Urgent Call to Action: EU Member States Should Commit to the Emergency Relocation of Unaccompanied Children from the Greek Islands

Our Call to Action

We, the undersigned organizations, jointly call on the governments of European Union (EU) Member States to immediately commit to the emergency relocation of unaccompanied children from the Greek islands to other European countries, giving precedence to existing family links and the best interests of the child. Action is all the more urgent in light of the escalating violence on Lesbos and as increased arrivals to the islands could lead to further deterioration of the dangerous conditions in the camps.

Over 1,800 unaccompanied children live in the EU hotspots – Reception and Identification Centers - on the Greek islands. Children are deprived of access to their most basic rights such as shelter, water, food, medical and psychosocial care, as well as education. If each EU Member State relocated just 70 unaccompanied children, these children would no longer be homeless and living in inhumane conditions on the Greek islands.

In October 2019, Citizen Protection Minister Michalis Chrisochoidis sent a letter to all other European Union governments asking them to share responsibility by voluntarily relocating 2,500 unaccompanied children from Greece. On November 6, 2019, he informed the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs that only one country responded.

However, several EU Member States have proven that where there’s a will, there’s a way. France recently committed to accepting 400 asylum seekers. Mayors in Germany have expressed their willingness to relocate individuals from the islands, along with Finland and Ireland, while Serbia and Greece have recently initiated discussion on the transfer for 100 unaccompanied children, providing a basis for further solidarity.

It is important to note that the situation for unaccompanied children in the rest of Greece is similarly alarming. Effective protection for asylum seeking children, including those who are without a parent or caregiver in Greece, is urgently needed. The Aegean islands, which are now at breaking point, are a first start.

The Current Reality for Unaccompanied Children on the Greek Islands

There are now around 20,000 people in Moria camp. There are approximately 4,000 people living behind and on the western side of the Reception and Identification Center (RIC), without access to toilets and electricity, and roughly 9,000 – 10,000 people living in the ‘Olive Grove’, a hillside-area outside the camp on the eastern side of the RIC. Medical actors report to the media that they are treating people for a range of chronic health problems, and according to Médecins Sans Frontières, “seriously ill children...are being deprived of medical care” in Lesbos.

By February 2020, there were 1,000 unaccompanied children in Moria and the surrounding ‘Olive Grove’. ‘High numbers’ of these children are homeless, sleeping in the olive grove without tents and sleeping beside adult strangers, despite Greek law stipulating the obligation to place unaccompanied children in accommodation that is suitable for children. Psychologists working with unaccompanied children have stated in the media that an increasing number of children are experiencing psychological distress, and in some cases self-harming or attempting suicide in the refugee camp on Lesbos.

There are now around 7,498 people in the hotspot of Vathy in Samos, which has a capacity for 648 people. There are approximately 400 unaccompanied children living there, most of whom live in the forest on a steep hillside outside the camp. There is only one guardian for the entire camp.

The lack of guardianship as well as the backlog in registration of cases means that hundreds of unaccompanied children on the islands are in danger of missing their chance to apply for family
reunification, as children under the age of 15 need to have a legal guardian providing permission for legal assistance by other actors. xxii

Unaccompanied children also face serious challenges as a result of the age assessment procedures carried out in Greece. As stated by the United Nations Working Group on Arbitrary Detention regarding the situation in Greece, “persons claiming to be children are reportedly not generally represented or informed of their rights in a language that they understand during the assessment” and that currently in Greece “examinations are not sufficient to accurately assess a person’s age”. xxiii

Overall, there are now more than 38,600 people living in hotspots on the Greek islands, which have a capacity for 6,178 people, while the total number of individuals trapped on the islands is over 42,000. xxiv We join together in refusing to accept this situation in a Europe ‘founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights’. xxv

Context: The EU Hotspot Approach

For four years, the EU has centered its response to arrivals of people seeking protection on intensified border controls with the aim of preventing arrivals, as well as through mass containment under the EU ‘hotspot approach’. Originally conceived as open reception and identification centres to support frontline Member States with swiftly processing arrivals of asylum seekers, xxvi since the entry into force of the EU-Turkey Statement in March 2016 xxvii and the concomitant geographical restriction preventing individuals from leaving the islands during the asylum process, the islands and RICs have morphed into overcrowded camps containing thousands of people in inhumane conditions.

Since their inception, these hotspots have been sites of systematic and sustained human rights violations. xxviii The EU Fundamental Rights Agency’s Director Michael O’Flaherty described the EU hotspot Moria, as “the single most worrying fundamental rights issue that we are confronting anywhere in the European Union”. xxix

Among others, the UN Committee Against Torture, xxx the United Nations High Commissioner for Refugees, xxxi the Council of Europe Commissioner for Human Rights, xxxii Members of the European Parliament, xxxiii Amnesty International, xxxiv Human Rights Watch, xxxv Refugee Rights Europe, Oxfam, xxxvi Save the Children, xxxvii the Danish Refugee Council, xxxviii and Médecins Sans Frontières xxxix have consistently brought to light the challenges, substandard living conditions and human rights violations occurring in these camps.

In December 2019 the European Court of Human Rights (ECtHR) granted interim measures in the case of five unaccompanied children living in Vathy hotspot in Samos. The Court recognized conditions in the hotspot as unsuitable for the unaccompanied children and potentially violating Article 3 of the European Convention on Human Rights, prohibiting inhuman and degrading treatment, and ordered Greece to urgently transfer the children to adequate accommodation. xli A similar decision for immediate transfer of unaccompanied children from the Greek islands to ‘age appropriate shelters’ was issued by the European Committee of Social Rights of the Council of Europe. xlii

Transferring unaccompanied children to mainland Greece is not a sufficient solution, as, due to a lack of suitable accommodation capacity, many unaccompanied children there could still face confinement in police stations, living with unrelated adults in camps, or sleeping in the streets, without a guardian. The lack of a permanent relocation system for asylum seekers to other European countries as well as the long delays in processing family reunification requests only makes the situation worse, and transfer of unaccompanied children to other EU Member States is thus critical in order to achieve a durable solution for these children. In line with the Dublin III Regulation, unaccompanied children should first and foremost be relocated to a Member State where they have family members who are able and willing to take care of them.

While the Greek government needs to ensure it meets its legal obligations towards unaccompanied children, it is time for European leaders to take responsibility in providing these children on EU territory with appropriate care and protection.
Signed by:

100 Million

Action for Education
ADP Amici dei Popoli
Asilim - Asociación para la integración lingüística del inmigrante en Madrid
Better Days
Boat Refugee Foundation
Bundesfachverband unbegleitete minderjährige Flüchtlinge
Caritas Europa
Centro Volontari Cooperazione allo Sviluppo (CVCS)
Češi pomáhají
Child Circle
Concord Italia
Consortium of Migrants Assisting Organizations
COP Piemonte
COSPE Onlus
Danish Refugee Council (DRC)
Defence for Children International Greece
Defence for Children International Italia
Defence for Children International
Defence for Children the Netherlands (coordinator of the European Children’s Rights Helpdesk project)
Défense des Enfants International – Belgique
Destination Unknown
Diaconia ECCB – Center of Relief and Development
Diakonie Österreich
Dutch Council for Refugees
Dynamo International – Street Workers Network
Echo100Plus
Eurochild
Eurodiaconia
European Lawyers in Lesvos
European Students’ Union (ESU)
FENIX Humanitarian Legal Aid
FOCSIV (partner of the project Faces of Migration)
Forum réfugiés-Cosi
Global Call to Action Against Poverty (GCAP) Europe
Greek Council for Refugees (GCR)
Help Refugees
HIAS Greece
Human Rights Watch
Immigrant Council of Ireland
International Catholic Migration Commission (ICMC) Europe
International Rescue Committee
Irish Refugee Council
Khora Legal
Kids in Need of Defence
Kopin
La plate-forme Mineurs en exil
Legal Centre Lesvos
Lesvos Solidarity
Liga za ljudske prava (Human Rights League)
Lighthouse Relief (LHR)
Movimento per l'Autosviluppo, l'Interscambio e la Solidarietà (MAIS)
Minority Rights Group International
Missing Children Europe
Mobile Info Team
Moviment Graffitti
Network for Children’s Rights (Greece)
Office of the Dean, Faculty for Education University of Malta
One Happy Family
Organising Bureau of European School Student Unions (OBESSU)
Organization Mondiale pour l’Éducation
Préscolaire/ World Organization for Early Childhood Education
Oxfam
PICUM - Platform for International Cooperation on Undocumented Migrants
Plan International
Plateforme Citoyenne
PRAKSIS
PRA.TE Ong - Associazione di tecnici per la solidarietà e la cooperazione internazionale
Refugee Legal Support (UK)
Refugee Rescue
Refugee Rights Europe (RRE)
Safe Passage International
Save the Children
SB OverSeas
Solidarity Now
SOS Children’s Villages Greece
SOS Children’s Villages International
SOS Jeunes
Spark 15
Stichting Vluchteling
Still I Rise
Studenti Ħarsien Soċjali
Tampep Onlus
Terre des Hommes Greece
Terre des Hommes International Federation
Velos Youth
War Child
WeWorld Onlus
Women’s Refugee Commission
References

[9] Roughly 1,000 unaccompanied children are currently homeless on the mainland, while roughly 200 are in protective custody, see:
http://www.ekka.org.gr/images/%CE%A3%CE%A4%CE%91%CE%A4%CE%99%CE%A3%CE%A4%CE%99%CE%9A%CE%91_2020/EKKA%20Dashboard%2015-2-2020.pdf
See Article 32(3) Law 4636/2019 of the Greek International Protection Act
https://fortune.com/2020/02/01/europe-refugee-crisis-children-greece/
See also https://www.hrw.org/news/2019/12/18/greece
Article 75 Law 4636/2019
Treaty of Lisbon, Article 1a.
https://www.facebook.com/damian.boeselager/videos/811736255918944/
https://www.msfs.org/deliberate-neglect-greek-and-eu-authorities-towards-those-trapped-islands