

Declaration of the participants of the 15th European Asylum Conference

We, altogether some 150 participants from 16 European countries, met from 15th to 20th October 2018 in Chios and Athens Greece for the 15th European Asylum Conference. The event was co-organised by the Churches' Commission for Migrants in Europe and Diakonie Deutschland under the slogan of "solidarity first".

Based on our findings and discussions we urge:

- An end to the hotspot approach both in its current form and as a blueprint for a future EU asylum regime
- Immediate transfer of asylum seekers from the islands to the Greek mainland and an immediate improvement of the reception conditions on the islands as a shared responsibility of European and Greek authorities
- An end to externalisation of EU asylum policy and instead establishment of a true Common European Asylum System based on high standards in reception and procedure, access to procedure and true sharing of responsibility between all parties
- Establishment of ways of safe passage into Europe for protection and other reasons, e.g. family reunification or labour migration¹

RATIONALE:

When on Chios, we were shocked to observe not only the undignified and humiliating condition of refugees who are stuck there. We were also very concerned about the impact on local people, who feel left alone in this situation, a situation created because Greece is the doorstep to Europe and about which we need to remind the wider European public. We were irritated by the apparent lack of clear responsibility between different actors, for example EASO, Frontex, Greek authorities, at the border in reception and in asylum procedures. This leads to different stakeholders either not taking or only partly taking on the role they would need to play: a general state of non accountability is created. We were impressed to learn of the efforts by the Greek population, volunteers, local and international actors to support the women, men and children arriving in search of safety and a dignified life.

¹ <https://migrantsineurope.wordpress.com/safe-and-legal-paths/background-information/>

This situation in Greece is the result of an EU policy of deterrence and of intervention of the EU as well as Member States on several levels, e.g. through the EU agencies FRONTEX or EASO: keeping refugees outside or at the border of Europe, embodied by the EU Turkey statement as well as the hotspot approach. We note with great sorrow that none of the protection oriented promises linked to the hotspot approach has been fulfilled - neither sharing responsibility through relocation, nor the promise of fast and high quality procedures, nor the reduction of pressure on countries at the external borders of the EU has been achieved.

In practice the regime of restricting persons arriving in search of protection to the border zones of the EU undermines their fundamental rights and human dignity. It leads to trauma; is the reason for many suicide attempts in the hotspot; deteriorating health of inmates who have no access to either a livelihood or adequate medical services and insufficient access to education: all in all, a violation of the physical and psychological integrity of inmates.

Recalling several studies as well as the public issues statement² of the Conference of European Churches, June 2018, we note that lengthy periods in camps are detrimental to the well-being of a person, especially if children are affected.

A further aggravating factor is the de facto lawless situation in the hotspots: in many cases there is no effective access to asylum on EU soil due to "inadmissibility" procedures on the basis of the safe third country concept. Often decisions based on such procedures are handed down to persons who do not understand these procedures, and who face the risk of chain deportation, with neither access to legal assistance nor recourse to effective remedies.

In this respect and in light of ever more restrictive asylum policies and practices we reiterate the right for all to access a full and high-quality asylum procedure inside the EU irrespective of the path a person took into the EU. Such procedures should include the right to family life and family reunification both during and after such a procedure.

In a situation where border states of the EU are currently left alone we reemphasise the vision of "solidarity first". Solidarity and sharing are understood as something where stronger shoulders carry more than the weaker ones, and where everyone contributes what they can.

We are convinced that such solidarity in practice would lead to a common system of comparably high standards in reception and asylum procedure across the EU. Against such a reality a preference- and personal links-based system of

² http://www.ceceurope.org/wp-content/uploads/2018/07/GEN_PUB_01_Public_Committee_Draft_Report_APPROVED_EN.pdf

determining the member state responsible for handling an asylum claim could be implemented.

We have noted with concern several cases of criminalisation of acts of solidarity in receiving persons seeking protection on the Greek islands, the mainland and also across Europe. We therefore reiterate the call to remove the threat of criminalising humanitarian assistance for persons seeking safety, dignity or protection, irrespective of their status and support right of legitimately protesting against their unacceptable living conditions.

An issue which was sadly topical during our days in Greece is the fate of those dying when trying to cross the Aegean Sea, Mediterranean or other external borders of Europe, mainly as a result of prevailing policies. CEC and CCME every June call for the commemoration of those who have died on their way to Europe and we in this spirit vowed that "we will remember you" in a commemoration procedure in Chios.

We therefore call for continued search and rescue at sea, and safe and speedy disembarkation in the next safe port, as foreseen in international maritime law. First and foremost, we reiterate the need to create safe passages into Europe as a complementary pathway to protection, as exemplified in the "humanitarian corridor" pilot projects launched by Protestant and other churches in Andorra, Belgium, France and Italy as well as the Resettlement Programme.

We are aware that the challenges for European policy and practice to create a welcoming Europe characterised by hospitality and fellowship, the full respect for the rule of law and not by fear will be considerable. Churches and civil society in Europe will continue to play their part in addressing them.

"For God has not given us the spirit of fear; but of power, and of love, and of a sound mind". 2 Timothy 1.