarity
24. Lifting Hands International
25. Lighthouse Relief
26. Love Without Borders For Refugees in Need
27. MIAMSI - Mouvement International d'Apostolat des Milieux Sociaux Indépendants
28. Mobile Info Team
29. Network for Children's Rights
30. Odyssea
31. One Family - No Borders
32. One Happy Family
33. Pacificwin Pacific
34. Project Armonia
35. Refugee Law Clinic Berlin
36. Refugee Legal Support (RLS)
37. Refugee Trauma Initiative (RTI)
38. Refugees International
39. Samos Advocacy Collective
40. Samos Volunteers
41. SolidarityNow
42. Steps
43. Still I Rise
44. Vasilika Moon
45. Women's Refugee Commission