Parliamentary Assembly
Assemblée parlementaire
http://assembly.coe.int

1949.2019

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 14837
04 March 2019

The situation of migrants and refugees on the Greek islands: more needs to be done

Report[1]
Committee on Migration, Refugees and Displaced Persons
Rapporteur: Ms Petra De SUTTER, Belgium, Socialists, Democrats and Greens Group

Summary

For over a decade, the Greek islands have been a main entrance point for migrants into the European Union. All boat migrants pay smugglers and risk their lives at sea. The UNHCR estimates that over 800 000 migrants crossed the Aegean Sea from Turkey to Greece in 2015, in addition to 34 000 from across the Turkish–Greek land border, mostly from Syria, Afghanistan, Iraq and Pakistan.

Deaths at sea have increased since 2015, and Greece is facing an almost insurmountable burden of arrivals every day. Human smugglers and traffickers operate with impunity and organised crime is rife. Only a small proportion of asylum seekers have been granted refugee status in Greece, and high numbers of undocumented migrants try to survive in the streets of Greece and other countries along the so-called Balkan route.

The humanitarian situation of asylum seekers in the reception and identification centres on Lesbos, Samos and Chios has remained critical for many years. Many are housed in tents, with inadequate sanitary installations, insufficient food supplies, a lack of health services and poor security. Asylum procedures must be accelerated and applicants housed and supported in accordance with international legislation and humanitarian standards.

1. Reference to committee: Doc. 14474, Reference 4362 of 16 March 2018.

Contents **Page**

A. Draft resolution 3
B. Draft recommendation 6
C. Explanatory memorandum by Ms Petra De Sutter, rapporteur 7
1. Introduction 7
2. The situation in Greece and on its islands 7
3. International standards and action 11
3.1. United Nations 11
3.2. Council of Europe 11
3.3. European Union 12
4. Immediate humanitarian concerns 12
4.1. Substandard living conditions 13
4.2. Insecurity 13
4.3. Processing of asylum claims 14
4.4. Aggravated mental illness 14
5. Conclusions 14
Appendix – Dissenting opinion by Mr Zafer Sirakaya (Turkey, NR), member of the committee 16

A. Draft resolution[2]

1. The Parliamentary Assembly notes that the formerly tense situation in the reception and identification centres on the Greek islands of Leros and Kos improved in 2017. However, it expresses great concern that the humanitarian situation of asylum seekers in the centres on the Greek islands of Lesbos, Samos and Chios has remained catastrophic for many years. Originally foreseen to house approximately 7 500 people, the capacity of these five centres was reduced to approximately 5 000 places by the end of 2017, when in fact they were occupied by 10 907 people. This number even increased, with the centre at Moria on Lesbos alone housing more than 8 000 people in autumn 2018 due to an increase in arrivals from the nearby Turkish coast.

2. The Assembly welcomes the action of the Office of the United Nations High Commissioner for Refugees (UNHCR) in providing rented housing facilities for asylum seekers on mainland Greece and the Greek islands as well as the work of the International Organization for Migration (IOM) on renovating and operating open accommodation centres on mainland Greece and its Assisted Voluntary Return and Reintegration programme; all these initiatives are funded by the European Union. Together with rapid large-scale transferrals of asylum seekers to mainland Greece before the winter of 2018, these initiatives reduced the number of occupants of the centre at Moria to approximately 5 000 by the end of 2018. Nevertheless, the situation of the centres at Moria on Lesbos and at Vathy on Samos remain a matter of concern as large numbers of people are housed in tents, with inadequate sanitary installations, insufficient food distribution, a lack of health services, poor security, especially at night, and where levels of violence and crime inside the centres are high.

3. The Assembly is particularly alarmed by reports about sexual violence, sexual exploitation and human trafficking by camp gangs, smugglers and other forms of organised crime, which cause psychological distress beyond, and adding to, the traumatic situations many experienced on route while fleeing to Turkey and continuing to Greece;

3.1. recalling that Greece and Turkey are both Parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, to the United Nations Convention against Transnational Organized Crime, the Assembly invites both countries to sign and ratify also the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Greek law-enforcement authorities should co-operate internationally with Interpol and Europol as well as with the Turkish law-enforcement authorities in order to break the wall of impunity;

3.2. the Assembly invites the Financial Action Task Force (FATF), when evaluating Greece and Turkey against the applicable international anti-money laundering/counter-terrorist financing standards, and the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), when evaluating Greece's neighbouring countries which are members of MONEYVAL against these standards, to pay particular attention to the threats of money transfers generated by migrant smuggling and trafficking.

4. Aware that Greece received 16 670 first-time asylum applications in the third quarter of 2018, which represents the highest number of asylum applications per capita within the European Union after Cyprus, the Assembly welcomes the European Union's financial aid of approximately 2 billion euros for Greece, which includes the recently granted 305 million euros for migration and border management. Confronted for more than a decade with a permanent influx of migrants through the Turkish–Greek sea and land borders, Greece and Turkey deserve the solidarity of all Council of Europe member States. Referring to reports about misappropriation of European Union funds by the Greek authorities, which has allegedly prevented improvement of the deplorable housing situation of asylum applicants for many years, the Assembly invites the European Union to duly monitor the appropriate use of European Union funds.

5. Recalling that Greece is bound by Asylum Procedures Directive 2013/32/EU, Reception Conditions Directive 2013/33/EU, Qualification Directive 2011/95/EU, Dublin III Regulation No. 604/2013 and EURODAC Regulation No. 603/2013, the Assembly calls on the European Union to assist Greece in complying with this European Union law, especially regarding the apparent shortcomings in housing asylum applicants in the reception and identification centres as well as in the proper and timely processing of asylum applications.

6. Alarmed by the high numbers of undocumented migrants in Greece, who often leave Greece on the so-called Balkan route to the European Union border of Croatia and Hungary or try to survive in the streets of Greece facing violence, abuse and exploitation, the Assembly invites the European Union and the European

2. Draft resolution adopted by the committee on 22 January 2019.

Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) to assist the Greek authorities in properly registering and identifying all persons arriving through the Turkish–Greek land and sea borders. Undocumented migrants are particularly vulnerable and at risk of being exploited by organised crime, including by drug criminals along the major drug route from Afghanistan to western Europe.

7. The Assembly regrets that Greece does not allow family reunification of persons under subsidiary protection. The situation of unaccompanied minors is of great concern because they are under the *ex officio* guardianship of a small number of regional prosecutors, with new legislation not yet adequately implemented. Unaccompanied minors under subsidiary protection should not be prevented from reuniting in Greece with family members, in accordance with Assembly Resolution 2243 (2018) on family reunification of refugees and migrants in the Council of Europe member States.

8. The Assembly regrets that in December 2018 the European Union institutions and the Greek Government agreed to maintain lower rates of value added tax in the islands hosting reception and identification centres for as long as these centres are overpopulated. This agreement leads the Greek authorities to refrain from taking necessary measures to offer better living conditions in the centres. The European Union and the Greek Government should review their agreement.

9. Finally, the Assembly recommends the following action to improve the situation of asylum seekers, refugees, rejected asylum applicants and irregular migrants:

9.1. the Greek authorities should:

9.1.1. rapidly improve the housing, sanitary and security situation inside the overcrowded reception and identification centres of Lesbos, Samos and Chios, and/or transfer registered and identified asylum applicants to open accommodation centres operated by the IOM, alternative camps operated by humanitarian non-governmental organisations (NGOs) and apartments rented by the UNHCR on Greek islands and mainland Greece; uncontrolled transfers into the streets of Greek cities or third countries must be stopped;

9.1.2. revise the practice under which transfers to mainland Greece require vulnerability or a serious medical condition of the asylum applicant, in order to avoid cases of self-harm; medical services should be improved rapidly inside all camps on islands and the mainland alike;

9.1.3. ensure that the transfer of asylum applicants to mainland Greece or other housing facilities on the islands does not negatively affect the processing of their asylum applications;

9.1.4. duly identify and register all migrants arriving by boat on the Greek islands or crossing the Turkish–Greek land border, in order to prevent them from remaining undocumented and hence highly vulnerable to organised crime, and share such data within the Schengen Visa Information System as well as with other neighbouring countries;

9.1.5. ensure that unaccompanied minors and women are particularly protected against violence, sexual exploitation and human trafficking, as required by the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201) and the Convention on Action against Trafficking in Human Beings (CETS No. 197); make use of the Handbook for frontline professionals on how to convey child-friendly information to children in migration;

9.1.6. ensure effective guardianship for unaccompanied minors, which implies due responsibility of guardians and respect of the right of parents to maintain parental authority over unaccompanied minors; provide more housing facilities for unaccompanied minors both on mainland Greece and on the islands; unaccompanied minors should be allowed to reunite or maintain contact with family members, for instance by applying the European Agreement on the Abolition of Visas for Refugees (ETS No. 31); in accordance with Assembly Resolution 2195 (2017) on child-friendly age assessment for unaccompanied migrant children, particular attention should be paid to the age assessment of unaccompanied minors;

9.1.7. set up specific law-enforcement units for dealing with organised crime, to combat human trafficking and smuggling as well as the misappropriation of public funds earmarked for assisting refugees, in accordance with the Criminal Law and Civil Law Conventions on Corruption (ETS Nos. 173 and 174) and the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198);

9.1.8. ensure that refugees who perish in Greece have a decent burial in accordance with their religious customs;

9.1.9. not deny access to the camps by NGOs which provide necessary humanitarian assistance to asylum applicants;

9.2. the Turkish authorities should:

9.2.1. increase their efforts to ensure that human traffickers and smugglers cannot act with impunity when moving migrants to Greece;

9.2.2. honour the bilateral Greek–Turkish agreement on the readmission of irregular migrants and rejected asylum applicants as well as the EU–Turkey statement;

9.2.3. register and identify all migrants and refugees entering Turkey and share such data with the Schengen Visa Information System and other countries;

9.3. the European Union should:

9.3.1. assist Greece in accommodating asylum seekers and refugees as well as in managing external European Union borders;

9.3.2. assist Greece in establishing better asylum procedures on the Greek islands with expeditious transfers to mainland Greece;

9.3.3. reintroduce financing programmes of humanitarian projects operated by NGOs, which allow for more decentralised projects closer to the people in need;

9.3.4. assist Turkey in the implementation of its bilateral Greek–Turkish readmission agreement, which applies to irregular migrants and rejected asylum applicants who came by boat from Turkey as well as those who came across the Turkish–Greek land border;

9.3.5. assist Greece in concluding and implementing readmission agreements with other safe countries of origin of rejected asylum seekers and irregular migrants;

9.3.6. invite Greece to prevent push-backs of migrants in recognition of the fact that push-backs are a serious violation of fundamental human rights;

9.3.7. assist member States in implementing family reunification in accordance with the European Union Family Reunification Directive and Assembly Resolution 2243 (2018);

9.3.8. introduce a new relocation programme targeted at alleviating pressure from asylum seekers in countries of first arrival;

9.3.9. monitor the effective and transparent use of European Union funds and establish performance indicators as well as compliance control mechanisms and good governance requirements.

B. Draft recommendation[3]

1. Referring to its Resolution …. (2019) "The situation of migrants and refugees on the Greek islands: more needs to be done", the Parliamentary Assembly emphasises the seriousness of the humanitarian situation inside the reception and identification centres for asylum seekers on the Greek islands of Lesbos, Samos and Chios. The Council of Europe needs to address this subject adequately and assist the Greek authorities in improving this situation urgently.

2. The Assembly recommends that the Committee of Ministers:

2.1. invite Greece and Turkey to continue the readmission of rejected asylum applicants and irregular migrants who have arrived across the Turkish–Greek sea and land borders, in accordance with the bilateral Greek–Turkish readmission agreement as well as the EU–Turkey statement;

2.2. invite the Committee of the Parties of the Convention on Action against Trafficking in Human Beings (CETS No. 197) as well as the Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201) to assess the action of Greece and Turkey in combating the trafficking and sexual exploitation of migrants who cross from Turkey to Greece or vice versa; particular attention should be paid to the numerous young male prostitutes to be found on the streets of Greek cities and who seem to fall through the usual protection measures for women and children;

2.3. invite the Group of States against Corruption (GRECO) to address the issue of misappropriation of public funds for refugees in the framework of its Fifth evaluation round on Greece;

2.4. invite the Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (the Pompidou Group) to address drug trafficking in the context of the migrant routes from Afghanistan to western Europe.

3. Draft recommendation adopted by the committee on 22 January 2019.

C. Explanatory memorandum by Ms Petra De Sutter, rapporteur

1. Introduction

1. As General Rapporteur on conditions of reception of refugees and migrants, I proposed hearing Ms Louise Roland-Gosselin, Advocacy Manager of Doctors without Borders in Greece during the meeting of the Committee on Migration, Refugees and Displaced Persons in Paris on 8 December 2017. She informed the committee that the reception and identification centre at Moria on the Greek island of Lesbos housed approximately 7 000 people although it had been built for 2 500 persons.[4] As riots, violence, different types of exploitation and abuse, and even rape were frequent in such an overcrowded situation, female refugees and minors were locked into their rooms at night for protection. Clothing and provisional shelters for refugees were inadequate for winter temperatures. In addition, vulnerabilities of refugees were not dealt with adequately and women and girls did not receive gender-sensitive protection, treatment and care. Therefore, traumatic stress continued inside the camp, leading to panic and attempted suicide.

2. The Mayor of Lesbos stated in 2017 that the camp at Moria resembled "concentration camps where all human dignity was denied".[5] The very severe situation was confirmed by other non-governmental organisations (NGOs) and international media.[6] This alarming description led me to issue a statement before winter 2017, and the committee then supported my motion for a resolution (Doc. 14474), for which I was appointed rapporteur on 22 March 2018. On 8 January 2019, a refugee from Cameroon died in a provisional tent in camp Moria. This tragic event highlighted again the inadequacy of the humanitarian situation inside this and other Greek camps.[7]

3. In order to inform my report, I visited the open accommodation centres at Kavala and Drama on mainland Greece and the Reception and Identification Centre at Moria from 10 to 12 July 2018.[8] The centres at Kavala and Drama are operated by the International Organization for Migration (IOM) with funds from the European Union, whereas the centre at Moria is under the responsibility of the Greek Ministry of Migration Policy. Reception and identification centres also exist on other Greek islands and at the Greek land border with Turkey,[9] where the number of asylum seekers nearly doubled in 2018 to over 10 000.[10] The Greek Government receives various EU funds,[11] including for running these reception and identification centres or "hotspots".[12] Migrants are desperate to leave the island camps because they hope to be able to move on to another country once they have reached mainland Greece.[13]

4. The focus of this report is on the situation of refugees and migrants on the Greek islands. However, their situation is closely linked to the situation in mainland Greece and thus part of the general situation in all of Greece. Therefore, I will refer also to the Greek situation, where this has a bearing on the situation on the islands.

2. The situation in Greece and on its islands

5. For more than a decade, the Greek islands have been a main entry point for migrants into the European Union. A few cross the Turkish–Greek land border, while the vast majority of migrants come by boat from the nearby shores of Turkey.[14] All boat migrants pay smugglers and risk their lives at sea. A wider public

---

4. The numbers have meanwhile increased, see http://mindigital.gr/images/prosfygiko/NSP_Eastern_Aegean_09.09.pdf.
5. www.theguardian.com/global-development/2018/sep/13/greece-refugees-lesbos-moria-camp-funding-will.
6. See, for example, www.theguardian.com/world/2017/dec/22/this-isnt-europe-life-greece-worst-refugee-camps and www.dw.com/en/horrifying-scenes-at-lesbos-refugee-camps/av-41843808.
7. www.thenationalherald.com/226038/refugee-found-dead-in-lesbos-camp-protests-over-living-conditions/.
8. See the programme of my visit, AS/Mig/Inf (2018) 16 Final.
9. www.reuters.com/article/us-europe-migrants-greece-evros-widerima/as-greek-islands-heave-under-influx-refugees-turn-to-old-river-route-idUSKBN1I41R7.
10. www.reuters.com/article/us-europe-migrants-greece/pace-of-migrant-arrivals-in-greece-via-land-from-turkey-quickens-agency-idUSKBN1KN1X3.
11. https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20180928_managing-migration-eu-financial-support-to-greece_en.pdf.
12. www.europarl.europa.eu/RegData/etudes/BRIE/2018/623563/EPRS_BRI(2018)623563_EN.pdf.
13. www.la-croix.com/Monde/Europe/migrants-Samos-cest-prison-2018-03-27-1200926940.
14. Georgios A. Antonopoulos and John Winterdyk, The Smuggling of Migrants in Greece: An Examination of its Social Organization (October 2006), https://doi.org/10.1177/1477370806067912; Ahmet Içduygu, Transborder Crime between Turkey and Greece: Human Smuggling and its Regional Consequences, in: *Southeast European and Black Sea Studies*, Vol. 4, No. 2, May 2004, pp. 294-314, http://home.ku.edu.tr/~aicduygu/article%204.pdf.

became aware of this phenomenon through the tragic death of at least 18 migrants in 2012 when their boat sank off the coast of Lesbos, having paid approximately US$2 000 per person.[15] With the huge increase of migrants in 2015 and 2016, the Office of the United Nations High Commissioner for Refugees (UNHCR) estimated that over 800 000 migrants crossed the Aegean Sea from Turkey to Greece in 2015 alone, besides 34 000 who came across the Turkish–Greek land border, mostly from Syria, Afghanistan, Iraq and Pakistan.[16] The authorities at camp Moria informed me during my visit that some migrants had arrived from as far as Myanmar, Algeria and Haiti.

6. The number of migrants who perish during their boat journey to Greece has increased considerably since 2015. Therefore, I started my fact-finding visit to the island of Lesbos by visiting the cemetery for deceased boat migrants of Muslim faith. This cemetery was created through a private initiative of a young Egyptian imam who lives in Mytilene on Lesbos and took it upon himself to identify and bury the dead according to Muslim custom. In this context, I also wish to commend the NGO Last Rights which supports action to identify deceased migrants and to ensure that their human dignity is respected through a decent burial. This work is very important for the family members of the deceased, but also for fellow migrants and the citizens of the respective municipalities that host migrants.

7. While smugglers used wooden or plastic fishing boats in the past which capsized easily, migrants are now transported on inflatable rubber boats of up to 10 meters designed for 20 persons or more, which are often imported from China.[17] The passengers are less likely to drown when these boats capsize, but the life-vests usually sold to boat migrants were described to me as defective, causing people to drown rather than to float. The coast of Lesbos has therefore become a “life-vest graveyard”.[18] The expensive and large rubber boats seem to find their way back to their original use; very few are recycled: a small business in Berlin has turned a boat into handbags.[19] Due to their sheer size and numbers, such boats cannot possibly be transported unnoticed, let alone be undetectable to police. When I visited Moria, approximately two boats arrived a day, which was considered a low figure. A few weekends later, 500 migrants arrived by boat, meaning that between 25 normally filled boats or not less than 10 overcrowded boats were used and had been transported by lorries on streets from the boat seller to the Turkish shore. Thousands of those boats must have arrived on Lesbos alone over the past few years.

8. In recent months, the number of migrants stranded on the islands has increased, reaching 20 110 in September 2018. I was informed that higher numbers of unaccompanied minors arrived recently, mostly young males from Afghanistan who had been in Iran but left due to growing problems there. The islands therefore remain heavily overburdened and under-resourced, leading to a deplorable humanitarian situation for the migrants. Many people have to sleep in simple tents for many months, exposed to rain, wind and cold temperatures. Violence between rivalling groups of migrants as well as gender-based violence are widespread.[20] Recent reports even suggest infiltration of violent “Daesh” gangs.[21] Following a report by the United Nations Population Fund about sexual exploitation by aid workers in Syria,[22] this subject also deserves attention in Greek camps.

9. During my visit, I noticed that the several thousand inhabitants of the camp at Moria had to share a very small number of toilets and bathrooms. The food distribution points had very long waiting lines with waiting periods of hours. One official medical doctor, who had a waiting list of several months, examined cases of physical or mental signs of torture in the context of asylum applications. Under the current practice, seriously ill migrants are able to leave the island camps and are transferred for medical treatment to mainland Greece, which seems to slow down the asylum application process. Cases of self-harm are very frequent.[23] Under the Greek Law 4375/2016, such transfers to mainland Greece are possible for people who have a disability or suffer from an incurable or serious illness, elderly people, women who are pregnant or have recently given birth, victims of torture, rape or other serious forms of psychological, physical or sexual violence or exploitation, people with post-traumatic stress disorder, particularly survivors and relatives of victims of shipwrecks as well as victims of human trafficking.

---

15. https://en.wikipedia.org/wiki/December_2012_Lesbos,_Greece_migrant_boat_disaster.
16. www.unhcr.org/news/latest/2015/12/5683d0b56/million-sea-arrivals-reach-europe-2015.html.
17. www.maltatoday.com.mt/news/national/79351/eus_rubberboat_ban_could_make_smugglers_lives_harder.
18. http://tracks.unhcr.org/2015/09/the-young-girl-and-the-sea/.
19. www.ekathimerini.com/231051/article/ekathimerini/community/berlin-project-upcycles-refugee-boats-into-bags.
20. www.theguardian.com/world/2016/aug/20/refugees-greek-camps-targeted-mafia-gangs.
21. www.dw.com/en/refugees-at-camp-moria-on-lesbos-report-is-gang-violence/av-45722733.
22. www.telegraph.co.uk/news/2018/02/27/women-syria-forced-exchange-sexual-favours-un-aid/.
23. www.independent.co.uk/news/world/europe/moria-camp-refugees-lesvos-detention-centre-self-harming-to-escape-poor-conditions-greece-egypt-a7947976.html.

10. Since summer 2018, the Greek authorities have transferred much larger numbers of migrants from the island camps to mainland Greece. I was told about non-transparent and sometimes chaotic procedures for selecting those migrants, which increased the chaos in the camp, where inhabitants were not assigned to specific places and could not therefore be reached and located easily within the camp. Until recently, those transferred to mainland Greece would have to return to the island camp in due course in order to continue their asylum applications through interviews. It seems unlikely that such returns to the camp would actually be done and many transferred migrants will probably become undocumented migrants in mainland Greece, who often might try to move on to other countries. At present, the so-called Balkan route of migrants leaving Greece typically ends in misery in Bosnia and Herzegovina.[24]

11. Under Greek law, the regional prosecutor has been ex officio the legal guardian of all unaccompanied minors in his or her court district. This legal regulation was problematic in two ways: a single prosecutor cannot effectively exercise, after working hours, the role of guardian over a large number of migrants below 18 years of age; on the other hand, a prosecutor will be in conflict of interest if a minor violates criminal law and hence falls in principle under the investigation of the same prosecutor who happens to be also the guardian of this delinquent minor. The same conflict of interests arises in cases of contested age assessments. Recent amendments to this law still need to be implemented effectively in practice. So far, public prosecutors sub-contracted NGOs to exercise *de facto* the guardianship, which made legal responsibilities of guardians less clear, while NGOs accumulated quasi-guardianships over a larger number of unaccompanied minors.

12. During my visit to Moria, I was informed that drug abuse and sexual exploitation took place in the camp[25] as well as in Turkey, where migrants frequently had to sell their bodies in order to pay in advance the boat fare of the smugglers. This sexual exploitation has been documented by empirical research.[26] Parallel to the severe situation on the Greek islands, the situation of migrants on mainland Greece has more and more deteriorated in this respect. A visible but dramatic sign is the growing number of young migrants, especially young men,[27] who are sexually exploited in Athens and other cities on mainland Greece every day.[28]

13. The migrant route from Afghanistan through Turkey to Greece and finally western Europe coincides with the main drug route, with Afghanistan accounting for nearly 90% of the global heroine and morphine production.[29] During my visit, the authorities confirmed that human smugglers probably also smuggled other things. Therefore, it is likely that smugglers and traffickers of migrants are also active in the illicit drug trade. This combination exposes migrants to even more severe levels of violence and exploitation, blurring the distinction between migrants using smugglers voluntarily and migrants being trafficked by criminals who exploit their vulnerability.

14. As virtually all migrants in Greece come through Turkey, the Turkish authorities also bear responsibility for the situation on the Greek islands. It is quite revealing that the number of migrants reaching Greek soil increased when the bilateral Greek–Turkish relations faced political problems. In June 2018, Turkey denounced unilaterally and for publicly declared political reasons its readmission agreement with Greece regarding irregular migrants.[30] However, under the EU–Turkey Statement and Action Plan of 2016, irregular migrants and rejected asylum seekers, who have arrived from Turkey on the Greek islands, should be returned to Turkey.[31] In return, the European Union allocated 3 billion euros under the Facility for Refugees in Turkey in 2016 and an additional 3 billion euros in 2018.

15. European Union officials and Turkish parliamentarians have emphasised the positive impact of the EU–Turkey statement and action plan in reducing the number of migrants crossing the Turkish–Greek border. However, the number of arrivals by boat and across the land border have remained relatively high. On the other hand, Greek parliamentarians hold the EU–Turkey statement responsible for asylum seekers being "trapped" on the Greek islands. From a legal and political point of view, Turkey is obliged to readmit rejected

---

24. www.occrp.org/en/37-ccblog/ccblog/8520-forced-into-the-arms-of-smugglers.
25. www.theguardian.com/world/2016/aug/20/refugees-greek-camps-targeted-mafia-gangs.
26. Vasileia Digidiki and Jacqueline Bhabha, Emergency within an Emergency: The Growing Epidemic of Sexual Exploitation and Abuse of Migrant Children in Greece (Harvard University, 2018), https://cdn2.sph.harvard.edu/wp-content/uploads/sites/114/2017/12/Emergency-Within-an-Emergency-FXB.pdf.
27. https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1002438.
28. www.independent.co.uk/news/world/europe/dozens-of-refugee-men-sell-sex-for-as-little-as-2-to-survive-in-athens-a7068741.html.
29. www.unodc.org/unodc/en/drug-trafficking/index.html.
30. www.dailysabah.com/diplomacy/2018/06/07/turkey-retaliates-against-greeces-tolerance-of-putschists-halts-migrant-readmission-deal.
31. www.europarl.europa.eu/legislative-train/theme-towards-a-new-policy-on-migration/file-eu-turkey-statement-action-plan.

asylum seekers and irregular migrants under both the bilateral Greek–Turkish readmission agreement and the EU–Turkey statement. While the EU–Turkey statement focuses on boat migrants from Turkey, it does not exclude those who are on the mainland. Therefore, it is in the hands of the Greek authorities to provide adequate housing conditions for asylum seekers on the islands and the mainland alike and to process their applications speedily, in order to prevent people being trapped in miserable conditions in camps, wherever they may be.

16. Despite the hundreds of thousands of migrants having arrived on the Greek islands, Greece only registered 58 661 applications for asylum in 2017 which led to the granting of refugee status to 9 332 people and subsidiary protection status to 1 041 people in 2017.[32] However, undocumented migration to Greece has been a problem for more than a decade.[33] Already in 2011, a study estimated that there were 390 000 undocumented migrants in Greece.[34] This figure is probably much higher today, although most migrants tend to move on to other countries.[35]

17. Under Greek law, people under subsidiary protection do not have the right to family reunification. At the time of my visit to the camps, the Greek authorities instead supported family reunification abroad as a means of decongesting the camps. Most migrants sought to reunite with their family members outside Greece, mainly in Germany, Sweden and the United Kingdom. The latter phenomenon coincides with the 1% ratio of migrants attending Greek language courses in the camp at Drama, where the majority instead participates in German and English classes provided by the Greek authorities.

18. Direct pressure has been put on NGOs on Greek islands. Some NGOs, which were critical of the Greek authorities or the situation in the camps, were reportedly prohibited from entering the camps. In fact, the number of humanitarian NGOs inside camp Moria has decreased to a small figure. As NGOs are providing essential humanitarian help, the situation of migrants is considerably worsened by undue pressure upon them and even their exclusion from camps. Several NGOs also withdrew from camp Moria because of a lack of funding, which has led to reduced medical aid and legal assistance and less child support.[36]

19. While NGOs had been able to apply for financial programmes by the European Union in the past, funding from the European Commission now goes directly to the Greek Government, except for EU cash payments to the registered migrants in the camps (90 to 550 euros per month for each household, depending on the number of persons), which are distributed by the IOM or the UNHCR.[37] The very long processing periods of asylum applications are therefore a heavy burden on EU funding. The European Union also funded the renovation and conversion of unused military buildings and factories into housing facilities for migrants in mainland Greece, such as in Kavala and Drama.

20. Faced with such an immense humanitarian catastrophe, Greece needs the support of the member States of the Council of Europe and the European Union. At the end of 2017, the then President of the Parliamentary Assembly, Stella Kyriakides, had written to Dimitris Avramopoulos, European Union Commissioner for Migration, Home Affairs and Citizenship as well as to Christos Stylianides, European Union Commissioner for Humanitarian Aid and Crisis Management, asking both for more financial support for Greece. So far, the European Union has provided funds of nearly 2 billion euros to Greece for coping with the huge arrivals of refugees and migrants over the past years. However, criticism has been raised about the use of these funds, including by the European Union Court of Auditors.[38] The European Union Anti-Fraud Office (OLAF) started investigations against the Greek Government recently for alleged misappropriations of EU funds.[39] Camp Moria being the largest camp for asylum applicants in Greece, those investigations must particularly focus on that camp.

32. www.asylumineurope.org/reports/country/greece/statistics.
33. www.ifrc.org/PageFiles/89397/An%20update%20on%20the%20situation%20of%20irregular%20migrants%20in%20Greece_SLM.pdf.
34. www.independent.co.uk/news/world/europe/illegal-immigrants-migrants-europe-eu-greece-refugees-a6922721.html.
35. www.bbc.com/news/world-europe-44660699.
36. www.msf.org/trapped-moria.
37. https://data2.unhcr.org/en/documents/download/65253.
38. http://publications.europa.eu/webpub/eca/special-reports/refugee-crisis-hotspots-06-2017/en/.
39. www.theguardian.com/world/2018/sep/26/lesbos-refugee-camp-at-centre-of-greek-misuse-of-eu-funds-row.

3. International standards and action

21. Greece is a member State of the European Union and party to a number of international instruments bearing on the rights of migrants and refugees, in particular the European Convention on Human Rights (ETS No. 5, "the Convention") and the International Covenant on Civil and Political Rights. These standards are the yardstick for evaluating the situation on the Greek islands as well as in mainland Greece.

3.1. United Nations

22. Article 7 of the International Covenant on Civil and Political Rights, which prohibits torture and cruel, inhuman or degrading treatment or punishment, applies to every person including also irregular migrants and rejected asylum applicants. The United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment dedicated a report in 2018 to migration-related torture and ill-treatment, which should guide the Greek authorities.[40]

23. The 1951 Geneva Convention Relating to the Status of Refugees defines the rights of persons with refugee status. Those rights include the due processing of asylum applications, the provision of non-discriminatory living conditions for applicants and recognised refugees and the right to family reunification.

24. In the year 2000, the UN General Assembly adopted the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, both of which are protocols to the UN Convention against Transnational Organised Crime. Greece and Turkey are Parties to this UN Convention and its protocols. The respective legal standards therefore apply when migrants are coming by boat from Turkey to the Greek islands.

3.2. Council of Europe

25. Although the European Convention on Human Rights does not contain a right to asylum, it guarantees related fundamental rights, such as the prohibition of torture or inhuman or degrading treatment (Article 3), the right to liberty and security (Article 5), the right to an effective remedy (Article 13) and the prohibition of collective expulsion of aliens (Article 4 of Protocol No. 4 to the Convention (ETS No. 46)).[41] Therefore, we find a strong case law of the European Court of Human Rights regarding migrants and refugees, including many cases against Greece.

26. Article 5.1.f of the Convention stipulates that a person can only be detained "to prevent his effecting of an unauthorised entry into the country" or because action is being taken against that person with a view to deportation or extradition. The detention of asylum seekers is specifically addressed in Recommendation Rec (2003)5 of the Committee of Ministers. Under the Geneva Convention Relating to the Status of Refugees, asylum seekers do not enter a country unlawfully and therefore should not in principle be detained.[42] The Greek camps are therefore open and asylum seekers could leave them if they so wished. The situation is different for rejected asylum applicants and irregular migrants, who do not have this legal privilege. The camps I visited housed recognised refugees and rejected applicants as well as persons whose applications were still pending.

27. Article 3 of the Convention prohibits the infliction of torture and inhuman or degrading treatment or punishment. The European Court of Human Rights has on many occasions reaffirmed a State's legitimate interest in preventing the circumvention of immigration restrictions. However, the measures used to fulfil this goal must never come at the expense of the fundamental rights afforded to asylum seekers.[43] In particular, the Court has held that overcrowding,[44] insufficient sanitary facilities[45] and inadequate food[46] can amount to degrading treatment. In the case of *A.A. v. Greece*, the Court ruled that the failure to provide the applicant with appropriate medical assistance ran afoul of Article 3. This ruling is of particular relevance to the situation

40. www.ohchr.org/Documents/Issues/Torture/A_HRC_37_50_EN.pdf.
41. www.echr.coe.int/LibraryDocs/DG2/HRFILES/DG2-EN-HRFILES-09(2000).pdf.
42. See the case law of the European Court of Human Rights, www.echr.coe.int/Documents/FS_Migrants_detention_ENG.pdf.
43. *M.S.S. v. Belgium and Greece*, Application No. 30696/09, judgment of 21 January 2011 (Grand Chamber), paragraphs 216-218.
44. *Deougoz v. Greece*, Application No. 40907/98.
45. Ibid.
46. *A.A. v. Greece*, Application No. 12186/08.

prevailing on the Greek islands. As the Court noted in the case of *J.R. and others v. Greece*,[47] the factors associated with an influx of migrants cannot release States from their obligation to ensure that all persons deprived of their liberty are held in conditions compatible with respect for human dignity.

28. In accordance with the *non-refoulement* obligation under international law, the European Court of Human Rights decided that migrants could not be deported to a country if there was the risk of being exposed to torture or other serious human rights violations.[48] In addition, the Committee of Ministers adopted Recommendation No. R (98) 13 on the right of rejected asylum seekers to an effective remedy against decisions on expulsion in the context of Article 3 of the European Convention on Human Rights. In this context, the Committee of Ministers also adopted Recommendation (97) 22 on Guidelines on the application of the safe third country concept.

29. Given the large numbers of migrants being trafficked into Greece, the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197) is of particular relevance. In addition, the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, "Lanzarote Convention") should be used in order to combat the sexual exploitation of migrants under the age of 18, which is evident in Greece.

30. The Council of Europe Commissioner for Human Rights undertook a visit to Greece and the camp at Moria in June 2018. In her report, she analyses the human rights situation in Greece, especially in view of the migrants.[49] I fully share her analysis. My report is also based on the human rights situation as well as other obligations under international law, but in addition attempts to identify political action and responsibilities regarding the situation of migrants and refugees, in particular on the Greek islands close to the Turkish coast.

3.3. European Union

31. Article 18 of the Charter of Fundamental Rights of the European Union guarantees the right to asylum "with due respect for the rules of the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and in accordance with the Treaty on European Union and the Treaty on the Functioning of the European Union". As a member State of the European Union, Greece is bound by Asylum Procedures Directive 2013/32/EU, Reception Conditions Directive 2013/33/EU, Qualification Directive 2011/95/EU, Dublin III Regulation No. 604/2013 and EURODAC Regulation No. 603/2013 for the comparison of fingerprints for law-enforcement purposes. The highly deplorable situation in camp Moria and other Greek camps seems to be in conflict with those EU standards.

32. In addition, Article 19 of the Charter of Fundamental Rights prohibits *refoulement* through the removal, expulsion or extradition of a person to a State where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment. This principle is the red line for the corresponding principle of first country of asylum, which has been incorporated into EU law,[50] as well as the concept of safe country of origin.[51] In view of the high percentage of refused asylum applicants and the large numbers of undocumented migrants in Greece, the Greek authorities have to assess the feasibility of transferring those persons to their country of origin or safe countries of transit. In this context, the IOM is providing assistance for returning migrants in an orderly and safe manner through its Assisted Voluntary Return and Reintegration programme.[52] Between June 2016 and April 2018, the IOM Office in Greece helped more than 10 000 people to return to their home countries, mainly Pakistan, Iraq, Afghanistan, Georgia and Algeria.[53]

4. Immediate humanitarian concerns

33. Despite the fact that migrants have been arriving on the Greek islands from the Turkish shores for more than a decade, and despite the large funds provided by the European Union to the Greek Government since the 2015 crisis, the humanitarian crisis of the island camps is steadily deteriorating. Key issues raised by

47. Application No. 22696/16.
48. www.echr.coe.int/Documents/Seminar_background_paper_2017_ENG.pdf.
49. www.coe.int/en/web/commissioner/-/greece-should-safeguard-social-rights-for-all-and-improve-the-reception-and-integration-of-migrants.
50. www.refworld.org/cgi-bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=4bab55da2.
51. www.unhcr.org/excom/scip/3ae68ccec/background-note-safe-country-concept-refugee-status.html.
52. https://greece.iom.int/en/assisted-voluntary-return-and-reintegration.
53. www.iom.int/news/over-10000-migrants-greece-voluntarily-returned-home-last-20-months.

NGOs and international organisations include: overcrowding and substandard living conditions with serious health consequences, a lack of basic security for migrants in the camps, excessive delays in the processing of asylum claims, and aggravated stress and mental illness in the camps due to the catastrophic situation there.

34. One must salute the work of the various NGOs present on the Greek Islands. Under great pressure, and with limited resources, they have offered a variety of services including legal advice,[54] medical care[55] and material support in the form of food,[56] shelter[57] and psychological counselling.[58] A particularly noteworthy initiative is run by the charity Last Rights, which has worked tirelessly to formulate guidelines setting out the steps that States should to take in order to recover, preserve, identify and ultimately offer dignity to those who have died as a result of migrant journeys.[59]

35. In the light of the growing needs on the islands, and as part of its support to the Greek Government, UNHCR has assisted since January 2018 some 19 170 asylum seekers authorised by the government to move to the mainland and has delivered over 19 000 relief items for the islands, such as winter kits, blankets and sleeping bags. In addition, UNHCR has expanded countrywide its available places in apartments from 25 500 in September to some 26 700 in December 2018, while helping to boost Greece's hosting capacity with 400 prefabricated units.

4.1. Substandard living conditions

36. The reception and identification centres are overburdened and under-resourced. The camp at Moria hosted up to 300% more people than its capacity. Similar conditions of overcrowding have been reported in other centres in Samos and Chios.[60]

37. Accommodation of migrants on the Aegean islands and mainland Greece varies from prefabricated cabins to tents on the ground, which do not protect against weather conditions. This has led to tragic incidents, such as the death of three men in the camp at Moria in January 2017 due to carbon monoxide poisoning as a result of a makeshift heating device they had constructed to keep themselves warm.

38. These issues are compounded by the lack of adequate food and sanitary facilities. In the camp at Moria, the International Rescue Committee notes that, for every 72 people, there is only one toilet. Additionally, a group of 84 are expected to share just one shower. People wait as long as four hours for food. The overcrowding and lack of sanitation has allowed diseases such as skin infections, recurrent diarrhoea and respiratory problems to spread. There have also been reports of raw sewage leaking into tents housing families and children.[61] In September 2018, the Public Health Directorate of Lesbos declared the Moria camp to be "unsuitable," and a danger for public health.[62]

39. The decision by the Greek authorities to transfer 2 000 asylum seekers from the island of Lesbos to the mainland must therefore be welcomed.[63] Nevertheless, reports regarding the poor quality of accommodation on the mainland are a cause for concern as are reports of children being forced into street prostitution.[64] The Greek Government must ensure that it does not simply transfer migrants from one humanitarian crisis to another.

4.2. Insecurity

40. Tensions among camp residents and between groups of migrants regularly turn violent. Drugs and alcohol are also consumed in large quantities. In May 2016, a fight involving around 200 men took place in the Vathi camp on Samos.[65] This has contributed to a general feeling of anxiety amongst the migrant population. There is a police presence, but this has been described as insufficient.

---

54. www.aitima.gr/index.php/en/aitima-ngo.
55. https://lesvossolidarity.org/en/.
56. www.caritas.org/what-we-do/conflicts-and-disasters/refugee-crisis-europe/.
57. www.praksis.gr/en/.
58. www.terredeshommes.org/eu-council-must-put-solidarity-at-heart-of-how-it-processes-migrant-childrens-asylum-claims/.
59. http://lastrights.net/home/4592071170.
60. http://mindigital.gr/images/prosfygiko/NSP_Eastern_Aegean_22.10.pdf.
61. www.nytimes.com/2018/10/02/world/europe/greece-lesbos-moria-refugees.html?rref=collection%2Fsectioncollection%2Feurope.
62. www.ekathimerini.com/232471/article/ekathimerini/news/moria-migrant-camp-faces-closure-over-living-conditionsc.
63. www.reuters.com/article/us-europe-migrants-greece/greece-moves-to-ease-overcrowding-in-lesbos-migrant-camp-idUSKCN1LY1NR?ref=hvper.com&utm_source=hvper.com&utm_medium=website.
64. www.nbcnews.com/news/world/young-migrants-trapped-greece-find-life-west-isn-t-what-n863801.

41. The situation of women and girls is of even greater concern. There have been alarming reports of sexual harassment, inappropriate behaviour and even of assault. Women often share tents with unknown men and are too afraid to go to the toilet at night unaccompanied. In 2017, the UNHCR received 622 reports from victims of sexual and gender-based violence on the Greek islands, 28% of whom reported violence after arriving on Greek soil. These statistics echo findings by NGOs such as Médecins sans Frontières, which reports that over 80% of the sexual violence victims examined by its clinicians were raped or assaulted in or around the Moria hotspot.

4.3. Processing of asylum claims

42. The asylum procedures have been marked by heavy delays. In extreme cases, applicants seem to have waited as long as eight months to have their claim registered. This is compounded by the lack of efficiency on the part of the Greek asylum office. Applicants have reported waiting for hours for their scheduled appointment, only for it to be postponed. The asylum centres are often unaware of the whereabouts of applicants, meaning they cannot be called for an appointment. The transfers of migrants to mainland Greece have so far interrupted the application process, because applicants had to return to the island camp for their interviews. Following a recent administrative decision, asylum interviews can now also be held in the place where applicants have been transferred to. However, it is likely that such changes of asylum units will cause administrative problems and delays. For all these reasons, asylum processes tend to take several months and have frequently gone beyond a year. During this period, asylum seekers receive cash payments from the European Union, but remain in uncertainty about their imminent future.

4.4. Aggravated mental illness

43. Conditions in the camps have taken a heavy toll on the mental health of many asylum seekers, with children as young as ten attempting suicide. There has been a significant increase in reports of depression, anxiety and psychosis. 30% of migrants treated by the International Rescue Committee have attempted to take their own lives, whilst 60% have expressed suicidal ideation. 41% also suffer from symptoms of post-traumatic stress disorder such as flashbacks and nightmares.

5. Conclusions

44. Immediate humanitarian assistance should be organised for the winter with a likelihood of heavy rain and cold temperatures, which can become life-threatening for the many migrants housed in simple tents in camp Moria and other camps on islands, as well as on the mainland. In addition, the medical support of migrants must be increased immediately. Appropriate measures must also be taken to restore security and combat violence and crime inside the camps.

45. The asylum application process must be accelerated, while taking due account of each individual case. During this process, applicants should be housed and materially supported in accordance with EU legislation. Inhuman living conditions must be eradicated. The camp at Moria is the biggest in Greece, but much larger refugee camps are operated with better conditions in Turkey, Jordan and other countries.

46. Vulnerable migrants should be protected more effectively, in particular unaccompanied minors, single women and people with medical needs. The requirement of a serious medical condition for being transferred to mainland Greece should be reviewed, as this has led to cases of self-harm. Effective guardianships should be ensured for unaccompanied minors. Humanitarian assistance by NGOs should be supported and humanitarian NGOs must not be excluded from the camps.

47. The European Union should establish effective performance assessments of the EU-funded camps for migrants in Greece, in order to improve their standards regarding the living conditions for migrants and their asylum application processes. Misappropriations of EU funds should be investigated rapidly.

48. Greece faces a nearly insurmountable burden of the continuously high number of migrants arriving by boat from Turkey every day. Nevertheless, human smugglers and traffickers have been active with impunity for more than a decade and migrants are subjected to forced labour and sexual exploitation by organised crime. Targeted cross-border anti-crime action is needed, with the support of the European Union.

---

65. www.hrw.org/news/2016/05/19/greece-refugee-hotspots-unsafe-unsanitary.

49. Only a small number of people have received refugee status in Greece, yet high numbers of undocumented migrants can be found in the streets of Greece and other countries along the so-called Balkan route. As undocumented migrants have a much higher vulnerability, all migrants must be duly registered and such data must be shared with EU member States as well as relevant other States, in particular Albania, Bosnia and Herzegovina, the Republic of North Macedonia, Serbia and Turkey.

50. Under the bilateral Greek–Turkish readmission agreement and the EU–Turkey statement of 2016, Turkey has to readmit irregular migrants and rejected asylum applicants. In principle, only applicants from safe countries of origin can be rejected. The Turkish authorities should therefore be supported in their efforts to provide adequate conditions for migrants returning to their safe countries of origin through Turkey.

51. Other member States should consider admitting asylum seekers or refugees who wish to leave Greece. Applications for family reunification should be processed as a priority by the authorities of Greece and other receiving countries. Greece should change its legislation and allow family reunification for persons under subsidiary protection, especially children.

52. Since its creation in 2010, the IOM's Assisted Voluntary Return and Reintegration programme in Greece has helped more than 30 000 migrants to return voluntarily to their home countries. Given the high percentage of rejected asylum applicants in Greece, this programme should be enlarged or rejected applicants should be allowed to immigrate legally into Greece or other countries. Greece should be assisted in concluding and implementing readmission agreements with other safe countries of origin.

Appendix – Dissenting opinion by Mr Zafer Sirakaya (Turkey, NR),[66] member of the committee

Today, Turkey is the largest refugee-hosting country with 4.7 million externally displaced people, including more than 3.6 million Syrians. While Turkey exerts utmost effort to respond to the needs of this population residing in our territory, Turkey maintains a resolute stance for stemming irregular migration in the Aegean Sea. In this regard, Turkey has been implementing the 18 March Agreement with the European Union with utmost sensitivity. Since October 2015, the daily average of irregular crossings has decreased from 7 000 to less than 100. This demonstrates efficient implementation of the Agreement by the Turkish side. Under the framework of the Agreement, up until now, Turkey has received 1 805 migrants from the Aegean islands. Turkey's acceptance rate of migrants from the islands was 96% in 2018, whereas the Greek side was only able to deliver 63% of the migrants in the same year. This ratio demonstrates the fact that lower retrieval rates result from the poor migration management from the Greek side and by no means indicates problems with implementation of the 18 March Agreement by the Turkish authorities.

The increase in the number of irregular migrants through our land border with Greece is happening for three reasons. Firstly, an increased number of irregular migrants came to Turkey this year. Secondly, Turkey's excellent work in implementing the 18 March Statement in the Aegean is leading irregular migrants to shift their routes. Most importantly, Greece's welcoming attitude towards Turkish citizens leaving our territory illegally especially after the 15 July Coup attempt encouraged this trend. Almost half of the people entering onto Greek soil illegally are Turkish citizens. In order to reduce these numbers, Turkey expects the Greek side to implement the Turkey–EU Readmission Agreement properly and return the Turkish irregular migrants to Turkey as soon as possible. I would like to highlight that Turkey is ready to receive the Turkish citizens under the framework of the Turkey–EU Readmission Agreement. Needless to say that the attributions of the committee's report pertaining to the improved implementation of the Readmission Report should only be addressed to Greece. Turkey bears no responsibility for Greece's poor migration governance.

Regarding the Turkey–Greece Bilateral Readmission Protocol, I would like to underline that the Protocol was not terminated. The protocol has been suspended on the grounds that the Greek side fails to comply with its obligations stemming from the bilateral agreement on co-operating against terrorism. The Bilateral Agreement constructs the basis of the bilateral Readmission Protocol. Unfortunately, the Greek side's refusal to extradite the individuals proven guilty of engaging in terrorism endangers not only the security of Turkey and Greece but also Europe. Therefore, Greece should be recalled to fulfil its commitments stemming from the counter-terrorism agreement and extradite such individuals as soon as possible. Unless the Greek side meets its obligations, Turkey rightfully will not re-initiate the implementation of the Protocol. Turkey also continues to take back irregular migrants from the Aegean islands in accordance with the 18 March Agreement. The effective implementation of the 18 March Agreement is ongoing without any interruption.

66. Rule 50.4 of the Assembly's Rules of Procedure: "The report of a committee shall also contain an explanatory memorandum by the rapporteur. The committee shall take note of it. Any dissenting opinions expressed in the committee shall be included therein at the request of their authors, preferably in the body of the explanatory memorandum, but otherwise in an appendix or footnote."