



Inside a burnt down rubhall in the Lesvos RIC, which used to host 80 to 100 people and was entirely destroyed after one of the fires that broke out in November 2021. Picture taken by a camp resident.

---

# LEGAL CENTRE LESVOS QUARTERLY REPORT: OCTOBER – DECEMBER 2021

---



LEGAL  
CENTRE  
LESVOS

LEGAL CENTRE LESVOS  
SAPFOUS 2, MYTILENE, LESVOS  
EMAIL: [INFO@LEGALCENTRELESVOS.ORG](mailto:INFO@LEGALCENTRELESVOS.ORG)  
WHATSAPP: +30 694 961 8883 - LANDLINE: +30 2251 040 665

# TABLE OF CONTENTS

I.	<b>Advocacy and accountability for collective expulsions and other systemic human rights violations</b>	3
	➤ <i>29 October</i> - Interim measures granted by the ECtHR to ensure protection of the rights of newly arrived asylum seekers to Lesbos	3
	➤ <i>20 December</i> - European Court of Human Rights to examine 32 cases filed against Greece concerning illegal collective expulsions	4
	➤ <i>13 October</i> - One year after the “Golden dawn trial”, No room for complacency towards racist violence	5
	➤ <i>8 December</i> - Continued unjustified rejections from the NGO Registry in Greece	6
II.	<b>Abysmal conditions in Lesbos’ Reception and Identification Centre persist</b>	7
	➤ <i>1 October</i> - An end to food distribution and cash assistance for many migrants stuck in the Greek camps	7
	➤ <i>15 and 18 November</i> - Fires a common occurrence in the Lesbos RIC	9
	➤ <i>5 December</i> - Migrants’ forbidden from leaving Lesbos’ RIC during the Pope’s visit to Lesbos	10
III.	<b>Continued work to advocate for fair asylum proceedings</b>	12
	➤ Overview of the legal support provided by Legal Centre Lesbos between October and December 2021	12
	➤ <i>8 October</i> - Legal Centre Lesbos participates in Expert Hearing on the European Union’s new Pact on Migration, arranged by MEP Cornelia Ernst	13
	➤ <i>12 November</i> - LCL reports on “ <u>Family reunification from Greece: a few hard wins among many bureaucratic and systemic obstacles</u> ”	15

# 1. Advocacy and accountability for collective expulsions and other systemic human rights violations

➤ *29 October - Interim measures granted by the ECtHR to ensure protection of the rights of newly arrived asylum seekers to Lesvos.*

On 29 October, the European Court of Human Rights (ECtHR) ordered Greece to guarantee adequate living conditions and access to medical care to a group of newly arrived Somali and Ethiopian asylum seekers at imminent risk of collective expulsion, in response to an urgent request for interim measures filed by LCL.

The group arrived in Lesvos in the early hours of 29 October, and contacted LCL to request legal assistance in accessing registration and asylum procedures in Greece. Several members of their group were in need of urgent medical care, including a ten-year-old girl who had a pre-existing heart condition and who had not had food or water for over twenty-four hours. In turn, LCL informed the United Nations High Commissioner for Refugees (UNHCR) and competent Greek authorities of the group's presence, and requested an ambulance to attend to them.

In light of both a delay in provision of needed medical care, and the Greek authorities' extensively documented systematic practice of illegally expelling unregistered migrants who arrive to Greek territory, LCL made an urgent application to the ECtHR. Four hours later, **the ECtHR ordered Greece to provide the group with "adequate living conditions and health care compatible with their state of health as per Article 3 of the European Convention on Human Rights."**

ECHR-LE2.2aR  
ADI/te

29 October 2021

**BY POST AND E-MAIL**  
[info@legalcentrelesvos.org](mailto:info@legalcentrelesvos.org)

**Application no. 53048/21**  
**I.T. and Others v. Greece (see list appended)**

Dear Madam,

I acknowledge receipt of your correspondence of 29 October 2021 requesting the European Court of Human Rights under Rule 39 of the Rules of Court.

**Reference for further correspondence**

The file has been given the above number which you must refer to in any further correspondence relating to this case.

**Decision on interim measure**

On 29 October 2021, the Court (the duty judge) decided, in the interests of the parties and the proper conduct of the proceedings before it, to indicate to the Government of Greece, under Rule 39, **to guarantee to the applicants living conditions compatible with Article 3 of the Convention having regard to their state of health and to provide the applicants with adequate healthcare compatible with their state of health.**

The grant of interim measures on 29 October was a rare, and welcome, success: all of the named applicants were registered and have entered the asylum procedures following the Court's decision. **From this 29 October arrival to Lesbos, at least two women from Somalia, who were later assisted and represented by the LCL in their asylum procedure, have now been granted refugee status in Greece.**

➤ *20 December - European Court of Human Rights to examine 32 cases filed against Greece concerning illegal collective expulsions*

On 20 December 2021, the European Court of Human Rights (ECtHR) announced that [32 cases filed between December 2020 and August 2021 concerning the illegal collective expulsion of 47 asylum seekers from its territory were communicated to Greece](#). Among those cases, two were filed and are represented by Legal Centre Lesbos lawyers. These are among the first cases to be communicated to Greece since overwhelming evidence began emerging in March 2020 of a widespread and systematic practice of illegal expulsions, or 'pushbacks', in the Aegean Sea region.

The ECtHR's notification of these cases to Greece means that the Greek State is now required to respond to the extensive evidence submitted in both cases, which show that the Applicants were attacked, arbitrarily detained, psychologically and physically abused, and ultimately expelled from Greek territory, without having their asylum claims individually examined. A Chamber of judges within the ECtHR is expected to take a decision on the cases as early as summer 2022.

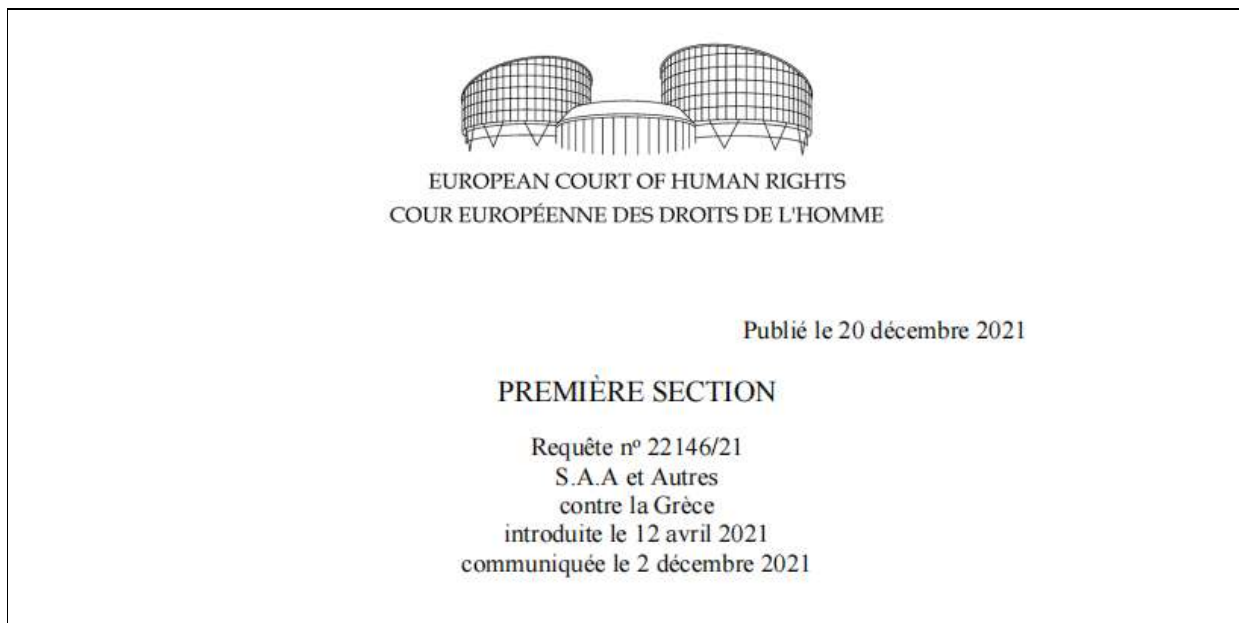
The first case, **H.T. and Others v Greece** ([app. no. 4177/21](#)) concerns the repeated illegal expulsion of a Syrian family. The family – parents and their three young children – submitted evidence to the Court that they had entered Greek territory on at least four occasions, with the intent to seek asylum. However, as demonstrated through their testimony and corroborated evidence, they were repeatedly denied access to registration and asylum procedures, and ultimately were subjected to illegal and life-threatening collective expulsions in the Aegean and Evros regions, together with other asylum seekers.

The second case, **S.A.A. and Others v Greece** ([app. no. 22146/21](#)) concerns an [extensively documented and massive collective expulsion of approximately two hundred people](#) that began near the island of Crete. After being caught in a storm at sea, instead of being rescued, the Applicants demonstrate through their submitted evidence that they were held under surveillance at sea for several hours with assurances that they would soon be taken to shore in Greece, before being violently assaulted at night, transferred by force to vessels identified as Hellenic Coast Guard vessels, transferred over 200 km towards Turkish waters, and finally abandoned at sea on inflatable, motorless life rafts.

On a near-daily basis, evidence emerges of Greek authorities carrying out violent and illegal expulsions of people on the move in the Aegean Sea and across the Evros River, often with evidence showing the assistance or complicity of international agencies like Frontex. It is not uncommon to hear testimonies of people who have been pushed back from Greece six, seven or eight times, each incident both constituting a manifest risk to their lives and compounding the trauma of prior expulsions.

A positive decision in these two cases could bring partial redress for the named Applicants. However, given the ECtHR's structural and procedural limitations, the proceedings are insufficient to condemn the systematic nature of collective expulsions, which, as the Legal Centre Lesvos has previously demonstrated, amounts to [Crimes Against Humanity](#).

Nonetheless, the communication of these cases to Greece marks an important step in what necessarily must be a coordinated effort to obtain accountability for and an end to the ongoing cruel and violent attack against migrants, inherent in maintaining Europe's borders.



➤ ***13 October 2021 - One year after the “Golden dawn trial”, No room for complacency towards racist violence***

One year after the historic conviction of Golden Dawn, Legal Centre Lesvos, as part of the Racist Violence Recording Network (RVRN), warned that there is no room for complacency in resisting organized and racist violence, as its *modus operandi* continues to severely affect social life and cohesion in Greece.

In 2020, despite the landmark decision convicting Golden Dawn, the [RVRN recorded an escalating number of racist attacks](#) as compared to the recent past, noting in particular the increased attacks against migrants and human rights defenders.

RVRN continues to call State and local government representatives, as well as media representatives, to refrain from engaging in the racist rhetoric that normalizes and encourages racist reactions. It also calls on the Greek authorities to urgently enhance the protection provided by law to every person and every community member that is being targeted by persons or groups with a racist motivation.

No crime, motivated solely or cumulatively by bias, should remain unpunished. Read more in the joint press release [here](#).



*Magda Fyssa, the mother of murdered musician Pavlos Fyssas after the conviction of the Golden Dawn, 11 October 2020.  
Photo Credit: Lemosos Blog.*

➤ **8 December 2021 - Continued unjustified rejections from the NGO Registry in Greece**

The Legal Centre Lesvos [joined 18 other organisations](#) active in Greece to express its great concerns regarding the Greek Ministry of Migration and Asylum denial to register the non-profit civil society organisation “Refugee Support Aegean” (RSA) on the official NGO Registry.

The substantive ground used by the Ministry for such rejection cited that the “development of activity” “in support of persons under deportation” is contrary to Greek legislation”. The provision of mainly legal support to persons facing deportation is part of the daily work of civil society organisations active *inter alia* in free legal assistance, including several organisations already registered on the NGO Registry. Persons under deportation who are in need of protection in the wider sense as persons of concern, in particular in light of international law provisions prohibiting deportation of foreigners such as Articles 31 and 33 of the Refugee Convention, Article 3 of the European Convention on Human Rights, Article 7 of the International Covenant on Civil and Political Rights and Article 3 of the Convention Against Torture, as well as other provisions mandating assistance to vulnerable cases on humanitarian grounds. Even rejected asylum seekers are persons to whom it is required to provide assistance under EU and domestic legislation, namely Articles 28(3)-(4) and 31(4)-(5) of Law 3907/2011 and the provisions of Directive 2008/115/EC. Activities in support of persons facing deportation are fully in line with applicable legislation, as they ensure the safeguards and rights of persons at risk of deportation and return.

The Ministry of Migration and Asylum rejection decision sets a major negative precedent calling into question the activity of legal assistance to migrants by civil society organisations. It also causes reputational damage to Greece for poor implementation of refugee law, as well as international, EU and domestic law more broadly. For those reasons, the Greek administration is expected to take the necessary steps to correct the aforementioned decision in line with the law.

Read our joint statement on the rejection of RSA from the Greek NGO registry [here](#).



## 2. Abysmal conditions in Lesvos' Reception and Identification Centre persist

### ➤ *1 October - An end to food distribution and cash assistance for many migrants stuck in the Greek camps*

On 1 October 2021, the Greek state started implementing a new policy depriving both recognised refugees and migrants considered to be “outside of the asylum procedure” from accessing food in state-run facilities on the Greek mainland. As a consequence, organizations estimated that almost 60% of the residents of refugee camps on the Greek mainland no longer had access to either sufficient or suitable food.

Among those deprived of access to food are persons who have had their asylum claim rejected on appeal, including nationals from five countries (Syria, Afghanistan, Somalia, Pakistan, and Bangladesh), who may not have even had the opportunity to express the reasons for leaving their country of origin before having their asylum claim rejected, as the concept of the safe-third country has been applied to these individuals following the [June 2021 Joint Ministerial Decision adopted by the Greek Government](#). These asylum seekers who are officially considered to be “outside of the asylum procedure” find themselves in a legal limbo, without access to legal status, rights and basic services, and since October also without access to food.

The [Legal Centre Lesvos joined over twenty-five other civil society organisations](#) to resist the Greek State's policies and reiterate that no one, irrespective of their legal status, should be deprived of food.

This policy follows the decision by the Greek government in March 2021 to automatically discontinue all material reception conditions, including housing, food and cash assistance provided for recognised refugees and beneficiaries of subsidiary protection as soon as their protection status was granted. According to this provision, beneficiaries of protection had to leave government run housing facilities (including camps or State-provided apartments) in the first 30 days after the granting of protection. Following this decision, thousands of recognized refugees found themselves without shelter, living in public squares for prolonged periods of time. Without access to integration support or any viable housing alternative, many were thus compelled to return to camps in order to have access to the bare minimum - that is, water, food, and some form of shelter.



*Family of four forced to live with their children in the Lesvos RIC without any financial support since September 2021, Picture: Fellype Lopes.*

With the [termination of the cash assistance](#) programme provided by UNHCR effective since the end of September 2021, all asylum seekers in Greece are left without a minimum financial support to cover their basic needs and subsistence, particularly while being forced to live in camps such as the Lesvos Reception and Identification Centre (RIC), unable to leave the island due to geographic restrictions, and not having legal access to any work (as asylum seekers do not have permission to work for the first six months after they register their application for asylum). Although the Greek government took over the management of the cash assistance programme as of 1 October, only in December the government announced that Christian Relief Services had been contracted to



distribute cash assistance in Greece, and to date, no cash assistance has been provided to asylum seekers.

Those policies and voluntary lack of action are criminal as they lead to food deprivation, enforced homelessness, and legal limbo that deny migrants' basic rights and confine them to inhuman and degrading conditions. For further information, read the two letters co-signed by LCL that call upon the Greek government and the European Commission to guarantee migrants' access to food [here](#) and [here](#).

➤ *15 and 18 November - Fires a common occurrence in the Lesvos RIC*

On 15 and on 18 November 2021, large fires broke out among the rub halls in Lesvos' Reception and Identification Centre (RIC). Two burnt to the ground in a matter of minutes. Dozens of people lost their personal possessions, documents, and allocated shelter. In the immediate aftermath, camp authorities merely instructed the displaced to "stay with friends" - presumably in the other rub halls, tents and containers that make up the RIC.

Rub halls are large, marquee-like structures covered with polyester fabric, that host up to 80 to 100 persons in "rooms" sub-divided by blankets and thin walls. These are common in Lesvos RIC, and serve as accommodation both for single men and for families who have received rejections on their asylum applications. The rub halls are highly flammable, and susceptible of melting in a matter of minutes, as the events of 15 and 18 November demonstrated (see picture below), and yet the authorities have failed to provide adequate evacuation routes or other fire safety measures. There are only two entrances to the structure - one at each end of a central corridor - meaning that, in the event of an emergency, all residents have a few minutes to flee through a shared exit route.

**On top of being hazardous, the conditions in those rub halls are wholly inadequate for human habitation.** In the event of rain, which is very common in winter in Lesvos, the rub halls frequently flood. Several minors (who had been wrongly registered as adults when they arrived on the island, in yet another example of the dystopian nature of life for migrants in Lesvos) living in one such structure, told LCL that they had to leave their allocated rooms, as leaks and flooding had ruined all of their bedding and possessions. The flimsy plastic structure offers little protection from the near freezing temperatures, and sporadic access to electricity makes it impossible to adequately heat the sleeping areas. Moreover, the heavy winds that have hit the island in recent months batter the rub halls at night, the flimsy walls flapping loudly and making it near-impossible to sleep. The camp's location, directly facing the sea, only makes matters worse.

Fatal and non-fatal fires have repeatedly occurred in State-managed accommodation facilities for migrants in Lesvos - both [in the present RIC](#) and in the [former Moria camp](#) on the island. Many of the residents of Lesvos' RIC previously resided in Moria camp, and were displaced by the massive fires that destroyed the site in September 2020. These people have already experienced the fear and psychological trauma arising from the blaze and its aftermath, and families have reported how their

children's repeated exposure to such dangers has had a deleterious effect on their mental health. **These people's repeated exposure to life-threatening fires not only compounds the trauma of each event, but also manifests the Greek government and European Union's fundamental disregard for migrants' lives and safety.**



*The remaining metallic structure of a rubhall of the Lesvos RIC after the fires of November 2021, Picture by a camp resident.*

➤ ***5 December - Migrants' forbidden from leaving Lesvos' RIC during the Pope's visit to Lesvos***

On 5 December, five years after his first visit to Lesvos, Pope Francis visited the island again and spent about an hour in the Reception and Identification Center (RIC) where he also gave a speech to a select audience. In preparation of the visit, the Lesvos RIC had been under intensive construction and cleaning works for several weeks. As LCL has [consistently reported](#), throughout the COVID-19 pandemic, residents of Moria RIC and later Kara Tepe's RIC (and other camps across Greece) have been subjected to disproportionate and discriminatory restrictions such as curfews, restricted number of exits per week, and ongoing movement certification requirements. Public holidays such as Christmas and New Year, and high profile visits further are used as arbitrary excuses to restrict the movement of those who have no option but to reside in these camps. The visit of the Pope was no exception.

In addition to the usual disproportionate and discriminatory restrictions of movement imposed on the residents of Lesvos RIC, **the camp remained totally closed during 48 hours, preventing its residents from entering or leaving the camp because of the high security visit.** Unlike the EU Commissioner for Home Affairs, Yvla Johansson, who had landed in the camp [with an helicopter](#) in

March 2021 and did not leave her car afterwards, the Pope arrived by car in the camp surrounded by security guards and walked a few metres down a specially prepared and cleaned aisle of the camp, before settling down and holding a speech under a tent erected on a stage-like level, built only for the occasion and overlooking the ‘blue zone’ of the camp.

Before arriving at the staged tent for his speech, the Pope shook hands and touched the heads of migrants and their children held behind barriers inside the RIC. Empty prefabricated shelters, with no residents inside, had been placed in decoration on the Pope's path beforehand.

[In his speech](#) before Ms. Sakellaropoulou, the President of Greece, and Mr. Mitarakis, the Minister of Migration and Asylum, the Pope acknowledged that “after all this time, we see that little has changed with regard to the issue of migration” and that “with deep regret, we must admit that this country, like others, continues to be hard-pressed, and that in Europe there are those who persist in treating the problem as a matter that does not concern them. This is tragic.” He also denounced the conditions imposed on migrants in particular in hotspots like Lesbos: “How many conditions exist that are unworthy of human beings! How many hotspots where migrants and refugees live in borderline conditions, without glimpsing solutions on the horizon! Yet respect for individuals and for human rights, especially on this continent, which is constantly promoting them worldwide, should always be upheld, and the dignity of each person ought to come before all else.”

Although the visit did not change the situation for any migrant in Greece and people forced to live in the detention-like RICs, the visit allowed to draw some media attention around the inhuman situation of migrants in Greece and Europe, which Pope Francis qualified as a “shipwreck of civilization”.

Further details on the Pope’s visit in Lesbos are available [in the press](#).



*Pope Francis arriving to the Lesbos RIC followed by a dozen of cars where he was welcomed by the Minister of Migration and Asylum, Panagiotis Mitarakis, 5 December 2021, Photo Credit: ERT 1*

### 3. Continued work to advocate for fair asylum proceedings

➤ *Overview of the legal support provided by Legal Centre Lesvos between October and December 2021*

**Legal Centre Lesvos lawyers represented:**

- ★ 34 individuals in the asylum procedure, including cases of family reunification;
- ★ 13 individuals on appeal of their asylum claims;
- ★ 5 detained individuals facing criminal charges.

**Volunteer caseworkers with the Legal Centre Lesvos carried out:**

Between October and December of 2021, volunteer caseworkers, under the supervision of Greek attorneys, supported 96 new cases, and actively worked on over 350 cases over the course of three months.

Over half of the people who received legal aid from the Legal Centre this period are from Afghanistan and over 15% are from Syria, and included people from throughout the Middle East and African continent, *some of whom have been trapped on the island of Lesvos without legal status for over five years - since the implementation of the EU-Turkey deal*. In the reporting period, due to an increase in arrival on the island this winter of Somali asylum seekers, over 15% of the new cases supported by the Legal Centre in this period are concerning individuals from Somalia.

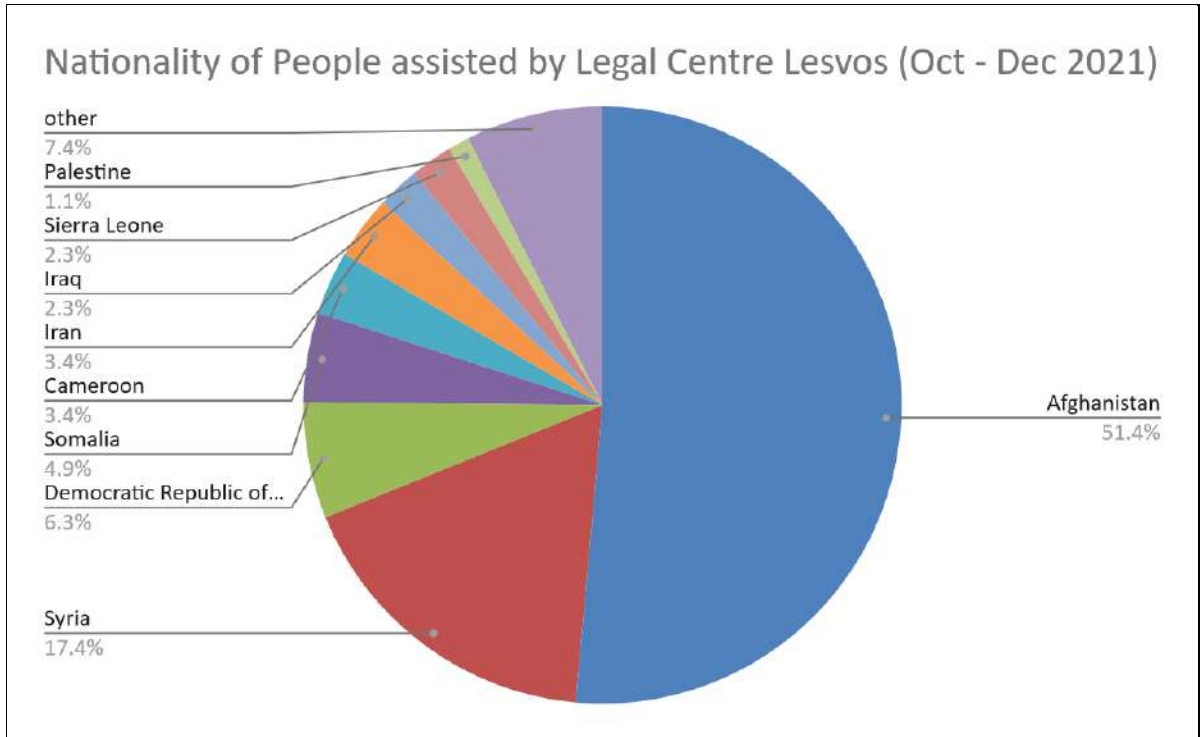
**Legal aid in the above cases included:**

- ★ over 170 individual legal consultations;
- ★ 56 interview preparations and preparation of legal memos in 43 cases;
- ★ 50 referrals to alternative housing services or protection services;
- ★ 61 persons attended information sessions on the asylum procedure and asylum interview.

**Legal Centre Lesvos filed 3 petitions for interim measures before the European Court of Human Rights, of which two were granted.** One of the successful applications ensured that a five-year-old child with urgent medical needs was transferred, with her family, to Athens; the other ensured a group of new arrivals' access to the asylum procedure and emergency medical care (see more details above).

**On 16-18 October, LCL visited the town of La Garriga in Catalonia and presented in the Seminar “Abramos puertas, construyamos puentes”** which gathered several of

the migrant solidarity groups networks active in the Mediterranean region. The seminar allowed a space for exchange of experiences and ideas among different groups and individuals in solidarity with migrants, who work in different border zones to advocate and provide social and legal support to migrants.



➤ ***8 October - Legal Centre Lesvos participates in Expert Hearing on the European Union's new Pact on Migration, arranged by MEP Cornelia Ernst***

In October, and ahead of the deadline for proposed legislative amendments, LCL joined Members of the European Parliament (MEPs), civil society representatives, and other officials to discuss the urgent changes required to the EU's proposed Pact on Migration.

Far from a "[fresh start on migration](#)," the legislative proposals contained within the 'new' EU Pact replicate many of the worst aspects of the policies of containment, obstructed access to asylum procedures, returns and refoulement tested in the laboratory of Lesvos and other Aegean islands over the past five years.

The legislative proposal for a Screening Regulation, on which LCL's intervention was focussed, is largely modelled on the existing Greek reception and identification procedures. It includes a mandatory 'pre-entry screening' procedure, throughout which people will not be deemed 'legally present' in EU territory. This pre-entry screening seems set to amount to arbitrary detention on arrival, without due process guarantees such as access to legal advice, effective remedy, and no clear process for identifying 'vulnerable' individuals.

For the screening procedure to take place, it is almost inevitable that States will introduce measures of detention while people are being processed. Articles 4 and 6(1), read together, imply that persons undergoing screening will be, as a rule, deprived of their liberty, although the operative part of the Regulation is silent on that point. For the duration of the pre-screening procedure, moreover, persons will be denied access to the asylum procedure and to the concomitant guarantees in it.

In Lesbos, during the COVID-19 pandemic, the Greek authorities' disproportionate and discriminatory use of quarantine measures resulted in vulnerable applicants being denied access to registration and asylum procedures for up to two months and held in effective detention - in a legal situation allegorical to that of persons pending a pre-screening procedure. Those confined in quarantine areas, and denied access to vulnerability assessments, medical care, or the asylum procedure, included an amputee, three children with hereditary blood diseases, sixteen unaccompanied minors, and at least four children with serious physical or cognitive disabilities. They had limited access to legal information, medical care, or other forms of support, were held in overcrowded and unsanitary accommodation, and were therefore at grave risk of physical and psychological deterioration. The suspension of access to the asylum procedure placed them in a situation of legal vulnerability which, in turn, led to their isolation in conditions of physical and practical precarity. It is likely that the implementation of the new Pact could give rise to similar situations.

During this likely period of detention, people will most likely lack adequate access to information on their rights and the procedures that they are subjected to. However, the proposed new Pact seems to suggest that the competent pre-screening authority (whether the police or another agency) could collect information that would strongly affect one's chances to be granted asylum, and furthermore, pursuant to Article 14(2), read in conjunction with Recitals 9, 15, 16 and 24 and the Annex to the proposed new Pact, that such information may be used in the asylum procedure, for the purposes of both referral or not to accelerated or border procedures, and assessment of the admissibility and substance of the claim. That is to say, information which could have a determinant influence on persons' access to protection could be collected *before* they have had access to even basic information on their rights and the prevailing procedures, let alone specific legal counsel.

Moreover, the proposed Screening Regulation undermines the protections guaranteed to vulnerable applicants and foresees identification of vulnerability only "where relevant" (Article 2). This lowers the prevailing standards set out in the current asylum acquis (see Article 22(1) Reception Conditions Directive; Article 24(1)-(2) Asylum Procedures Directive), which includes a mandatory vulnerability assessment - but which, in any case, is rarely adhered to.

In Lesbos, and despite being bound by these prevailing standards, Greek and European authorities persistently fail to recognise vulnerabilities - whether that is Frontex's systematic refusal to register unaccompanied children's minority status, the ongoing failure to adequately recognise survivors of torture and other forms of sexual, psychological, and gender-based violence, or the continued failure to recognise medical vulnerabilities - and therefore to ensure these applicants' access to requisite reception and procedural safeguards, as mandated under both Greek and European law. To further debase the provisions and procedures through which vulnerable applicants can be recognised and supported will only compound the trauma to which these persons are exposed and impede their prospects of obtaining protection or necessary support.

The proposals contained in the New Pact - whether on the Screening Procedure or otherwise - are not new, but rather perpetuate the failures that we have already seen at Greece's borders. The New Pact was proposed alongside a promise of "no more Morias," but the legislative framework provides for the exact opposite: the multiplication of hotspot camps, the expansion of the fiction of non-entry, and the continued export of migration control to third countries, all constituting and embedded within an ever-more tolerated violent border.

➤ *12 November - LCL reports on "[Family reunification from Greece: a few hard wins among many bureaucratic and systemic obstacles](#)"*

In a new report released in November, LCL documents some of the obstacles faced by migrants in accessing family reunification in Europe, and details several hard-won successes that have led, in recent months, to migrants finally leaving Greece to join relatives in other countries.

The right to a private and family life is enshrined in European and international law - but in practice, migrants are often denied this right or face numerous challenges to access it. These arise from, among other things, flaws in the asylum procedure, Greek authorities' failures to identify and submit family reunification requests within relevant deadlines, or by other European States' bad-faith implementation of family reunification legislation. The COVID-19 pandemic has given rise to additional challenges to reunification - but has also been used as a catch-all excuse for bureaucratic delays and administrative failures.



Nonetheless, this year, at least ten families represented by the Legal Centre Lesvos have had their family reunification requests accepted or, following an earlier acceptance, have finally travelled to join relatives in other European countries.

These include:

- Mohammed, an unaccompanied minor from Syria, who reunited with his aunt and uncle in Germany after almost two years alone in Greece, in which Greece failed to submit his timely request for reunification or transfer him within the allotted time period, therefore requiring appeals and extensive advocacy efforts;
- Samir, an unaccompanied minor from Afghanistan who was first registered as an adult in Greece, and who - after months of living in a rub hall with unrelated adults in Lesvos' Temporary Reception and Identification Centre - was ultimately given an age assessment, recognised as a minor, and granted reunification with his brother in Germany;
- Ziad, an unaccompanied minor from the Bidoon (stateless) community in Kuwait, who faced numerous challenges in proving his relationship to his brother in the UK due to their lack of official documentation, and whose transfer was then unduly complicated by Brexit.

Despite the eligibility of each applicant and the compelling reasons for reunification, these cases have typically required over a year of assistance from LCL. Most requests were refused in the first instance and required appeals, litigation, and/or other forms of advocacy.

In any case, the EU's family reunification legislation cannot be seen in isolation from the region's wider policies of violent exclusion, control of migrants' movement, and denial of migrants' rights. The Dublin Regulation itself is an instrument of the Common European Asylum System that seeks to contain migrants at Europe's peripheries, and prevent their free movement throughout the continent.

To redress the failures outlined in this report and the associated, ongoing trauma inflicted upon migrant families, calls for reform or abolition of the EU's asylum system and must look beyond the Dublin Regulation itself and engage with its wider operational context.

Read the report in full on our website or download it [here](#).