



2018 End of Year Report

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Legal Centre Lesvos is a not-for-profit organisation established in August 2016 aiming to provide legal assistance, advice and representation for those seeking international protection on the island of Lesvos in Greece.

In the interest of transparency, we produce this report for our donors, our partners and the general public - to inform you all of the centre's work in the past year.

In preparing this report, we would like to thank our volunteers and staff who have sacrificed their time, often at great cost to themselves, in order to assist the many individuals we see within the Legal Centre.

We also thank the refugee and migrant communities, partners and our donors, for placing their continued trust in us; and without whom the Legal Centre would not be able to undertake and continue this essential work.

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WHAT WE DO

The aim of the Centre is to provide solidarity with migrants, asylum seekers and refugees in Lesvos through legal information, assistance, representation, advocacy and defence of human rights.

We recognise that the violations we witness in Lesvos are the direct result of political decisions and therefore addressing the systematic violations and root causes of these violations is an essential part of our advocacy. Furthermore, we work together with and support refugees and migrants as the central political actors with regards to migration policies, in actively defending their human rights.

Our work also provides a wider public benefit by raising awareness across Europe of the realities of refugee and migrant life on the Greek islands, thus combating marginalisation, racism and xenophobia.



CONTEXT OF OPERATION 2018

'A PRISON WITHIN A PRISON WITHIN A PRISON'

This year circa 14,689 people are reported to have managed the sea journey to Lesbos, with 58 tragically dying in the attempt. Those who survive are subject to an ongoing policy of what the Legal Centre has termed 'hostile containment', which itself is partly the product of the 'EU-Turkey deal'. This policy sees continued arbitrary detention policies and restrictions on freedom of movement rights on those applying for international protection on the Aegean islands. It is also responsible for the heavy overcrowding of Moria Camp, the main refugee camp in Lesbos, and other "hotspots". The end of 2017 saw the arrival of 3,000 individuals seeking international protection in Lesbos, bringing the total number of migrants residing on the island to 7,000 at the beginning of 2018. This position worsened throughout the year, with reports that 8,786 individuals were registered in Moria camp alone in September 2018, well over its official capacity of 3,100. Whilst being the Aegean Island with the most asylum seekers, overcrowding is not limited to Lesbos, with Samos, Chios, Kos, Leros and Lesbos together containing 12,500 people, a figure almost 3 times their collective capacity.

The 'prison, within a prison, within a prison' is a phrase insufficient to describe the nature of the detention policies practiced on the island. Firstly, all those who arrive irregularly from Turkey are automatically subjected to geographical restrictions which prevent them from leaving the Island. Furthermore, all are registered automatically within Moria 'Reception and Identification Centre' and must live there unless, rarely, alternate accommodation is found. In many cases individuals, including unaccompanied minors, have ended up homeless in the Aegean islands and mainland Greece, as life in the camps is unbearable. Finally, the authorities in Moria continue to implement the discriminatory practice of detaining asylum seekers upon arrival, based on nationality. This policy, which began as a 'pilot' program, has now become the norm, under which individuals are detained on the basis that they are from 'low recognition rate countries'.

DANGEROUSLY INADEQUATE RECEPTION CONDITIONS

A central part of the cultivation of this hostile environment has been the provision by the Greek authorities of incredibly dangerous reception conditions which are exacerbated by the aforementioned overcrowding of the islands. These conditions, which include inadequate and overcrowded housing, lack of access to safe and clean water and sanitation and lack of access to healthcare and education: are well known and continue to be reported on by international media and denounced by local and international NGOs, political parties and international organisations. In particular, the lack of medical support and needed services have affected those with specific protection needs, such as LGBTIQ individuals, and vulnerable individuals such as unaccompanied minors, victims of torture, those suffering from PTSD and other mental illnesses.

DANGEROUSLY INADEQUATE LEGAL PROCEDURES

The immense inadequacy in Greece of various aspects of the legal procedures used to determine whether an applicant is to be granted international protection are well documented and exacerbated on the Greek islands.

Considering the catastrophic conditions outlined above, one of the principle concerns is the continued imposition of geographic restrictions for those waiting for their applications to be processed, which is interminably delayed. More significant for the majority who manage to endure the delay (a not insignificant number 'voluntarily' elect to return to the country they chose to flee

from rather than continue being subjected to the various chronic human rights abuses suffered by applicants of International Protection on the island), is the Kafkaesque nature of the procedures themselves. From dubious ‘[inadmissibility](#)’ procedures that see applicants sent to ‘third countries’ which are anything but safe, to assessments of whether people qualify for international protection, whose quality remains a [serious matter of concern](#); there are countless instances where the fundamental rights of international protection seekers are actively undermined by the authorities.

We have consistently reported on the systematic violation of asylum seekers procedural rights in Lesvos. These violations include [documented illegal deportations](#), [arbitrary detention](#), [denial of legal aid on appeal](#) and [overreaching role](#) of the European Asylum Support Office (EASO), which denies individuals the right to a fair asylum process. We documented these violations in a [June 2018 report](#) to the EU Commissioner for Human Rights.

The resultant toxic atmosphere has unsurprisingly lead to a sustained volatile situation for migrants on the island, with unrest and rioting within Moria a [tragic and continuing reality](#).



DECISION OF THE STATES' COUNCIL AND THE GREEK GOVERNMENT'S RESPONSE

Having recognised some of the problems which are all too evident to organisations and solidarity activists operating on the ground, the Greek State's Council decided in April to [lift the geographic restrictions](#) on new arrivals to the islands, only for the Government to ignore the ruling and [reintroduce new restrictions](#) having the same effect.

After lengthy periods of time (often over 18 months), of suffering inhumane conditions, stripped of rights and dignity; most asylum seekers are [eventually permitted](#) to leave the island. The transfers are a result of continuous and coordinated advocacy and campaigning by the Legal Centre and other actors. In 2018, for example, 14,941 refugees arrived in Lesvos and in the same time period 15,104 were either transferred or moved by their own means to mainland Greece, [thousands just ahead of winter](#). This demonstrates the importance of legal and advocacy work to keep enforcing pressure and the arbitrary nature of the containment policy, whose only possible justification is to deter migration.

CRIMINALISATION OF MIGRANTS AND THE PRO-REFUGEE MOVEMENT

Considering the appalling and inhumane conditions that cause and contribute to deterioration in psychological, emotional and physical health and ongoing serious breaches of fundamental human rights on the island; it is unsurprising that civil resistance against this hostile environment has continued both by refugees and migrants themselves as well as the pro-refugee movement in general. In 2018, the response to such civil resistance has been the increased criminalisation and repression of migrants and refugees and the refugee movement.

The first half of 2018 saw the trials of the ‘Moria 35’ and ‘Moria 10’ involving the prosecution of numerous asylum seekers and their community leaders for serious offenses, with an abject lack of any credible evidence against them. The arrests in both cases followed mass protests in Moria by asylum seekers against their containment on the island and conditions in Moria camp. The targeting of community leaders following unrest in the camp continued into the second half of the year, as [we reported in September](#).

In April, a large group of approximately 200 fascists [violently attacked refugee protesters](#), including women and children, who had been demonstrating on Sappho Square (the central square in the main town in Lesbos) against conditions in Moria, resulting in 10 people being hospitalised due to injuries sustained during the attack. While the protesting refugees were arrested the morning following the attack, it took several months before any of those who organised or took part in the coordinated attack were arrested. To date there has been no conviction for the attacks.

The authorities and right-wing entities on the island have also taken legal action against pro-refugee organisations on the island such as [Pikpa](#) and [ERCI](#), the former being subjected to legal proceedings seeking to shut down its volunteer-run solidarity camp, whilst the latter has been subject to criminal proceedings against its volunteers for allegations of smuggling, charges which they vehemently deny and for which we have seen no credible evidence. We see these baseless efforts as part of campaigns throughout the border of Europe to criminalise solidarity, making the presence of entities with legal expertise even more vital in this context.



ACTIVITIES IN 2018

Since creation in 2016, Legal Centre Lesvos has evolved from a simple but powerful idea into an effective tool of advocacy and important source of legal assistance for refugees and migrants on the island.

LEGAL ASSISTANCE, ADVICE AND REPRESENTATION

In 2018 alone, we have provided information, assistance, advice and/or representation in more than 898 new cases, involving either individuals or families. This brings the total number of cases we have taken on since opening our doors in August 2016: to 1,760.

Our work includes but is not exhaustive of:

- Providing valuable information to refugees and migrants including translation services
- Partnering with [Refucomm](#) to provide information and online resources to asylum seekers
- Legal representation before authorities such as police, Frontex, and EASO
- Legal representation throughout the asylum procedure, including to correct procedural errors, in asylum interviews, and at appeal stage

Once we have taken on a case, the legal work we conduct has helped individuals obtain the following tangible and crucial results:

- Reunite families separated by war and persecution through [Dublin III applications](#)
- Removal of geographic restrictions so that individuals can freely move throughout Greece
- Secure safe housing and health care
- Release of detained individuals
- [Defence in criminal proceedings](#)
- Obtaining refugee status and subsidiary protection in Greece

We are proud to have continued to operate an open-door policy, providing legal aid and information to all who seek our help, regardless of their nationality or legal status. It is this approach that has allowed us to build close links to the representatives of the various migrant and refugee communities which in turn has facilitated more effective monitoring and documenting of systematic rights violations.

ADVOCACY

Our advocacy is regular, responsive and accurate. Our audience has continued to grow strongly, our [website](#) receives more than on average 1,000 visits per day, double that of last year. We make use of our 2,451 followers on [Facebook](#) and 1,149 followers on [Twitter](#) to further promote our work and engage with stakeholders and have a database of loyal supporters and interested parties to whom we send newsletters and communication updates. Our reputation has also led to an ongoing presence in the [international media](#).

In addition, over the past year we worked to support refugee-led activities advocating for human rights protection in Lesvos and have organised with refugee communities, local activists, solidarity groups and international NGOs to stand up to the long-term structural injustices within the European

Asylum System through various activities and events, including through:

- Joint statements on subjects such as [containment and transfer of asylum seekers, conditions on the islands](#) and [deportations to Turkey](#).
- Participation at conferences in Germany, Spain, Turkey, UK, France, the Netherlands, Greece and Italy.

STRATEGIC LEGAL WORK

Moria 35

Since the Legal Centre began its work, one of its key objectives has been to help support and develop a strong refugee movement, led by refugees themselves, as we believe that it is only with such a movement that legal change can be successful in the long term. The practical consequence of this approach has been to focus on the criminal defence of migrants who are criminalised by the authorities for their legitimate struggle against the real and serious grievances they face in Lesvos.

The trial of the Moria 35 has dominated much of the work of the Legal Centre for the second half of 2017 and majority of 2018. The Legal Centre's team had acted as legal observers during the protests which preceded the extremely violent police raids in Moria leading to the arrest of the 35. We therefore provided the crucial video and photographic evidence which formed part of the Moria 35's defence. The Legal Centre also provided the lawyer representing the 30 individuals whose preliminary hearings were held in the first week after their arrest; and also coordinated the Legal Defence team representing the 35 at the trial. Finally, through its contacts with international associations, we arranged for the attendance of an observer delegation of international lawyers and jurists, who produced [a report](#) on the conduct of the trial.

The trial itself, involving 35 inhabitants of Moria Reception and Identification Centre, saw one of the largest, most serious and controversial prosecutions against a group of migrants within the context of the 'refugee crisis' in Greece. The case garnered international media attention and coordinated solidarity campaigns and mobilisations were organised in support of the 35 to highlight the criminalisation of migrants in Greece. In spite of the deeply concerning and systematic breaches of various rights during the proceedings, the 35 were jointly found not guilty of the most serious charges against them and 3 were acquitted of all charges. 32 were convicted of 1 minor offence and given a short suspended sentence. Whilst this resulted in the eventual release of the 35, appeals were filed by the legal defence team, including Legal Centre attorneys, against the convictions of the 32 due to the flagrant breaches of the defendants basic rights to a fair trial during the whole process, including lack of translation and unjustified and prolonged pre-trial detention.

Throughout the time leading up to, during, and after the trial, the Legal Centre published various reports regarding the trial, including an op-ed for the European Council on Refugees and Exiles which was [published in its weekly newsletter](#) prior to the trial and this [15 month timeline](#) of proceedings, beginning with the first arrests and ending with the release of the last defendants. Following the trial, the Legal Centre also took on the representation of the majority of the men in their pending asylum cases. Most of the men were detained in Moria, as they had their criminal detention substituted for administrative detention as asylum seekers. The last of the 35 was released from detention in October 2018, although several of the individuals' legal status remains uncertain as they have not been granted international protection.

To raise awareness of the case, the Legal Centre commissioned a [documentary](#), by [Joinda Production](#), which was made available on our website and has been shown at events that have taken place across Europe, including in Athens, Paris, London, Amsterdam, the Hague and [throughout Germany](#). These were all followed by panel discussions within which members of Legal Centre would participate and present updates on the case and the situation in Lesvos.

Moria 10

The Legal Centre was also involved in providing evidence at a trial involving similarly serious charges against a further 10 inhabitants of Moria, one of whom was a prominent community leader. Members of the Legal Centre had again witnessed the events in question and consequently provided vital evidence for the trial. The case resulted in [acquittal for the three defendants](#) who were ultimately tried, including the community leader.

Climate Refugees

A further central strategy of the Legal Centre is the focus on groups of beneficiaries and types of cases that may have a wide impact on the migrant community as a whole. With this in mind, the Legal Centre has recruited volunteer jurists to assist in a research project into the possibilities of advancing arguments for international protection based on environmental concerns.

This is an ongoing long-term project which will undoubtedly become increasingly relevant with the passing of time and we will be looking to collaborate with organisations specialised in this area as the project develops.



OUR STRUCTURE

STAFF AND VOLUNTEERS

We currently have two full-time Greek lawyers who represent asylum seekers and migrants at all stages of their asylum procedures and in criminal proceedings.

We also depend upon one full-time coordinator, who is responsible for directing the day-to-day activities of the Legal Centre, including coordination of our Greek lawyers, supervision of volunteers, securing of interpreters' services and maintaining our relationships with other actors on the island.

Our team includes interpreters who speak Arabic, Farsi, Urdu, Bambara and French, providing assistance at our appointments, daily drop-in sessions and with translation documents for use in the asylum process.

Our Greek lawyers are assisted by volunteer lawyers and jurists from across the world. They are recruited in groups of approximately 3-4 and volunteer for a minimum of 3 months, during which time their work is supervised by our Greek lawyers and full-time coordinator. They assist in a variety of tasks, including work required to prepare for asylum interviews, family reunification applications and appeals.

We also have three dedicated volunteers based abroad, who represent the Legal Centre in international forums, contribute to advocacy initiatives; and undertake legal, strategic, financial and administrative tasks for the Centre.



REGISTERED CHARITY

The Legal Centre is registered as a Restricted Fund under the auspices of [Prism the Gift Fund](#), a UK-based umbrella NGO (Charity number 1099682). We adhere to regulations set by the Charities Commission, allowing us to legally raise funds within the UK for our work whilst providing us with basic administrative support although our funding comes from both UK and international sources.

FUNDING

The Legal Centre continues to operate with the exclusive support of individual donations and from entities that are not complicit in human rights or environmental abuses. The funds we receive go directly towards helping those in need of our support, with very nominal administration costs, which has been a core consideration throughout our existence. Our ethical funding guidelines allow us not only to maintain our independence but allow us, through our funders, to build relationships with solidarity organisations outside Lesvos, particularly in Barcelona. During 2018 we were delighted to continue receiving financial support from [Borderline Europe](#), [Fons Catalá](#), [Fundación Heres](#), [ASIC La Garriga](#) and [Donate4Refugees](#). This support has been vital for the Legal Centre and in 2019, but we are in need of continual support which is essential to the survival of the Legal Centre.

We are also grateful for our continued partnership with [Thraedable](#), an emerging social enterprise that aims to give voice to the marginalised. They created our Legal Centre sustainable clothing and bag line to help raise awareness and funds for our work. The designs were created in workshops with the asylum seekers, migrants and refugees of Lesvos island. Links below. They were also behind the documentary 'Inadmissible' referenced earlier in the report.



Labyrinth Range



Fishpocket range



ENDORSEMENTS

Since July of 2016, the Legal Centre has been endorsed by various lawyers associations, most significantly including the [International Association of Democratic Lawyers](#) and the [European Association of Lawyers for Democracy and Human Rights](#), [Haldane Society of Socialist Lawyers](#) and the [National Lawyers Guild](#).

2019 & BEYOND

The Legal Centre will continue to work tirelessly thanks to its staff, volunteers and partners to provide legal assistance, advice and representation for those seeking international protection on the island of Lesbos in Greece for as long as the demand necessitates.

We intend to continue diversifying and stabilising our sources of funding via organisations with a progressive ethos, in line with our guidelines, to secure additional long-term funding to ensure the sustainability and continuity of our work and growing the team in line with increasing demand.

The continued support of each of you: our volunteers, our staff, our partners, our donors and interested parties as well as of course refugee and migrant communities; are our core strength and we look forward to a stronger continued collaboration and scaling our project in 2019 and beyond.

Please do contact us for any further enquiries, volunteering and fundraising opportunities via info@legalcentresvos.org or donate at www.legalcentresvos.org/donate



THANK YOU FOR READING & YOUR CONTINUED SUPPORT