

Open Letter

EU Commission must take responsibility for inhumanity of its hotspot on Chios

10 August 2018

Dear Mr Mordue,

Thank you for meeting us with your delegation on 25 April 2018. We would like to take this opportunity to keep the dialogue open and to follow up on the topics discussed at that meeting.

As you witnessed during your visit to Greece, living conditions in Vial and in the other EU hotspots violate the rights of asylum seekers on the islands. Since our meeting, however, we are yet to see any tangible improvements in Vial. In fact, **since your visit conditions have deteriorated** due to many new arrivals to the island. Upon arrival, asylum seekers are only given a sleeping bag and blanket - the only items now provided by UNHCR. Due to **severe overcrowding** inside Vial, newly arrived refugees are only offered summer tents, and these are mostly donated by voluntary teams. **Some are left with no shelter** in the surrounding fields. For example, a 27-year old pregnant woman with severe medical problems has been sleeping in a tent with her husband and small child since July 22, and has not been provided with adequate medical treatment. A group of six single women and four children aged 2-14 were sleeping on the ground for 10 days without shelter.

We continue to witness the **systematic failure to uphold minimum standards for humanitarian response**.¹ There are people with serious disabilities, pregnant women, newborn babies and children whose protection needs have neither been identified nor addressed.

The conditions for asylum seekers on Chios remain wholly unacceptable and undignified.



¹ See: <http://www.ifrc.org/PageFiles/95530/The-Sphere-Project-Handbook-20111.pdf>

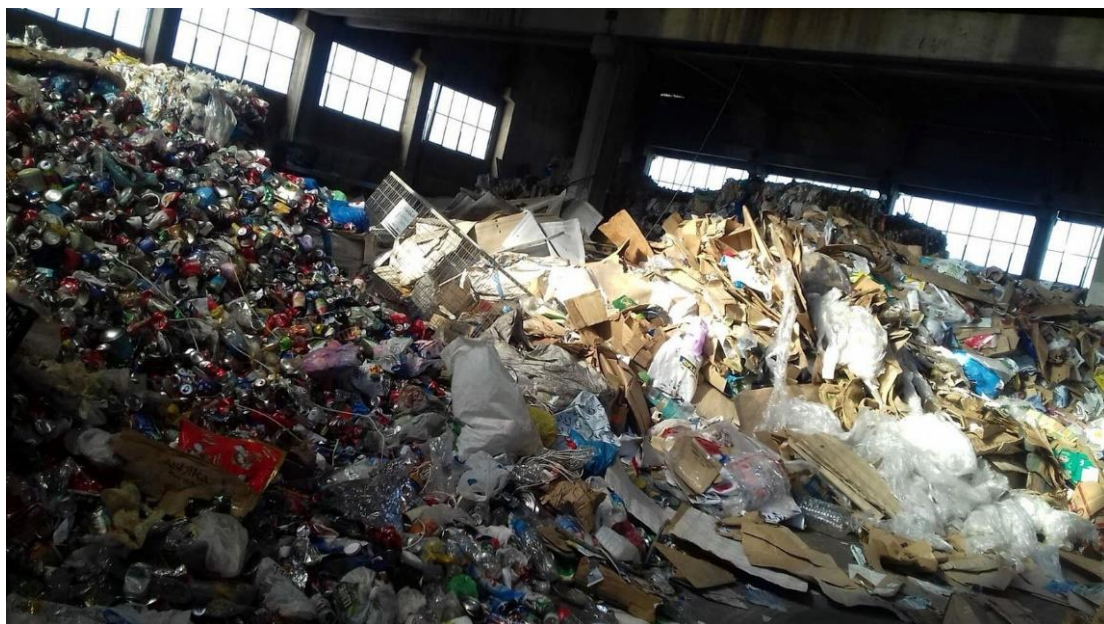


Furthermore, access to legal information and legal aid, informal education activities, medical care, safe space for women, other support services and the provision of non-food items (NFI), rely heavily on voluntary organisations on the island. For example, Vial camp authorities are almost entirely dependent on one of the voluntary teams for the provision of NFIs. Given the continued and demonstrable failure to provide adequate shelter to all people arriving in Vial, in recent weeks, voluntary organisations have provided over 200 tents. Not only have volunteers provided much needed shelter but clothing and diapers too, as Vial authorities provide only two diapers per child per day. As funding for our work is becoming increasingly difficult to secure, we are not sure how long we will be able to continue to provide these essential services.



In an effort to affect considerable improvements to the procedural and material conditions for asylum seekers on Chios, we would hereby like to provide you with recent information concerning some of the key issues that we had raised during our meeting:

- **Overcrowding in Vial hotspot:** as of 25 July, there were 2104 people in Vial, a camp with an official capacity of 1014, according to Hellenic Ministry of Interior data. Individual containers are frequently overcrowded. There are instances of, for example, a single container housing 3-6 families, with up to 22 people, or 18 children (15 girls and 3 boys).
- **Limited transfers of persons** to the mainland: in July, we understand that 436 people were transferred to the mainland by UNHCR versus 555 people who had arrived to the island. In June, only 232 people were transferred to the mainland - the lowest monthly number in 2018. Meanwhile, only 189 of the 244 places in UNHCR accommodation were occupied as of July 25, according to the Hellenic Ministry of Interior.
- There are **insufficient toilets and showers** for the number of people currently in Vial. There are currently only 20/20 toilets and showers for men/women in Sections A and B. This currently amounts to 1 toilet per \approx 50 persons, which far exceeds the maximum of 20 people per toilet as required by Sphere's minimum standards.² Furthermore, toilets are poorly maintained and therefore **unsanitary and unhygienic**, creating a serious health risk. In Section C, portable toilets are only cleaned once a month. Consequently, some toilets are overflowing and leaking into the surrounding areas where tents are located. The risk of disease in and around these facilities is seriously compounded when the water supply is switched off for the night, from around 21:00 until 7.30am.
- **Electricity supply:** in Areas B and C, electricity is only available 12.00-17.00. At night, electricity is available only for 1 hour (20-21.00). Many people residing in tents have no access to electricity, including at night time. There are frequent power cuts and during rains the electricity supply is switched off. Solar lamps are not provided, another gap volunteers are trying to fill.



² See: http://ec.europa.eu/echo/files/evaluation/watsan2005/annex_files/Sphere/SPHERE20-%20chapter%2020-%20Min%20standards%20in%20water,%20sanitation%20and%20hygiene%20prom.pdf

- **Accommodation conditions present health and safety risks:** severe overcrowding in the camp, compounded by the poor condition of hygiene and sanitation facilities, leads to serious health risks and facilitates the spread of infectious conditions and diseases, notably lice infestations and skin conditions such as scabies. People in the camp are also frequently exposed to rodents and insects - snakes, rats, scorpions, spiders - due to poorly maintained accommodation and no provision for regular pest control. Moreover, a large amount of rubbish is being stored inside the Vial compound. Furthermore, a focus group conducted in late July indicates that women do not feel safe as many container doors cannot be locked, windows are frequently broken, there is little to no privacy, and there are instances of women having to share accommodation with unknown men.



A woman in Vial bitten by a poisonous snake inside her tent (28 July). Immediate medical treatment was required.

- **No access to running potable water in Vial:** people receive only a 1.5L bottle of water per day whereas the *minimum* amount according to WHO recommendations is 2L per day. Sometimes, there is not enough bottled water for everyone. On some weekends, there is no running water at all for more than 2000 persons. In response, a voluntary team has been providing 7 tonnes of drinking water to Vial every two days since late July.
- **Sexual and gender-based violence (SGBV):** instances of sexual harassment and other forms of SGBV were found to be rife in Vial. There are no adequate and effective policies or gender appropriate translators in place to assure safety and protection. Constant reports of SGBV incidents in the camp is of itself demonstrative of the need to accommodate single women and LGBT asylum seekers in alternative, safe accommodation.
- **Insufficient provision of medical care:** currently, the Hellenic Centre for Disease Control and Prevention (KEELPNO) is providing medical assistance from the morning until 16.00: one doctor, responsible only for registration, one doctor present only for about 2-3 hours/day, and 5-6 nurses. From 16.00 to 22.00, the voluntary team, Salvamento Maritimo Humanitario (SMH), is on shift: one doctor, one nurse and two interpreters. There is no medical care in the evenings and on weekends – emergency “on call” care relies solely on the hospital’s ambulance service. According to testimonies, emergencies are routinely ignored. Most refugees and asylum seekers on the island have limited or no access to appropriate and adequate medical treatment. Even when the need for urgent medical treatment is identified, transfer to the requisite service on the mainland or elsewhere takes place with considerable delay. Furthermore, in some cases, KEELPNO relies on SMH for the provision and purchase of medicines, including those for serious medical conditions. Testimonies also suggest that psychological support for individuals with PTSD remains insufficient. Clients in need of these services are directed to the local hospital, which does not have the capacity to follow up on many cases.

- **Inadequate quality of food:** the food provided does not seem to meet nutritional standards. For instance, breakfast consists of one processed croissant and a fruit juice box. Fresh fruits or vegetables are rarely provided. As evidenced by many photos and videos provided by refugees from inside the camp, the food is frequently expired and inedible. Moreover, there is lack of adequate provision of food for people with special dietary requirements. There is insufficient powder milk for babies while children with allergy to cow milk are not given special milk, which is provided *ad hoc* by volunteers. With no opportunities to cook food themselves, people have to queue for several hours. For instance, people start queueing at 4-5.00am for the 8.00am breakfast distribution which is an indication that the quality of food and system of distribution needs to be improved. A nutritional audit of the food supplied to the camp should be also be conducted.



- **No provision of food during pre-registration:** it has come to our attention that UNHCR has recently stopped providing food packs to newly arrived people during registration at Vial. This process often takes a whole day or longer, depending on the time of the landing and number of arrivals. Therefore, people - including those with disabilities, children, and other vulnerable persons - are left without food during the entire registration process. Volunteers have been asked to fill this gap.
- **Situation of persons with second rejections:** upon receipt of a “second rejection”, there are numerous instances of individuals who no longer have access to official provision of food, shelter, medical care, and their “cash cards” are invalidated. Those who fall into this category are therefore dependent on support from voluntary organisations. Furthermore, those who

decide to appeal are not able to exercise this right due to the lack of legal aid and the needed time to find a lawyer and start the procedure.

- **Insufficient transportation:** there are only 5 UNHCR buses per day between Vial and the city centre. People begin queueing at 5am to get a bus ticket from the office which opens at 9-9:30am. Only 50 bus tickets are given out each day. While additional means of transport are provided by several voluntary organisations, the current number of buses is insufficient to meet the demand and consequently many refugees are unable to access educational, medical, psychosocial and other support services crucial for their well-being.
- **Registration and integration of children into local state schools:** under Greek law, formal education is compulsory for all children aged 5-15, and all children, including migrants and asylum seekers, have the right to enrol in public schools, even if they lack paperwork. Whereas the DYEP should enrol children in Vial for school in September, as agreed by the Ministry of Education, we have yet to hear whether this actually will happen. Human Rights Watch recently [reported](#) that unmet government promises mean that the right to education for most child asylum seekers on the Aegean Islands is not being fulfilled and less than 15% of children have been enrolled in state run schools. This is the case for school age children on Chios.

In our previous [letter](#) dated 24 January 2018, we also made a complaint on behalf of asylum seekers on Chios regarding the following issues which still have not been addressed:

- **Delays in the asylum procedure:** due to the high number of arrivals, refugees who arrive on Chios often wait months for their interview with the Greek Asylum Service (GAS) or the European Asylum Support Office (EASO). After the EASO-interview some applicants wait for more than half a year for their decisions. Other applicants are waiting half a year only for their vulnerability classification. This is not only due to the lack of staff but inefficient standard operating procedures which unnecessarily prolong the procedures. For instance, eligibility interviews for Syrians, whose asylum applications are found admissible, are currently being scheduled for *November 2020*. While these delays are legally the primary responsibility of the Greek state, they are a result of the EU's hotspot approach.
- **Delays in the registration:** for some weeks, there has been a gap between arrival and registration for up to two months. During this period, the applicants are not eligible for the cash assistance programme, and the asylum procedure as such is further prolonged. Additionally, this causes problems for family reunification under the Dublin III Regulation. The CJEU-ruling in *Mengesteab* (C-670/16) indicates that the Greek procedure for pre-registration triggers the time limit laid down in Art. 21 (1), 20 (2) Dublin III Regulation to submit a take charge request to the responsible Member State. However, practically, the Greek Asylum service begins to process potential family reunification cases under Art. 8-10, 16 Dublin III Regulation on the registration date. If the registration date is only scheduled two or even three months after the pre-registration, there is little or no time left to send the take charge request within the time limit. This endangers the family unity of asylum seekers.

We would also add the following issues that have not yet been discussed but also need to be addressed with urgency.

- **Lack of information:** Article 41 L 4375/2016 provides *inter alia* that applicants should be informed, in a language which they understand, on the procedure to be followed, their rights and obligations. Access to comprehensible information remains a matter of concern. Given that legal aid is provided by law only for ‘first’ appeal procedures and remains limited in practice, applicants often have to navigate the complex asylum system on their own, without sufficient information. [Research](#) conducted by RefuComm and Translators Without Borders [on Chios](#) indicated that they are [not given any information](#) in languages or formats they understand that is accessible. Further research by [Refugee Rights Europe](#) shows that only 16.7% of children had access to information about their rights and opportunities, while just 20% had access to information about European immigration rules and asylum law. This has devastating consequences for their asylum applications and all evidence shows that, despite the research being made available to Greek authorities, accessible information is still not made available. The *Info Point* in Vial is frequently overcrowded and thereby not accessible especially for vulnerable asylum seekers or women. This is not only our understanding but also shown by the annual participatory assessment conducted by UNHCR on the living conditions in Vial.
- **Lack of interpreters:** given the lack of trained interpreters on Chios, people must often rely on untrained fellow asylum seekers to overcome language barriers. A [study](#) conducted in 11 sites in Greece in April 2017 demonstrated that “refugees and migrants in Greece do not always receive information in a language or format they can understand,” with potentially detrimental effects on people’s lives.
- **Arbitrary refusal to access ferries to mainland:** it has been reported to us that a number of people with valid travel documents, who are exempted from the geographical restriction, have been denied the right to travel at the port by the police, especially during the day. It is allegedly only possible for them to travel on night ferries, and even then they are sometimes denied entry to the ferry.
- **Traumatising police practices in Vial:** it has been reported to us that in the course of identifying asylum seekers who have been rejected, police officers, often aggressively, enter all containers and tents around 6am and gather all people inside the administrative area of Vial. This practice is particularly harmful for the numerous traumatized and vulnerable people residing in the camp.

May we ask the Commission to advise us of the concrete steps and measures that have been taken or are being planned to address the aforementioned issues since our meeting? Furthermore, as you will be aware, local authorities have set the [maximum number of people](#) to be accommodated in Vial at 1274. In light of this fact, what immediate solution does the Commission propose for ensuring that asylum-seekers arriving to Chios are guaranteed dignified and humane living conditions? Will the Commission reconsider its [policy of containment](#) and advocate to rescind the geographical restriction measures on the islands which violate the right to freedom of movement of asylum-seekers within Greece?

While we acknowledge the financial support made available by the EU to the Greek government, we would like to affirm the Commission’s responsibility for the human costs of the EU-Turkey Statement and for the “hotspot” approach as these are policies of the EU. Failure to act has devastating consequences for the people living in Vial - a camp where newly arrived refugees are greeted by some

existing residents with the words “Welcome to Hell”. The continued violation of people's basic rights cannot be tolerated. More than 15,000 people have arrived to Chios since March 2016 and been subjected to these conditions. When is the EU going to take responsibility and treat people fleeing from war and persecution with the dignity they deserve?

We hope to witness prompt and adequate action taken to address the border crisis on Chios and the other affected Greek islands. This, we believe, will inevitably entail a dramatic increase in the number of people being transferred to the mainland, where responsible authorities must ensure adequate reception conditions.

We rest at your disposal should you need any further information about the situation on the ground and look forward to your response.

Yours sincerely,

Action for Education

Action for Women

Chios Eastern Shore Response Team (CESRT)

Chios Solidarity / Αλληλεγγύη στη Χίο

ChooseHumanity

FEOX Rescue Team

Humans for Humans

People's Street Kitchen of Chios

RefuComm

Refugee Law Clinics Abroad

Salvamento Marítimo Humanitario (SMH)

The Hero Centre