

The EU-Turkey Statement three years on

15 April 2019

The EU and Turkey issued their statement on 18 March 2016

Before 18 March 2016

| 1 Million 1,152 | arrived on the Aegean islands in the 12 months before drowned in the Aegean in the 12 months before (April 2015-March 2016) |
|------------------------|--|
| | <u>After 18 March 2016</u> |
| 26,000 81 | arrived on the Aegean islands in the 12 months after drowned in the Aegean in the 12 months after |
| 84,210 1,806 322 | arrived on the Greek islands in the 33 months after March 2016 <i>of these</i> were returned to Turkey under the Statement (2 percent) <i>of these</i> were returned in 2018 |
| 61,750 | asylum applications were pending in Greece in December 2018 |

In 2017 and 2018 Greece had the highest number of asylum requests per capita in the EU



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The EU-Turkey Statement entered into force on 20 March 2016. It led to a dramatic and immediate fall in the number of refugees and migrants arriving from Turkey by sea on Greek islands. While 151,000 people arrived during the first three months of 2016, the number was just 22,000 between April and December.

| | Arrivals | Average per day |
|-----------------------|----------|--------------------|
| 2014 | 41,038 | 112 |
| 2015 | 856,723 | 2,347 |
| 2016 before agreement | 151,452 | 1,683 |
| 2016 after agreement | 21,998 | 80 |
| 2017 | 29,718 | 81 |
| 2018 | 32,494 | 89 |
| Since agreement | 84,210 | 84 |

*Table: Sea arrivals in Greece per year 2014-2018 (UNHCR)*¹

Look at arrivals across the sea in the last five years. Twelve months stand out: April 2015 to March 2016:

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
|-----------|--------|---------|---------|--------|--------|-------|
| January | 955 | 1,694 | 67,415 | 1,393 | 1,633 | 1,851 |
| February | 1,001 | 2,873 | 57,066 | 1,089 | 1,256 | 1,486 |
| March | 1,501 | 7,874 | 26,971 | 1,526 | 2,441 | 1,904 |
| April | 1,257 | 13,556 | 3,650 | 1,156 | 3,032 | |
| May | 1,703 | 17,889 | 1,721 | 2,110 | 2,916 | |
| June | 3,198 | 31,318 | 1,554 | 2,012 | 2,439 | |
| July | 3,927 | 54,899 | 1,920 | 2,249 | 2,545 | |
| August | 6,742 | 107,843 | 3,447 | 3,584 | 3,197 | |
| September | 7,454 | 147,123 | 3,080 | 4,886 | 3,960 | |
| October | 7,432 | 211,663 | 2,970 | 4,134 | 4,073 | |
| November | 3,812 | 151,249 | 1,991 | 3,215 | 2,075 | |
| December | 2,056 | 108,742 | 1,665 | 2,364 | 2,927 | |
| Total | 41,038 | 856,723 | 173,450 | 29,718 | 32,494 | 5,241 |

Table: Sea arrivals in Greece per month 2014-2018 (UNHCR)²

There was a modest increase in arrivals from 29,718 in 2017 to 32,494 in 2018.

¹ UNHCR, Operational Portal Refugee Situations, <u>Greece</u>, accessed 15 March 2019.

² UNHCR, Operational Portal Refugee Situations, <u>Greece</u>, accessed 15 April 2019.

The largest group of people arriving by sea last year were Afghans, followed by Syrians and Iraqis.

| Individuals | | |
|-------------|--|--|
| 9,788 | | |
| 8,090 | | |
| 6,018 | | |
| 2,013 | | |
| 1,896 | | |
| 587 | | |
| 390 | | |
| 300 | | |
| 282 | | |
| 73 | | |
| 4,908 | | |
| | | |

Table: Sea arrivals in Greece, 1 January 2018–31 January 2019 (UNHCR)³

Whereas the situation at the sea border remained stable in 2018, the number of arrivals across the Turkish-Greek land border rose from 6,600 in 2017 to 18,000 in 2018. This irregular migration flow across the land border is not covered by the EU-Turkey Statement.

| | | Sea | Land | Total |
|----------------|----|---------|--------|---------|
| 2014 | | 41,038 | 2,280 | 43,318 |
| 2015 | | 856,723 | 4,907 | 861,630 |
| 2016 | | 173,450 | 3,784 | 177,234 |
| 2017 | | 29,718 | 6,592 | 36,310 |
| 2018 | | 32,494 | 18,014 | 50,508 |
| 2019 March) | (- | 5,241 | 2,886 | 8,127 |

The largest group – around one-third – of the people illegally crossing the land border are Turkish citizens, followed by Syrians and Iraqis.⁵

³ UNHCR, Operational Portal Refugee Situations, <u>Greece</u>, accessed 15 February 2018.

⁴ UNHCR, Operational Portal Refugee Situations, <u>Greece</u>, accessed 15 March 2019.

⁵ Frontex, "<u>Risk Analysis for 2019</u>", 20 February 2019, p. 43.

The deadly Aegean

In 2015 an estimated 803 people drowned in the Aegean. In the first three months of 2016, before the EU Turkey statement, 366 people lost their lives here.

In 2018 the number of people who lost their lives crossing the Aegean Sea was 167. There were three large accidents with 19, 44, and 34 deaths (in March, July and October 2018) and 16 smaller accidents.⁶

| | 2014 | 2015 | 2016 before agreement | 2016 after agreement | 2017 | 2018 |
|-----------|------|------|-----------------------------|----------------------------|------|------|
| January | 12 | 0 | 275 | - | 1 | 0 |
| February | 0 | 9 | 46 | - | 1 | 1 |
| March | 9 | 8 | 45 | - | 11 | 19 |
| April | 0 | 14 | - | 10 | 24 | 0 |
| May | 0 | 0 | - | 0 | 0 | 16 |
| June | 0 | 6 | - | 0 | 0 | 10 |
| July | 25 | 24 | - | 7 | 8 | 50 |
| August | 0 | 29 | - | 3 | 0 | 10 |
| September | 0 | 190 | - | 27 | 1 | 12 |
| October | 0 | 220 | - | 2 | 0 | 38 |
| November | 0 | 98 | - | 14 | 15 | 11 |
| December | 0 | 205 | - | 5 | 1 | 0 |
| Total | 46 | 803 | 366 | 68 | 62 | 167 |

⁶ IOM Missing Migrants Project, Downloads, <u>Dataset 2018</u>, accessed 11 March 2018.

⁷ IOM Missing Migrants Project, Region: <u>Mediterranean</u>, accessed on 5 March 2019.

Ever fewer returns to Turkey

In the first two weeks of March 2016, when there was no agreement, the number of people readmitted to Turkey was 386.

From April 2016 until December 2018, 1,806 people were returned to Turkey under the EU-Turkey Statement.⁸ This is 2 percent of the 84,210 refugees and migrants who arrived on the Greek islands in this period. The largest number (386) were returned in the first month in April 2016. In all of 2018 the number was lower than that, with 322 people in total, less than 1 percent of those who arrived in that year.

| | 2016 | 2017 | 2018 | 2019 |
|-------------------------------|------|------|-------|------|
| January | - | 64 | 47 | 15 |
| February | - | 34 | 23 | 13 |
| March | - | 45 | 29 | |
| April | 386 | 150 | 18 | |
| May | 55 | 87 | 29 | |
| June | 27 | 48 | 20 | |
| July | 0 | 60 | 23 | |
| August | 16 | 18 | 17 | |
| September | 94 | 29 | 48 | |
| October | 139 | 57 | 17 | |
| November | 31 | 75 | 40 | |
| December | 53 | 16 | 11 | |
| Total | 801 | 683 | 322 | 28 |
| Overall total until end 2018: | | 8: | 1,806 | |

Table: Monthly returns from Greece to Turkey 2016-2019 (UNHCR)⁹

⁸ UNHCR, <u>"Returns from Greece to Turkey (under EU-Turkey Statement) as of 31 December 2018"</u>.

⁹ UNHCR, "Returns from Greece to Turkey (under EU-Turkey Statement)" - <u>as of 31 December 2018</u>, <u>as of 28 February 2019</u> and <u>as of 31 January 2019</u>.

The majority of those returned to Turkey are Pakistanis (39 percent), followed by Syrians (19 percent) and Algerians (11 percent). Ninety-one percent are men.¹⁰ Fifty-eight percent of the 1,806 returnees had *not* applied for asylum or had withdrawn their applications.¹¹

Table: Returns from Greece to Turkey (April 2016 to December 2018) (UNHCR)¹²

| Nationality | Returned |
|-------------|----------|
| Pakistan | 703 |
| Syria | 337 |
| Algeria | 198 |
| Afghanistan | 102 |
| Bangladesh | 99 |
| Iraq | 77 |
| Morocco | 51 |
| Iran | 48 |
| Egypt | 20 |
| Nigeria | 18 |
| Other | 153 |
| TOTAL | 1,806 |

The probability to be sent back to Turkey has been around 1 percent for the three top nationalities of arrival (Syria, Afghanistan and Iraq).

Table: Sea arrivals in Greece and returns to Turkey April 2016 to December 2018 (UNHCR)¹³

| Nationality | Arrivals | Returned | Probability |
|-------------|----------|----------|-------------|
| Syria | 26,803 | 337 | 1.3 % |
| Afghanistan | 15,226 | 102 | 0.7 % |
| Iraq | 13,973 | 77 | 0.6 % |
| Pakistan | 3,805 | 703 | 18.0 % |
| Algeria | 2,752 | 198 | 7.2 % |
| Iran | 2,121 | 48 | 2.3 % |

Of the 337 Syrians returned, only 36 were returned on the basis that their asylum claim was found inadmissible at second instance, i.e. that Turkey was found to be a safe country for them.¹⁴

Turkey currently hosts an estimated 3.6 million Syrian refugees under its Temporary Protection Scheme for Syrians.

¹⁰ UNHCR, <u>"Returns from Greece to Turkey (under EU-Turkey Statement) as of 31 December 2018"</u>.

¹¹ UNHCR, <u>"Returns from Greece to Turkey (under EU-Turkey Statement) as of 31 December 2018"</u>.

¹² UNHCR, <u>"Returns from Greece to Turkey (under EU-Turkey Statement) as of 31 December 2018"</u>.

¹³ Calculations based on UNHCR, Operational Portal Refugee Situations, <u>Greece</u>, accessed 5 March 2018; UNHCR, <u>"Greece Sea Arrivals Dashboard January 2019</u>"; UNHCR, <u>"Greece Sea Arrivals Dashboard for</u> 2017"; UNHCR, <u>"Refugees and Migrants Arrivals to Europe in 2017</u>"; and UNHCR, <u>"Europe - Refugee</u> and Migrant arrivals data as of 22 Nov 2017 (raw data)".

¹⁴ UNHCR, <u>"Returns from Greece to Turkey (under EU-Turkey Statement) as of 31 December 2018".</u>

Asylum procedures in Greece

The Greek Asylum Service (GAS) was created in 2011 by law and became operational in 2013. Since then, the numbers of applications and decisions have grown rapidly. However, the GAS has not been able to keep up with the number of claims submitted, so asylum seekers wait a long time for a first-instance decision: 6 months plus another 3 months between submission of the claim and registration ¹⁵. On the islands it is 3 months from registration.¹⁶

Currently there are 61,570 pending applications, according to the GAS.¹⁷

Table: Asylum applications and first-instance decisions in Greece 2013-2018 (GAS)¹⁸

| Year | Year Claims | |
|-------|-------------|---------|
| 2013 | 4,814 | 2,337 |
| 2014 | 9,431 | 7,417 |
| 2015 | 13,187 | 10,447 |
| 2016 | 51,053 | 24,516 |
| 2017 | 58,642 | 44,931 |
| 2018 | 66,969 | 35,582 |
| Total | 204,096 | 125,230 |

In 2015 and 2016, many of the decisions taken by the GAS were not on the merits of the application (does the applicant need international protection), but on admissibility (whether Greece is responsible for examining a claim or whether somebody is to be sent elsewhere for the regular asylum procedure).

In these two years, e GAS used admissibility procedures to relocate more than 23,300 asylum seekers to other EU member states. It also transferred another 10,400 claimants to other member states under the Dublin Regulation. Here the GAS did not examine whether the claimant in question qualified for protection, but whether he or she met the requirements for relocation or a Dublin transfer (mostly to reunite with family members in other EU countries).

| Year | on merits | Admissibility | total |
|------|-----------|---------------|--------|
| 2013 | 2,076 | 261 | 2,337 |
| 2014 | 5,964 | 1,453 | 7,417 |
| 2015 | 8,428 | 2,019 | 10,447 |
| 2016 | 9,285 | 15,231 | 24,516 |
| 2017 | 22,481 | 22,450 | 44,931 |
| 2018 | 30,748 | 4,834 | 35,582 |

Table: First-instance decisions in Greece 2013-2018 (GAS)¹⁹

Let us take a look at recognition rates of decisions on merits in Greece. More than half (in 2017) and about half (in 2018) of decisions on merit were negative.

¹⁵ Asylum Information Database (AIDA), "<u>Country report Greece</u>", March 2018.

¹⁶ ESI research in Greece in May 2018. The The waiting time between submission of a claim and a decision was 62 days in Lesvos, 126 in Chios, 55 in Samos, 70 in Leros and 65 in Kos. If one adds the period between registration until submission of the claim, it is on average 3 months.

¹⁷ Greek Asylum Service, "<u>Asylum Service Statistical Data (as of 28.02.2019)</u>".

¹⁸ Greek Asylum Service, "Asylum Service Statistical Data (as of 28.02.2019)".

¹⁹ Greek Asylum Service, "Asylum Service Statistical Data (as of 28.02.2019)".

| Year | Decisions | Positive | rate |
|------|-----------|----------|------|
| 2013 | 2,076 | 322 | 16 % |
| 2014 | 5,964 | 1,710 | 29 % |
| 2015 | 8,428 | 3,994 | 47 % |
| 2016 | 9,285 | 2,700 | 29 % |
| 2017 | 22,481 | 10,348 | 46 % |
| 2018 | 30,748 | 15,189 | 49 % |

*Outcome of first-instance decisions on merit in Greece 2013-2018 (GAS)*²⁰

On the islands

On the islands, the GAS conducts admissibility procedures to identify Dublin cases and to determine whether asylum seekers can be sent back to Turkey as a safe third country. The Greek Asylum Service takes into account only Syrians, as they enjoy temporary protection in Turkey; and only if they are not found to be vulnerable.

The following persons are considered vulnerable:

"a) Unaccompanied minors, b) Persons who have a disability or suffering from an incurable or serious illness, c) The elderly, d) Women in pregnancy or having recently given birth, e) Single parents with minor children, f) Victims of torture, rape or other serious forms of psychological, physical or sexual violence or exploitation, persons with a post-traumatic disorder, in particularly survivors and relatives of victims of ship-wrecks, g) Victims of trafficking in human beings."²¹

Vulnerable asylum seekers are eventually all taken to the mainland where their claims are examined on merit.

Of 35,358 potentially inadmissible Syrians on the islands until 7 May 2018, 26,150 (68 percent!) were declared vulnerable. 5,378 were found to have a right, under the Dublin agreement, to be transferred to another EU member states, usually because of relatives already there (family reunification). 2,478 (6 percent) were deemed fit to return to Turkey.

Among all potentially inadmissible Syrians on islands 21 March 2016 – 7 May 2018 (European Commission)²²

| No return to Turkey for vulnerability reasons | 26,150 | 68 % |
|--|--------|------|
| No return to Turkey because of Dublin (transfer to another EU state) | 5,378 | 14 % |
| No return to Turkey for other reasons | 4,352 | 11 % |
| Potential return to Turkey (safe third country) | | 6 % |
| Total | 38,358 | |

Until the end of 2018, the number of claims which were declared inadmissible, based on the safe third country principle rose from 2,478 in early May to 2,616 in December: 138 cases in eight months. Each year the Greek Asylum Service has found *fewer and fewer people* that it might send back to Turkey.

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²⁰ Greek Asylum Service, "<u>Asylum Service Statistical Data (as of 28.02.2019)</u>".

²¹ Greek asylum law, "Law 4375", <u>English translation</u>, Art. 14, paragraph 8.

²² European Commission, Migration Crisis Information Sheet, 8 May 2018.

| Year | Decisions |
|------|-----------|
| 2016 | 1,305 |
| 2017 | 912 |
| 2018 | 399 |
| | 2,616 |

Inadmissible decisions based on the safe third country principle (GAS)²³

The claims of all non-Syrian asylum seekers who are not found to be vulnerable or who are not to be transferred to other EU countries under the Dublin regulation are examined on merit/in substance. If the decision on merit is negative, they might be returned to Turkey. Half of all decisions on merit on the islands are negative.

Table: Asylum procedures on merits on the islands 20 March 2016 – 7 May 2018²⁴

| Positive decisions ²⁵ | 5,414 |
|----------------------------------|--------|
| Negative decisions | 5,206 |
| | 10,620 |

Most asylum seekers who receive a negative decision and might therefore be sent back to Turkey from the islands appeal to appeals committees.

Between March 2016 and May 2018 7,684 people had a reason to appeal: they received either a first-instance inadmissibility decision (2,478) or a first instance negative decision on the merit of their application (5,206). Of these 6,136 *did* appeal to appeals committees (80 percent). Of these appeals committees decided 3,098 cases by 7 May 2018.

At the outset appeals committees tended to annul all decisions that sent Syrians back to Turkey as a safe third country. This changed after a decision by the Greek Council of State on 22 September 2017. The Council upheld a first-instance inadmissibility decision concerning two Syrians.²⁶

When it comes to first-instance negative decisions on merit the appeals committee have largely upheld them.

²³ Greek Asylum Service, "<u>Asylum Service Statistical Data (as of 28.02.2019)</u>".

²⁴ European Commission, Migration Crisis Information Sheet, 8 May 2018.

²⁵ Refugee status under the Geneva Convention or subsidiary protection. Greece does not grant humanitarian protection.

Asylum Information Database (AIDA), "<u>Country report Greece</u>", March 2018, p. 101-103. From September 2017 until 7 May 2018, all decisions by the appeals committees upheld the first-instance inadmissibility decisions. The number of decisions annulling the first-instance decision was 421 at the end of August 2017 and in May 2018. See European Commission, <u>Seventh report on the progress made</u> in the implementation of the EU-Turkey Statement, 6 September 2016, p. 6.

*Table: Appeals decisions on claims from the islands, 20 March 2016 to 7 May 2018*²⁷

| Appeals | 6,136 |
|--|--------------------------|
| - Decided | 3,098 |
| - Pending | 599 |
| Decisions on appeals against inadmissibility decisions (return to Turkey) Upheld first-instance decision (claimant must return to Turkey) Annulled first-instance decision (granting refugee status/referring case back to the first instance) | 856 435 421 |
| Decisions on appeals against decisions on merits (no right to asylum) | 2,242 |
| - Upheld first-instance decision (no right to asylum) | 2,119 |
| - Reversed first-instance decision, granting asylum | 123 |

Failed appellants can further appeal to the Administrative Court of Appeals, but this is costly, there is no legal aid provided, it often does not prevent removal and it takes years to obtain a decision.²⁸

There were 435 Syrians in May 2018 who could have been sent back to Turkey. In fact, only 36 Syrians were returned by the end of 2018 on the basis that their asylum claim was found inadmissible at second instance.²⁹ The main reason is absconding – it takes too long until a decision is finally made, and people are no longer on the islands.

Among 1,806 returnees to Turkey until the end of 2018 only 42 percent had received a negative asylum decision at first instance (2 percent) or second instance (40 percent).³⁰ The others simply gave up.

²⁷ European Commission, Migration Crisis Information Sheet, 8 May 2018.

Asylum Information Database (AIDA), "<u>Country report Greece</u>", March 2018, p. 50-51.
 LINHCR Returns from Greece to Turkey (under ELL-Turkey Statement) as of 31 Decen

⁹ UNHCR, <u>"Returns from Greece to Turkey (under EU-Turkey Statement) as of 31 December 2018".</u>

³⁰ UNHCR, <u>"Returns from Greece to Turkey (under EU-Turkey Statement) as of 31 December 2018"</u>.

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Continuing reception problems on the islands

| Island | Occupancy | Capacity |
|--------|-----------|----------|
| Lesvos | 7,264 | 4,050 |
| Samos | 4,387 | 918 |
| Chios | 1,647 | 1,310 |
| Leros | 1,174 | 1,096 |
| Kos | 887 | 1,005 |
| Other | 63 | 44 |
| Total | 15,422 | 8,423 |

The hotspots on the Greek islands remain overcrowded. The capacity of the hotspots on Lesvos, Chios, Samos, Leros and Kos is 6,438. In addition, UNHCR provides 1,572 places outside hotspots, and 285 placed are provided by social aid institutions and NGOs.³²

UNHCR, NGOs and other visitors repeatedly criticise the conditions in the camps. Problems range from overcrowding to lack of security, inadequate access to medical care and psychosocial support to dismal sanitary conditions.

On Samos, which hosts four times more people than its actual capacity, 1,500 people are currently living in unheated tents and shelters outside the camp.³³ UNHCR despairs about administrative and logistical chaos.³⁴ Concluding a recent briefing, Oxfam called the people on the islands "vulnerable and abandoned" by those who are responsible for protecting them.³⁵

³¹ Hellenic Republic, Ministry for Citizens' Protection. "<u>National situational picture regarding the islands</u> <u>at the Eastern Aegean Sea (12/03/2019)</u>".

³² Hellenic Republic, Ministry for Citizens' Protection, <u>"National situational picture regarding the islands</u> <u>at the Eastern Aegean Sea (12/03/2019)</u>".

³³ *The Guardian*, "Greece races to move refugees from island likened to a 'new Lesbos'", 22 February 2019.

³⁴ UNHCR, "<u>UNHCR urges Greece to address overcrowded reception centres on Aegean islands</u>", 31 August 2018.

³⁵ Oxfam, "<u>Vulnerable and abandoned</u>", media briefing, 9 January 2019.

Transfers to the mainland

Since June 2016, UNHCR assists Greek authorities with transferring asylum seekers found to be vulnerable to the mainland, where their asylum procedure then takes place .

| | 2016 | 2017 | 2018 | 2019 |
|-----------------|----------|--------|--------|-------|
| January | - | 1,168 | 2,337 | 1,555 |
| February | - | 1,581 | 1,090 | 755 |
| March | - | 512 | 680 | |
| April | - | 530 | 1,625 | |
| May | - | 775 | 1,087 | |
| June | | 907 | 994 | |
| July | | 1,038 | 1,039 | |
| August | | 1,945 | 1,547 | |
| September | | 1,323 | 2,600 | |
| October | | 2,067 | 2,255 | |
| November | | 2,128 | 3,060 | |
| December | | 3,195 | 3,600 | |
| | 3,790 | 17,169 | 21,914 | |
| Total since agr | reement: | | 42,873 | |

UNHCR-assisted transfers from Greek islands to the mainland (UNHCR)³⁶

However, there have been significantly more departures from the islands, which were not supported by UNHCR.³⁷

 ³⁶ Data for 2016: UNHCR's "Fact Sheet Greece" for <u>December 2017</u> mentions 20,959 transfers since June 2016. Minus the 17,169 transfers in 2017, this makes 3,790 in 2016. Data for 2017: UNHCR "Fact Sheet Greece" (or "Fact Sheet Aegean Islands") for <u>January</u>, <u>February</u>, <u>March</u>; <u>April</u>; <u>May</u>; <u>June</u>; <u>July</u>; <u>August</u>; <u>September</u>, <u>October</u>, <u>November</u>, and <u>December</u>; data for 2018: UNHCR "Fact Sheet Greece" (or "Fact Sheet Aegean Islands") for: <u>January</u>, <u>February</u>, <u>March</u>, <u>April</u>, <u>May</u>, <u>June</u>, <u>July</u>, <u>August</u>, <u>September</u>, <u>October</u>, <u>November</u> and <u>December</u>; data for 2019: UNHCR "Fact Sheet Greece" for <u>January</u>, <u>February</u>.
 ³⁷ See UNHCR, "<u>Aegean Islands Weekly Snapshot 25 February to 3 March 2019</u>", which lists the transfers

for five weeks, with UNHCR assisting between 32 and 67% of the transfers.

Relocation from Greece

Between the end of 2015 and March 2018, 22,000 asylum seekers "in clear need of international protection" were relocated from Greece to other EU and Schengen countries.

The official relocation programme ended in September 2017, after that only pending cases were relocated.³⁸ 12,700 asylum seekers were relocated from Italy under the programme.

Asylum seekers relocated from Greece by 15 March 2018 (European Commission)³⁹

| Receiving state | Relocated |
|------------------------|-----------|
| Germany | 5,391 |
| France | 4,394 |
| Netherlands | 1,755 |
| Sweden | 1,656 |
| Finland | 1,202 |
| Portugal | 1,192 |
| Spain | 1,124 |
| Ireland | 1,022 |
| Belgium | 700 |
| Norway | 693 |
| Romania | 683 |
| Switzerland | 580 |
| Lithuania | 355 |
| Luxembourg | 300 |
| Latvia | 294 |
| Slovenia | 172 |
| Estonia | 141 |
| Malta | 101 |
| Cyprus | 96 |
| Croatia | 60 |
| Bulgaria | 50 |
| Slovakia | 16 |
| Czech Republic | 12 |
| Liechtenstein | 10 |
| Total | 21,999 |

Relocations from Greece started on 4 November 2015 with 30 asylum seekers from Syria and Iraq being transferred to Luxembourg.⁴⁰ Until March 2016, when the EU-Turkey Statement was concluded, the figure did not even reach 600. Once the EU-Turkey statement was being implemented relocations from Greece picked up rapidly. During the first year of the EU-Turkey Statement, close to 10,000 people were relocated. In 2017 the number of relocations was 11,700.

³⁸ <u>Council Decision (EU) 2015/1523 of 14 September 2015</u> and <u>Council Decision (EU) 2015/1601 of 22</u> September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece.

³⁹ European Commission, <u>"Member states' support to Emergency Relocation Mechanism"</u>, as of 30 October 2018.

⁴⁰ UNHCR, <u>"First asylum-seekers relocate from Greece to Luxembourg</u>", 4 November 2015.

| | Cumulative no. |
|---------------------|----------------|
| | of relocations |
| <u>4 Nov. 2015</u> | 30 |
| <u>15 Dec. 2015</u> | 64 |
| <u>12 Jan. 2016</u> | 82 |
| 15 March 2016 | 569 |
| <u>6 Dec. 2016</u> | 6,212 |
| 6 Jan. 2017 | 7,280 |
| 22 March 2017 | 10,324 |
| 22 Dec. 2017 | 21,711 |
| 7 March 2018 | 21,847 |
| End-March 2018 | 21,999 |

Relocation from Greece to other EU MS⁴¹

Three member states refused to participate in relocation (Austria, Hungary and Poland).⁴² Some countries could opt out, which Denmark and the UK did. Ireland decided to participate on a voluntary basis. Greece and Italy were exempted as beneficiaries.

Substantial EU assistance to Greece for migration management

Since 2015, a total of 2 billion Euro has been allocated to Greece to help it cope with refugees and migrants in Greece.⁴³ Of this funding, 1.2 billion have been allocated to international organisations and 881 million to the Greek government. The funding consists of three parts:

• **613.5 million Euro under national long-term programmes** for the budgetary period 2014-2020 from the EU's Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF) (all EU member states receive funding from these two funds).

AMIF supports the implementation of EU asylum legislation, legal migration, integration and return procedures.⁴⁴ In Greece, the focus has been on strengthening the young asylum service and appeals bodies, improving reception conditions and developing integration measures.⁴⁵

ISF focuses on border control and the fight against cross-border crime.⁴⁶

⁴¹ The data is taken from various European Commission documents. Where links are available, the dates are hyperlinked. The remaining figures are taken from the document <u>"Member states' support to Emergency Relocation Mechanism"</u>, *European Commission*, which was frequently updated and accessed by ESI at different times.

⁴² <u>"Member states' support to Emergency Relocation Mechanism"</u>, *European Commission*, 30 October 2018, accessed 14 March 2019.

⁴³ European Commission, "<u>Managing Migration - EU Financial Support to Greece</u>", February 2019.

⁴⁴ European Commission, "<u>Asylum, Migration and Integration Fund (AMIF)</u>", website, accessed 14 March 2019.

⁴⁵ Greek government, <u>"National programme AMIF</u>", no date, and UNHCR & ECRE, "<u>Assessing the use of EU Asylum, Migration and Integration Fund (AMIF) funding at the national level 2014-2018</u>", February 2019.

⁴⁶ European Commission, "<u>Internal Security Fund – Police</u>", website, accessed 14 March 2019.

- **816.4 million Euro in emergency assistance under AMIF and ISF**: 548.9 million (67 percent) of this funding is given to international organisations and EU agencies for specific projects.
- **643.3 million from the Emergency Support Instrument**, which is mobilised in urgent cases to help member states facing exceptional pressures. The funding for Greece (2016-2019) has been spent exclusively on projects carried out by UN organisations and NGOs.⁴⁷

| (in million Euro) | | | | |
|-------------------|--|---|------------------------------------|---------|
| | National programmes AMIF and ISF | Emergency assistance AMIF and ISF | Emergency Support Instrument | Total |
| Allocated | 613.5 | 816.4 | 643.6 | 2,073.2 |
| Disbursed | 169.5 | 553.4 | 643.6 | 1,366.5 |

EU support to Greece for migration management (European Commission)⁴⁸

Of the allocated 2 billion Euro, the Greek government was to receive 881 million. The Emergency Support Instrument and a big part of the emergency funding are paid to international organisations and NGOs.

There have been many media reports about administrative incompetence in Greece and the insufficient -use or misuse of the available funding by Greek authorities.⁴⁹ In September 2018, the EU's anti-fraud agency OLAF announced that it is investigating "alleged irregularities concerning the provision of EU-funded food for refugees in Greece".⁵⁰ The European Court of Auditors is currently conducting an audit on the overall EU response to the migration crisis in Greece and Italy.⁵¹ An earlier report, which examined the hotspot approach in the two countries, found serious shortcomings in what had been achieved by early 2017.⁵²

The EU's emergency funding has been spent on a multitude of projects providing refugees and migrants in specific places in Greece, but also nation-wide with shelter, accommodation, food and health care, and the most vulnerable with cash grants; ensuring services at the hotspots on the islands, supporting their management, and improving their infrastructure; improving sea border surveillance and sea rescue; supporting the Greek Asylum Service; strengthening the capacity of the Greek police; providing refugee children with access to education; protecting unaccompanied minors; assisting voluntary return to countries of origin; and supporting the relocation programme 2015-2017.

The largest programme is the Emergency Support to Integration & Accommodation (ESTIA), which offers accommodation in rented places and cash grants to refugees and asylum seekers.

⁴⁷ European Commission, "<u>Emergency support within the EU</u>", 29 January 2019.

⁴⁸ European Commission, "<u>Managing Migration - EU Financial Support to Greece</u>", February 2019.

⁴⁹ The Guardian, "Greece has the means to help refugees on Lesbos – but does it have the will?", 13 September 2018; *Refugees Deeply*, "The Refugee Archipelago: The Inside Story of What Went Wrong in Greece", 6 March 2017.

The Guardian, "Lesbos refugee camp at centre of Greek misuse of EU funds row", 26 September 2019.
 European Court of Auditors, "<u>EU Migration management: Hotspots and beyond</u>", Information on a forthcoming audit, January 2019.

⁵² European Court of Auditors, "<u>EU response to the refugee crisis: the 'hotspot' approach</u>", Special report no 06/2017, 25 April 2017.

⁵³ ESTIA received 135.5 million Euro in 2017, 167.5 million in 2018 and 190.5 million in 2019. European Commission, "<u>Managing Migration - EU Financial Support to Greece</u>", February 2019; for 2017: UNHCR, "<u>Greece Accommodation update – February 2019</u>".

⁵⁴ UNHCR, "<u>Greece Accommodation update – February 2019</u>".

⁵⁵ UNHCR, "Greece Cash Assistance – January 2019", 28 February 2019.

How Dublin helps Greece

Under the Dublin Regulation, Greece is responsible for examining the claims of almost all asylum seekers that enter its territory. Those who irregularly moved on to other EU countries should be returned to Greece and have their asylum claim processed there.

In fact, due to a ruling by the European Court of Human Rights in January 2011 on insufficient reception conditions in Greece, most EU member states suspended Dublin transfers to Greece between 2011 and 2016.⁵⁶

In December 2016, the European Commission recommended to all member states to **restart** transfers of asylum seekers to Greece from March 2017 on.⁵⁷ However, while EU member states have requested to make Dublin transfers to Greece very few people have actually been transferred: 24 since the Commission recommendation in December 2016! (and 48 in total since 2013).

*Table: Dublin requests and actual transfers to Greece, June 2013 to February 2019 (Greek government)*⁵⁸

| Year | Incoming requests by other EU MS | Accepted | Transfers |
|--------------|-------------------------------------|----------|-----------|
| 2013 | 13 | 4 | 0 |
| 2014 | 49 | 19 | 2 |
| 2015 | 139 | 61 | 16 |
| 2016 | 5,797 | 2,236 | 6 |
| 2017 | 2,134 | 66 | 1 |
| 2018 | 9,142 | 233 | 18 |
| 2019 (-Feb.) | 1,288 | 7 | 5 |
| Total | 18,562 | 2,626 | 48 |

Greece, on the other hand, managed to send asylum seekers to other member states under the Dublin system, mostly -77 percent – for family reunification.

Dublin requests and actual transfers from Greece, June 2013 to February 2019 (Greek government)⁵⁹

| Year | Outgoing requests by Greece | Accepted | Transfers |
|--------------|--------------------------------|----------|-----------|
| 2013 | 404 | 246 | 45 |
| 2014 | 1,114 | 837 | 506 |
| 2015 | 1,092 | 802 | 747 |
| 2016 | 4,878 | 3,214 | 935 |
| 2017 | 9,563 | 7,823 | 4,577 |
| 2018 | 5,211 | 2,648 | 5,460 |
| 2019 (-Feb.) | 1,143 | 458 | 284 |
| Total | 23,405 | 16,028 | 12,554 |

⁵⁶ European Court of Human Rights, <u>"Dublin cases"</u>, June 2016.

⁵⁷ <u>Commission Recommendation (EU) 2016/2256 of 8 December 2016 addressed to the Member States on the resumption of transfers to Greece under Regulation (EU) No 604/2013</u>. The Dublin III Regulation (604/2013) is available <u>here</u>.

⁵⁸ Hellenic Republic, Ministry of Migration Policy, "<u>Statistical Data of the Greek Dublin Unit (7.6.2013 - 28.02.2019)</u>".

⁵⁹ Hellenic Republic, Ministry of Migration Policy, "<u>Statistical Data of the Greek Dublin Unit (7.6.2013 - 28.02.2019)</u>".

Where have migrants in Greece gone?

Despite the EU-Turkey Statement and the closure of the Western Balkan route on 8 March 2016, a substantial number of refugees and migrants have managed to leave Greece irregularly, as the following calculation shows.

- 50,100 was UNHCR's estimate of the number of refugees and migrants in Greece on 21 March 2016, three days after the EU-Turkey Statement had been concluded and two weeks after the supposed closure of the Balkan route: 44,550 on the mainland and 5,538 on the islands.⁶⁰
- **121,500** arrived since then by sea and across all land borders, until the end of 2018.

Arrivals of migrants in Greece since EU-Turkey Statement until end-December 2018 (UNHCR and Hellenic Police)

| Border | Irregular crossings |
|---|---------------------|
| Aegean Sea ⁶¹ | 84,210 |
| Greek-Turkish land border ⁶² | 27,444 |
| Greek-Bulgarian border ⁶³ | 6,769 |
| Greek-Macedonian border ⁶⁴ | 3,035 |
| Total | 121,458 |

This adds up to **171,600** arrivals in total. As of 31 December 2018, there were officially an estimated **71,200** refugees and migrants in Greece (56,500 on the mainland and 14,600 on the islands).⁶⁵The difference to 171,600 is **100,400**. What has happened with them?

Look at departures from Greece since the EU-Turkey Statement until December 2018:

⁶⁰ UNHCR, "Europe Refugee Emergency: Site locations in Greece as of 21 March 2016".

⁶¹ UNHCR, Operational Portal Refugee Situations, Greece, accessed 5 March 2019.

⁶² UNHCR, Operational Portal Refugee Situations, Greece, accessed 5 March 2019. The figure for 2016 has been adjusted for the first three months before the EU-Turkey Statement.

⁶³ Hellenic Police, "Detected irregular foreigners by border" 2016 and 2017 and Jan.-June 2018, accessed 14 March 2019. As the data is not available for the whole of 2018, we have doubled the number of arrivals January to June 2018. The figure for 2016 has been adjusted for the first three months before the EU-Turkey Statement. Albanian entries have been disregarded in this table since this is circular migration. Ibid.

⁶⁴

⁶⁵ UNHCR, "Fact Sheet Greece 1-31 December 2018".

| Scheme | Departures |
|---|------------|
| Returns under the EU-TR Statement | 1,806 |
| Returns under the bilateral Greek- | 600 |
| Turkish readmission protocol ⁶⁶ | |
| Other forced returns ⁶⁷ | 14,182 |
| Assisted voluntary return (IOM) ⁶⁸ | 14,000 |

21,999

10,738

63,325

Relocation to other EU countries⁶⁹

Dublin transfers out of Greece⁷⁰

Total

Table: Departures of refugees and migrants from Greece since the EU-Turkey Statement until end-December 2018

• According to this data, 63,300 of 100,400 people left Greece legally. This leaves **37,100** that are unaccounted for – people who most likely managed to leave Greece irregularly.

The number of 37,100 corresponds to information by EU member states such as Germany, Austria and the Netherlands that asylum seekers coming from Greece still reach them despite the supposed closure of the Western Balkan route. It also corresponds to press reports about irregular journeys across the Western Balkans, and to Frontex data about illegal crossings from the Western Balkans into the EU.⁷¹

European Commission, "Operational implementation of the EU-Turkey Statement", 5 December 2018.
 Own calculations based on data by the Hellenic Police (for 2016, 2017 and Jan. to June 2018) adjusted for the first three months of 2016 and the missing second half of 2018, minus Albanian returns since this

 ⁶⁸ The figure for assisted voluntary returns from Greece between June 2016 (when the programme restarted)

¹⁰⁵ The figure for assisted voluntary returns from Greece between June 2016 (when the programme restarted) until January 2019 was 14,439. Our estimate of the figure until the end of December is 14,000. IOM, "<u>World Map, AVRR from Greece</u>", accessed on 13 March 2019.

⁶⁹ European Commission, <u>"Member states' support to Emergency Relocation Mechanism"</u>, as of 30 October 2018.

⁷⁰ Hellenic Republic, Ministry of Migration Policy, "<u>Statistical Data of the Greek Dublin Unit (7.6.2013 - 28.02.2019)</u>". The figure for 2016 has been adjusted to take account of the first three months before the EU-Turkey Statement.

⁷¹ Frontex detected 5,869 illegal crossings from the Western Balkans into EU member states in 2018; 12,179 in 2017; and 21,612 from April to December 2016, but the last figure also includes people who had already left Greece and reached a Western Balkan country when the route was closed. Frontex, "<u>FRAN</u> <u>Quarterly, Quarter 4, October–December 2016</u>", p. 8, and Frontex, <u>"Risk Analysis for 2019</u>", 20 February 2019, p. 43.

Resettlement of Syrians from Turkey to EU countries

Another key pillar of the EU-Turkey Statement is the resettlement of Syrian refugees from Turkey to EU member states to support Turkey. Since the agreement, EU member states have taken in 18,100. Turkey currently hosts an estimated 3.6 million Syrian refugees.

Table: Resettlement of Syrian refugees from Turkey to EU MS, 4 April 2016 - 5 December 2018 (European Commission)⁷²

| Member | Resettled Syrian |
|-------------|-------------------------|
| State | refugees from Turkey |
| Germany | 6,447 |
| France | 3,173 |
| Netherlands | 3,153 |
| Finland | 1,342 |
| Belgium | 1,159 |
| Sweden | 1,072 |
| Spain | 440 |
| Italy | 327 |
| Austria | 210 |
| Luxembourg | 206 |
| Croatia | 152 |
| Portugal | 142 |
| Lithuania | 102 |
| Estonia | 59 |
| Latvia | 46 |
| Slovenia | 34 |
| Malta | 17 |
| Bulgaria | 13 |
| Total | 18,094 |

Ten EU member states have not resettled any Syrian refugees, for political reasons or due to their non-participation in Schengen: Cyprus, Czech Republic, Denmark, Greece, Hungary, Ireland, Poland, Romania, Slovakia and the UK.

EU assistance for refugees in Turkey

EU assistance for refugees in Turkey is one of the provisions of the EU-Turkey Statement that is being implemented successfully. Turkey currently hosts around 4 million refugees of whom 3.6 million are Syrians.

The EU promised a total of 6 billion Euro -3 billion for 2016/17 and another 3 billion for 2018/19 - to help these refugees. Out of the total, 4 billion come from the EU budget and 2 billion from EU member states based on their GNI. Of the 6 billion:

- 4.2 billion Euro have been committed as of February 2019;
- of those, 3 billion have been contracted,
- of those, 2 billion have been paid out.⁷³

⁷² European Commission, "<u>Operational implementation of the EU-Turkey Statement</u>", 5 December 2018.

⁷³ European Commission, "<u>The EU Facility for Refugees in Turkey</u>", fact sheet, February 2019.

The aid focuses on humanitarian assistance (46%), education (28%), health (15%), municipal infrastructure (schools, health services, water supply, sewage systems, waste disposal) and socio-economic support (skills development, training).⁷⁴

The vast majority of the projects are implemented by international organisations such as the World Food Programme, UNICEF, UNHCR and the Danish Refugee Council, among many others.⁷⁵

Some achievements to date:⁷⁶

- 1.5 million refugees receive 120 Turkish lira (20 Euro) every month via a cash card (Emergency Social Safety Net or ESSN programme). They can spend the money on anything from food to medicine and pay any bill with it. The ESSN card is given to the most vulnerable refugee families in Turkey. (The ESSN is the biggest humanitarian project that the European Union has ever funded.)⁷⁷
- 410,000 refugee children receive financial support if they go to school, as well as complementary support services to prevent dropouts (Conditional Cash Transfer for Education, CCTE). The amounts depend on grade and gender and range from 35 to 60 Turkish lira per month (6-10 Euro).⁷⁸
- 400,000 refugee children have received Turkish language training to integrate them into the Turkish school system, 60,000 students have benefitted from catch-up and back-up classes, 136 new schools are being constructed.
- Over 5 million primary healthcare consultations have been delivered, and almost 650,000 refugee infants have been vaccinated.

⁷⁴ European Commission, "<u>The EU Facility for Refugees in Turkey</u>", fact sheet, February 2019.

⁷⁵ For an overview of projects, see European Commission, "<u>EU Facility for Refugees in Turkey - List of projects committed/decided, contracted, disbursed</u>", 16 January 2019.

⁷⁶ European Commission, "<u>The EU Facility for Refugees in Turkey</u>", fact sheet, February 2019.

⁷⁷ ESSN, "<u>About the ESSN card</u>", website, date unknown.

⁷⁸ Euroepan Commission, "<u>Technical Assistance to the EU Facility for Refugees in Turkey</u>", October 2018.