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End the Breach of Law in the Greek Refugee Camps: Refugee Admission instead of Symbolic Politics

More than 30,000 people continue to live in the Greek refugee camps under catastrophic and inhuman conditions. At today's [June 16] Federal Press Conference (BPK) in Berlin, the RAV together with other organizations commented and called for the evacuation of the refugee camps and for an end to the ongoing violations of law.

Greek lawyer Giota Massouridou, ELENA coordinator for Greece and Vice-President of the *European Democratic Lawyers Association (EDA)*, explains: *»The inhuman conditions in the Greek hotspots are widely criticized at the national level in many EU Member States, including in Greece. Numerous reports and media information document the catastrophic situation. It is not only Moria, but the total of all five hotspots needs to be considered (Leros, Kos, Samos, Chios and Lesbos). In each of these places human dignity has been forgotten since years«.*

For months, self-organized groups, churches, municipalities, refugee organizations, Greek and international civil society members have been calling for taking in refugees from Greece. Martina Mauer from *Flüchtlingsrat Berlin e.V.* reports: *»We are constantly receiving enquiries from people who are horrified by the situation in the Greek camps and ask what they can do to get people to come to Germany«.*

The Federal Government is so massively confronted with the demand for admission of refugees that in a deeply shameful action it has flown in a few children from Greece, most of whom Germany would have had to take in anyway in the context of family reunification.

Some federal states [*Länder*] now want to adopt refugee admission orders according to § 23 AufenthaltG [Residence Law]. These admissions require the agreement of the Federal Ministry of the Interior. If the Ministry does not grant agreement, the *Länder* must take legal action and sue the Federal Ministry of the Interior.

Lawyer Berenice Böhlo, member of the federal board of the RAV: *»The Federal Government will continue to block any meaningful refugee admission. This failure to act is a logical consequence of its proposals that the right of protection and the right of asylum should only be subject to*

border procedures in the future. Suffering in the hotspots is the result of targeted policies based on deterrence at all costs«.

The federal states should use all means at their disposal to enforce the admission of refugees from Greece and should not make themselves an accomplice of the Federal Government. As lawyer Dr. Matthias Lehnert (RAV) comments: *»If the federal states really want to admit people, they must use all the legal leeway beyond refugee admission in agreement with the Federal Government. For example, they can adopt scholarship programs to enable school attendance and end family separations through generous use of the respective legal framework. The reference to Federal Government's passivity as justification for their inaction is unacceptable«.*

In the current situation, to go ahead with refugee admission programs that lead to real relief on the ground does not mean – contrary to what the Federal Ministry of the Interior claims – less but more European solidarity.

The response to the long-standing crisis of the European asylum system must be a reliable European solidarity mechanism of a coalition of welcoming and admission-ready countries.

»The current Europe-wide irresponsibility and the abrogation of the law at the borders and within the EU calls into question the legal system as a whole«, says RAV lawyer Dr. Lehnert. *»We will not get used to this kind of lawbreaking«.*

The so-called EU-Turkey deal, which explicitly does not constitute a legal act of the European Union and thus is not supposed to be verifiable by any European court, is – just like the hotspot system – not a suitable model for a European asylum law. Instead, applicable law must be enforced.

Family reunifications according to the Dublin procedures must no longer be systematically delayed and made impossible by the Federal Office for Migration and Refugees. The practice of push-backs and rejections of persons seeking protection at the external borders of the EU must be stopped immediately. It is necessary to comply with the regulations of international maritime rescue procedures. FRONTEX is not supposed to form an alliance with Libyan militias – there is no such thing as a ›Libyan Coast Guard‹ – but to participate in effective sea rescue. Those seeking protection from Libyan torture prisons must be evacuated immediately.

»Taking in refugees from Greece will not solve all those problems mentioned above. However, this must not be an excuse for inaction«, says RAV lawyer Böhlo, *»we therefore demand that the federal and state governments take action now«.*

Background material:

<https://www.rav.de/projekte/griechische-lager-evakuieren/>

<https://www.ecre.org/our-work/elena/>

Avocats Européens Démocrates-European Democratic Lawyers, <http://www.aeud.org/>

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