



LEGAL
CENTRE
LESVOS



Photos: The solidarity protest in Cutro, condemning the shipwreck and commemorating the 80 people who lost their lives in Crotona in February (Photo: Borderline Europe, InfoMigrants)

LEGAL CENTRE LESVOS QUARTERLY REPORT JANUARY – MARCH 2023

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

The beginning of 2023 saw a continuation of persistent border violence which confirms that the European Union and its Member States are committed to a security-focused, repressive response to migrants and those who show them solidarity. This violence is not limited to Lesvos, but is part of broader European border policies.

The European Union's renewal of Operation Iriini in the Mediterranean Sea until 2025, to prevent crossings to Europe through financial and material support to the Libyan authorities to the tune of 16 million euros appears particularly sordid. Indeed, this extension follows the publication of a UN fact-finding mission on the human rights situation in the country confirming that crimes against humanity have been perpetrated against migrants in Libyan detention centres by state security forces and armed militia groups. The report mentions torture, sexual slavery and other crimes. "We are not saying that the EU and its Member States committed these crimes. The point is that the support provided aided and abetted the commission of the crimes," said Chaloka Beyani, a member of the UN mission.

The European Commission has defended itself against these accusations, claiming that its support to the Libyan authorities is aimed at helping to improve the situation of people stranded in Libya. This is an ambiguous position, as it is difficult to believe that the European Union is not aware of the use of its funds. What has been happening in international waters in the central Mediterranean since the beginning of 2023 is perhaps one of the most blatant illustrations of the deadly nature of the externalisation and militarisation of borders: on 25 March, shots were fired by the Libyan coastguard at the NGO SOS Méditerranée's ship Ocean Viking in the middle of an intervention with people whose boat was in distress. During the same period, no less than 448 people were forcibly returned to Libya, while the search-and-rescue ships Geo Barents and Louise Michel were detained in Italian ports. These forced detentions follow a first Italian decree in December 2022 requiring search and rescue vessels to reach to the ports that they are assigned at after rescue missions, often far from the place of operations at sea. This is an obstruction to NGOs providing assistance to boats in distress, in defiance of maritime law, for which the Italian government is absolving itself of any responsibility.

This is the same government that pointed the finger of responsibility at Greece after a shipwreck that claimed at least 94 victims in Crotona, Italy, on 26 February 2023. When asked why the boat reached Italy from a port near Izmir on the Turkish coast, Italian Interior Minister Matteo Piantedosi stressed that "Greece is implementing policies of strong containment of arrivals on that route, even with pushbacks that are under scrutiny from the European Union." For his part, the Greek Minister of Asylum and Migration laconically stated that "Human lives continue to be lost in the Mediterranean, as human smugglers continue to profit by putting people in unseaworthy vessels".

However, human smugglers are not the only ones profiting from the EU's exclusionary migration policies. An investigation by Solomon, in collaboration with the Spanish daily El País, has revealed that Greek security forces have, over the last six years, stolen more than 2 million euros worth of cash, mobile phones and valuables from migrants during pushback operations. The El País [article](#) highlights the fact that the confiscation of migrants' personal belongings when intercepted by local authorities is a "systematic practice" before they are illegally returned to Turkey. The article also highlights the increased presence of Frontex in the region and its support for refoulement operations. One of the testimonies underlines that there is a "great escalation in the use of violence and humiliating practices. It's the lowest level of respect for human life".

While these illegal practices on the part of the Greek authorities are normalising and even intensifying, they continue to be denied by the authorities, despite the extensive evidence documenting these abuses by UN bodies, NGOs, and investigative journalists, which continue to be denounced through widely mobilised protests. Another way to deter people on the move from arriving safely to the EU - specifically to Greece, has been through criminalisation, which is also being used against the activists and volunteers who are in solidarity with them. In this context, as detailed below, the Legal Centre Lesbos continued its crucial work challenging and fighting these violent border policies, in particular by building alliances across borders, through a trip to visit and connect with rights defenders and organisations in Turkey, as well as by collaborating with other actors in support of the defence of migrants criminalised in Greek courts such as the Moria 6 trial.

Table of Contents

1. Updates on the construction of the new Closed Controlled Access Center (CCAC) in Vastria, Lesvos	5
2. Overview of the LCL work to defend the rights of migrants	7
➤ Litigation regarding migrants' fundamental right to health	8
➤ Ongoing legal challenges to exclusion of migrants from the asylum procedure on 'safe third country' grounds	8
3. Continued efforts to fight criminalisation of migrants and human rights defenders	10
➤ Moria 6 trial / "Justice Delayed is Justice Denied!"	10
➤ Update on the Emergency Response Centre International (ERCI) trial / Sarah Mardini, Sean Binder and 22 others criminalised for search and rescue activities	11
➤ Afghan refugee 'M.M.' who attempted suicide by setting herself on fire given suspended sentence	13
4. Updates on international advocacy efforts	15
➤ Publication of two forensic reconstructions videos in support of LCL clients	15
➤ LCL Visited Right Defenders and Organisations in Izmir, Turkey	16
➤ Joint Declaration on the 7th Anniversary of EU-Turkey Statement with 74 signatories worldwide	17

1. Updates on the construction of the new Closed Controlled Access Center (CCAC) in Vastria, Lesvos



Pictures: Latest Aerial Footage of Vastria CCAC. Photos have been taken between January to April. (Source: lesvosnews.net, lesvosdays.gr, aigaioreport.gr, lesvospost.com)

The construction of the new Closed Controlled Access Center (CCAC) in Vastria, fully funded by the EU and meant to contain all asylum seekers arriving to Lesvos, is nearly complete. Reports from the ground from February stated that 50% of the construction work within the camp has been finished and that the camp should be operational sometime in 2023. Being built in the most central and largest pine forest of Lesvos, the construction has been ongoing despite ecological concerns and acute danger for future inhabitants and others living in the area due to the risk of fire (amongst other concerns). As reported in LCL's previous newsletter, the location of the CCAC is in the heart of a protected forest area that borders a NATURA forest (wildlife protection area), and a protected area of rare and unique migratory bird habitats.

Meanwhile, the ongoing struggle against the construction of Vastria CCAC bore - at least temporary - fruit. Following the request for suspension of construction submitted by the Northern Aegean Region and the neighbouring communities of Komi and Nees Kydonies the Council of State (Greece's highest administrative court) issued an interim decision on 19 December 2022 (199/19.12.2022) ordering to immediately suspend the construction of the 2,5 km asphalt road connecting the CCAC with the closest highway, for a period of six months, until a final judgement of the court is issued on the application for annulment. While the suspension

order does not stop the construction of the camp itself, in its interim decision, the Council of State detailed that “the imminent execution of the road construction works will cause significant damage, which cannot be remedied.” In parallel, the Mytilene City Council has issued a unanimous negative opinion on the delayed Environmental Impact Assessment (EIA) for Vastria, and recommended the Region to reject it on grounds of public interest. At the same time, the issuance of the EIA and the approval of the fire protection study are still pending.

Following the delay in the provision of the Environmental Impact Assessment, the European Commission suggested that the project could be excluded from EIA, if the the conditions below are met for the whole project;

- a) The size of the structure will have the capacity to house fewer than 3,000 people.
- b) The basic infrastructure and networks (water, electricity, waste water, access passages, etc.) must be available at the location of the structure.
- c) There is no need to build additional accompanying works for the operation of the structure.

Subsequently, the Ministry of Migration and Asylum has, quite ostensibly, reduced the capacity of the CCAC from 5,000 to 2,950 in order to meet the first precondition, but has not met the other prerequisites. Basic infrastructure and available networks at the location of the structure are completely absent. Nevertheless, the construction of the Vastria CCAC is still ongoing.

It is worth noting that the construction of Vastria CCAC has been opposed by a wide range of political factions with distinct political and economic interests, but has been dominated by an anti-migrant discourse that no new housing structures for migrants will be built on the island. In this context, opposition to the construction of the Vastria CCAC coming from these voices do not refer to the prison-like conditions that await the future inhabitants of this prison camp, the obstruction of their freedom of movement, the impact on their fundamental rights, and the uncertainty of access to services for those who will eventually be housed there.

As already observed with the CCAC constructed and operating in Samos since September 2021, this kind of camp in which people are concentrated together in militarised camps based on their nationality and legal status, always constitutes a major step backwards for people’s rights and dignity. Despite being advertised as modern and functional infrastructures by the government and the European Commission and providing, in superficial appearance, better-looking shelter conditions than the former slum-like camps of Moria and Vathy, the CCACs present in reality the same dysfunctions and shortcomings as the latter camps and violate asylum seekers’ fundamental rights and EU standards in the same ways. They reproduce a deadly and punitive model which normalises and generalises the imposition of the carceral system for all people seeking asylum, by keeping them in centres remote from the cities and isolated from local population, without access to the necessary primary and specialist health care, including without psychological support, without access to adequate information or legal support, without sufficient basic facilities such as water and electricity supplies, without qualitative and sufficient food, without any privacy, but with constant security checks, unfair curfews and exit rules, impeding access to services, as well as any social and private life.

2. Overview of the LCL work to defend the rights of migrants

LCL's lawyers and legal volunteers continued providing legal services to migrants throughout their asylum procedure, including by providing legal consultations and representation.

Between January and March 2023, Legal Centre Lesvos' lawyers represented:

- ★ 8 individuals in the asylum procedure, including cases of family reunification;
- ★ 15 individuals on appeal of their asylum claims;
- ★ 4 detained individuals facing criminal charges or administrative detention.

Over the same time period, volunteer caseworkers, under the supervision of Greek attorneys, actively worked on over 59 cases. People who received legal aid from the Legal Centre this quarter were mainly from Afghanistan (34%), Somalia (8.5%), Haiti (8.5%), Democratic Republic of Congo (7%), Somalia (7%), Iraq (7%), Gambia (5%) and Pakistan (5%).

Legal aid provided included:

- ★ 420 newly arrived asylum seekers received legal assistance from the LCL, prior to their registration in the RIC, in order to access the asylum procedure and exercise their right to seek asylum and avoid illegal pushback operations to Turkey.
- ★ 59 individual legal consultations;
- ★ 23 cases in which a legal memo in support of their appeal were prepared
- ★ 10 asylum interview preparations;
- ★ 23 referrals to alternative housing services or protection services;
- ★ 37 people attended 5 information sessions on the asylum procedure and asylum interview.

➤ Litigation regarding migrants' fundamental right to health

On 8 February 2023, a request for interim measures filed by LCL under Rule 39 of the Rules of the Court was granted by the ECtHR in favour of H.M., a client of LCL who was denied access to appropriate health care in Athens, despite him suffering from a brain aneurysm, a life threatening condition requiring urgent medical treatment in Athens. In this case, the ECtHR ordered both that Greece provide the applicant with adequate

healthcare compatible with his state of health and to guarantee that his living conditions were compatible with Article 3 of the Convention. In granting the interim measures, the ECtHR confirmed that H.M. is facing an imminent risk of serious harm and that a person's legal status cannot obstruct access to the fundamental right to health.

This case is unfortunately not isolated: it is another example of Greece's ill-treatment and recurrent denial of health care of hundreds of asylum seekers contained in deplorable and undignified conditions in refugee camps. Since 2021, LCL has filed 19 requests for interim measures to the ECtHR in representation of people forced to live in these camps in Lesbos and who had been denied access to vital medical services.¹ In each of these cases, the needed medical care was unavailable in Lesbos given the limited services of the Vostaneio Hospital, but the LCL clients were not transferred off the island to receive prescribed health care, in most cases due to the individuals' lack of legal status in Greece.

In all but one of the cases represented by LCL, Greek authorities eventually at least partially complied with the interim measures ordered by transferring the applicants to Athens (or transferring the individual prior to a ruling by the Court), often however without proper follow up or guarantee that access to adequate living conditions and health care would be provided there. In the present case, Greece's non compliance with the interim measures ordered by the ECtHR on 8 February 2023, if confirmed, would constitute a violation of Article 34 of the European Convention on Human Rights.

➤ Ongoing legal challenges to exclusion of migrants from the asylum procedure on 'safe third country' grounds

In January 2023, a single man from Somalia, a client of LCL, was found admissible by the asylum services under the ground of the 'safe third country' assessment, following his preparation for the interview by a caseworker and the submission of a memorandum written by a lawyer from LCL. While this outcome could in itself be considered as anecdotal, in the context of the last years' continuous efforts by the Greek government to expand the categories of people that are excluded from the asylum procedure, this positive decision and those of other nations of Somalia, Afghanistan, Syria, Pakistan, and Bangladesh, comes as exceptional. The norm is to reject individuals as inadmissible, since the Greek asylum services consider - despite all evidence to the contrary - that Turkey is a safe third-country for them². For nationals of these countries, the Greek asylum service does not assess the substance of the asylum claim - i.e. the reason they left their home country - unless the asylum seeker

¹ Legal Centre Lesbos, [Greek government instructed by European Court of Human Rights to guarantee rights of 3 LCL clients: an indictment of reception conditions in Lesbos](#), 17 March 2021; LCL, [European Court of Human Rights recognises Greek authorities' persistent disregard for migrants' health and lives in Mavrovouni camp](#), 26 August 2021.

² Legal Centre Lesbos, [Greek Authorities Declare Turkey Safe For Afghan, Bangladesh, Syrian, Somali and Pakistani Nationals](#), June 2021; Refugee Support Aegean, [Greece arbitrarily deems Turkey a "safe third country" in flagrant violation of rights](#), March 2022; Greek Council for Refugees, [Country Report: Safe Third Country](#), May 2022, Human Rights Watch, [Why EU can't count on Turkey to protect asylum seekers](#), November 2022;

can demonstrate an individualised risk of harm in Turkey, or unless the individual has already been in Greece for a year, in which case they are considered to have lost their ties to Turkey.

In this context, in January 2023, LCL lawyers also represented two families from Afghanistan on appeal of the rejection of their asylum claims as inadmissible. They presented arguments that the failure of the asylum service to assess the merits of their asylum applications was in violation of Greek and EU laws, since people cannot practically be returned to Turkey given that since 16 March 2020 deportations there have been suspended³. The lawyers also presented arguments that Turkey - a country that submits asylum seekers to serious harm in detention⁴, and carries out regular deportations of asylum seekers to Afghanistan⁵ - is not safe for them.

The increased use of the safe third country concept by the Greek asylum services since 2020 - beyond being unlawful - was clearly a political decision to limit access to asylum and not based on any specific protections granted to nationals of these countries in Turkey. This is particularly evident as people from the excluded nationalities are those who are the most numerous asylum seekers in Greece, many of whom would otherwise have a very high chance of obtaining asylum - in particular those from Syria, Afghanistan, and Somalia. This situation is unjust in law and practice and leaves an increased number of people in a legal limbo, denying them the right to have their application considered on the merits, and as a result denying them access to financial support, health services and the right to work - all of which are perpetuating a cycle of instability, insecurity, violence and inhumanity.

³ In particular, Article 38(4) of the Asylum Procedures Directive transposed into Greek law through Article 86(5) of the Greek Law 4636/2019 which provides that “when the safe third country does not allow the applicant to enter its territory, his/her application should be examined on the merits from the competent asylum authorities”.

⁴ Global Detention Project, [Turkey Immigration Detention' \(GlobalDetentionProject](#), October 2019); Amnesty International, [Europe's Gatekeeper: Unlawful Detention And Deportation of Refugees from Turkey](#), 2015.

⁵ Human Rights Watch, [No One Asked Me Why I Left Afghanistan](#), November 2022.

3. Continued efforts to fight criminalisation of migrants and human rights defenders

- Moria 6 trial / “Justice Delayed is Justice Denied!”



Photo: #FreeMoria6 campaign poster

On Monday 6 March 2023, R.F.M., S.M.H, S.A.M.S. and H.W., four of the six Afghan defendants who were accused and convicted for the fires that destroyed Moria refugee camp in September 2020, were scheduled to have their conviction and sentence re-examined before the Mixed-Jury Court of Appeals of the North East Aegean, represented in part by lawyers of the Legal Centre Lesvos. However, seemingly by design, the case was postponed for a year until 4 March 2024. For another year, the four young men will likely remain in prison, despite the lack of any credible evidence against them, and despite procedural errors which should have led to the annulment of the procedure.

More details about the first instance trial can be found in an earlier post by the defence lawyers, which was released following their June 2021 trial.

The one year postponement means that crucial new evidence will not be considered for another year. This evidence proves that three of the four were minors when arrested, and raises additional doubts about the evidence that led to the conviction of the four defendants, who were tried as adults. Arbitrary and lengthy trial postponements have become a routine part of the cruelty of the Greek criminal justice system, particularly for foreigners, who make up nearly 60% of the prison population in Greece.

The defence lawyers have applied for the young men's conditional release from prison and are waiting for a response. While these four young men continue to be denied the opportunity to have their case heard in court, the two other accused of the Moria 6, who were tried as minors, have petitioned (through their LCL lawyers) to **the Supreme Court to annul their conviction, which was confirmed on appeal**. During the Supreme Court hearing, held 10 March 2023, lawyers of LCL presented their objections to procedural and legal errors in the appeal court decision, and we await a decision of the Court on these issues.

You can find the full pre-court press release of the scheduled March 2023 Moria 6 appeal trial, [here](#), and the post-court press release, [here](#).

➤ Update on the Emergency Response Centre International (ERCI) trial / Sarah Mardini, Sean Binder and 22 others criminalised for search and rescue activities

On 10th of January, the misdemeanour trial in the infamous ECRI case finally started in Mytilene, Lesvos. In this case Sarah Mardini, Sean Binder, and 22 others face criminal charges related to their work in search and rescue activities in Lesvos. Charges against them include the felony charges of smuggling, membership in a criminal organisation, money laundering and lesser misdemeanour charges including espionage, forgery, and providing support to a criminal organisation.

On January 10, the lawyers of the defendants submitted procedural objections to the court, specifically objecting to the: i) ambiguity of the accusations where the accusations were not clearly linked to specific defendants, and the time frame of the specific alleged crimes of the accused was not specified clearly; ii) failure to establish that the elements of the crime of espionage in the indictment; iii) violation of the presumption of innocence; where the defendants' formation of a criminal organisation was taken as a fact by the prosecution, prior to any conviction on this matter; iv) lack of proper notification; where some of the defendants did not receive a written invitation from the court to appear in the trial, even though their address was known, and finally; v) failure to notify the defendants of the charges against them in a language that they understand.

On January 13, in ruling on the objections, the Court largely accepted the objections raised by the defendants. The misdemeanour charges against the foreign defendants were annulled (cancelled), because of lack of translation of the indictments, and the charge of espionage was annulled for the remaining Greek defendants because of vagueness of the charges. However, the criminal charge for forgery against one defendant and support for criminal organisation against another remain, and were remanded to the competent court to be tried⁶.

⁶ The misdemeanour charges were being tried in an Appeals' Court, due to the presence of one attorney as a defendant. In Greek criminal procedure if a lawyer is being accused of a crime, s/he and all co-defendants must be tried by Appeal Court judges, even in the first instance trial. However, with the misdemeanour charges annulled against the lawyer defendant, the Appeals Court was no longer competent to try the isolated misdemeanour charges against the remaining non-lawyer defendants, and therefore the case was remanded to a lower court to try the remaining charges which had not been annulled against the non-lawyer defendants.

Without a definitive not-guilty ruling that would validate the activities of search and rescue actors, January's ruling was an inadequate decision, and not to be celebrated given that felony charges are still pending against all defendants. Furthermore, the prosecutor has appealed the January decision annulling most misdemeanour charges, which was heard in the Supreme Court of Greece on 16 May 2023.



Photo: People in solidarity with the defendants outside of courthouse of Mytilene, Lesvos (Source: @FRHumanitarians)

Regardless of the ruling in this case, much of the harm has already been done, in terms of the chilling effect it has had on other potential actors. Since these trumped up charges were brought against Sara Mardini, Sean Binder and 22 others in 2018, search and rescue activities of civilian actors to support migrants arriving to the Greek islands has all but stopped, and a climate of fear prevails. Meanwhile, violence against migrants at Greece's maritime border had escalated into a systemic policy of pushbacks, which continues with complete impunity and without potential interference from search and rescue actors at sea.

The ERCI case has been presented in a European Parliament report as Europe's "largest case of criminalisation of solidarity". According to MEP Kostas Arvanitis (SYRIZA, Greece) : "the EU has either played a part in creating these situations or has refused to resolve them. Instead, it dubs the victims, or their saviours, 'criminals'. This practice is far removed from the basic principles of democracy and the Rule of Law. The criminalisation of rescue is a crime." The Left in the European Parliament (a.k.a The Left) also welcomed the decision in January, stating that "[the decision] in the trial of the 24 rescue workers in Greece, who helped save people on the move and facing outrageous charges, is only a first step in the right direction, not a victory."



Photo: Solidarity message for the humanitarians (Source: @FRHumanitarians)

While we agree with these statements, we must remember that charges in this case of ECRI were brought in 2018, when the leftist SYRIZA party was the ruling party in Greece. The criminalisation of migrants and those in solidarity with them is not dependent on who is in power, but is a part of EU migration policy.

The international attention that this case has received, however, has indeed been significant, and we hope the continued attention will eventually lead to a just outcome in this case and renewed attention on the violent and illegal border management policies of Fortress Europe.

➤ Afghan refugee 'M.M.' who attempted suicide by setting herself on fire given suspended sentence

On February 8, 2023, M.M., an Afghan refugee, was tried in a Mytilene Court on Lesbos. M. M., who set herself on fire two years ago in what she and her husband have described as an attempted suicide, was convicted of arson and sentenced to 15-month in prison, which has been suspended for three years.

In February 2021, then 27-year-old M.M., was 8 months pregnant with her fourth child. Living under inhumane conditions in the newly operational “temporary” RIC of Kara Tepe, Lesbos, M.M. committed the act after being informed that her relocation with her family in Germany will be restricted due to her pregnancy. She survived with serious burns and was charged by Greek police with arson that endangers life and destroyed property. During the trial, on February, 8, M.M. was acquitted of the more serious charge of arson endangering human life but was convicted of the misdemeanour charge of arson endangering objects and simple damage of objects of others.

Because the 15 month prison sentence she was issued was suspended, this means that M.M., will not be sent to prison. However, representative lawyers of M.M. from HIAS Greece appealed the decision, stating that the sentence was "unfair and extremely concerning".

Criminalization of migrants takes many forms; still, M.M.'s case demonstrates how indifferent the Greek legal system is towards the life and dignity of migrants. Even in an apparent suicide attempt, the conditions people are forced to live in are not being questioned and damage to property is punishable without regard for the daily damage to the lives of those forced to live in uncertain, inhumane conditions in Greece' refugee camps.



Photo: Messages of support for M.M. ahead of her trial on Wednesday, February 8, 2023 in Lesvos (Source: Twitter account of No Border Kitchen @noborderkitchen)

4. Updates on international advocacy efforts

- Publication of two forensic reconstruction videos in support of LCL clients



Reconstruction of Massive Pushback Operation in October 2020: On 17 January 2023, the Legal Centre Lesvos published a forensic reconstruction video, produced by an independent forensic research team of a case concerning nearly 200 people who had departed from Turkey to seek asylum in the European Union and were caught in a storm off the coast of Crete, Greece in October 2020. The video demonstrates, through collection of testimonies and analysis of available evidence, that the Hellenic Coast Guard, instead of rescuing the passengers of this fishing boat who were in distress at sea, violently attacked, detained, and ultimately abandoned them at sea in a massive coordinated and illegal pushback operation. Following their illegal expulsion, eleven passengers, represented by Natasha Ntailiani of the Legal Centre Lesvos, submitted an application before the European Court of Human Rights (ECtHR) against Greece, which was communicated by the ECtHR to Greece in December 2021 in the case of *S.A.A. and Others v Greece* (app. no. 22146/21), a case discussed in more detail above. The evidence illustrates that this operation was a part of the systematic practice of collective expulsions (namely, “pushbacks”) conducted by Greek authorities which has been extensively documented and reported. You can find LCL’s full statement, along with the reconstruction video on our website here.



Photo: Screenshot from reconstruction video: Fire in Moria Camp

Reconstruction of the 2020 Moria Fire: Ahead of the 6 March 2023 scheduled appeal trial of the Moria 6 (discussed above), the Legal Centre Lesvos participated in a press conference in Athens, in order to present the new forensic reconstruction video by Forensic Architecture/Forensis, of the 2020 fire that destroyed Moria camp, which had been commissioned by lawyers for the Moria 6. The released video includes a spatio-temporal reconstruction of the spreading of the fires that casts serious doubt on the credibility of the testimony of the only witness who had identified the accused as the ones who had supposedly set the fire. This project brought together journalists from Solomon and omniatv (who set up the initiative Moria Trial Watch to monitor the proceedings), the Rosa Luxemburg Foundation, and lawyers of the Moria 6, in order to discuss the upcoming trial and the prosecution of the six young Afghan refugees.

➤ LCL Visited Rights Defenders and Organisations in Izmir, Turkey

LCL together with Community Peacemakers Teams / Aegean Migrant Solidarity, organised a trip to Izmir, Turkey between 23-25 February, to meet right defenders and civil society organisations to strengthen its international network, as well as to discuss matters and overcome challenges similarly shared by migrants and civil society in both countries. During the trip, we met with eight different organisations, including Association for Solidarity with Refugees (Mültecilerle Dayanışma Derneği), People's Bridges Association (Halkların Köprüsü Derneği), Human Rights Association - Izmir Branch (İnsan Hakları Derneği İzmir Şubesi), Izmir Bar Association of Lawyers (İzmir Barosu), Respect the Dead Initiative (Ölüye Saygı İnsiyatifi), Progressive Lawyers Association (Çağdaş Hukukçular Derneği) and our local partner, Agora Association (Agora Derneği).



Photo: Meeting with People's Bridges Association (Halkların Köprüsü Derneği) (Source: Instagram)

Discussions ranged from developing common action plans and potential joint campaigns against border violence and pushbacks, to understanding difficulties faced by civil society in both countries due to a shrinking civic space. Rights violations that have emerged in Turkey in the aftermath of the earthquake, as well as the ongoing aid campaigns have also been discussed; yet the main discourse was on cooperation between the organisations in supporting and working with migrants, and creating active mechanisms to challenge border violence practices that are taking place in the shared geography between Izmir and Lesbos.

Throughout the meetings, organisations briefed LCL on their programming and the legal, social, and political context in which they are working, and sought to identify more effective cooperation on migration, border violence and anti-criminalisation campaigns. The incredible perseverance and generous hospitality of organisations who themselves face state repression for their work, was inspiring.

As LCL, we wish to thank all of the hosting organisations, in particular our local partner Agora Association, for their insight and hospitality, and wishing to meet them again to build a stronger network of right defenders. Our solidarity in the Aegean Sea knows no border!

➤ [Joint Declaration on the 7th Anniversary of EU-Turkey Statement with 74 signatories worldwide](#)

Following LCL's visit with human rights defenders in Izmir, a working group was formed by representatives of European Lawyers for Democracy and Human Rights (ELDH), Progressive Lawyers Association (ÇHD) and LCL in order to draft a collective statement to mark seven years of EU-Turkey Statement on 18 March 2023. The declaration was signed by 74 different organisations, including signatories from as far as wide as Bangladesh to Latin America, and has been published in English, Greek and Turkish.

Since the formulation of the EU-Turkey Statement, Turkey assumed the role of the EU's border guard: preventing migrants from reaching the EU in exchange for several billion Euros. Seven years later the situation is appalling: following the earthquakes in Turkey of 6 February 2023, which affected at least 10 cities, living conditions of migrants have sharply deteriorated and the risk to the personal safety of migrants has increased. There has been an increase in hate-speech and violent mob attacks against migrants and in the months since the disaster, migrants remain stranded, with difficulties in accessing basic necessities such as drinking water or shelter with little to no support from the state institutions.

On the other side of Europe's border, Greek authorities continue to reject asylum applications for international protection of people on the grounds that Turkey is a safe third country, a politically constructed concept with no legal basis given the lack of protection for asylum seekers and refugees in Turkey, which has been gradually expanded to increasing numbers of people since the EU-Turkey Statement, which turned the Greek Aegean islands into *de facto* open-air prisons.

As LCL and 73 others signatories, we denounced the externalisation agreements made by the EU with Turkey and North African countries, as violations of international law, and demanded the immediate termination of the application of the EU-Turkey Statement. You can find the full statement in three different languages on our webpage, [here](#).

We demand an end to the deal now and freedom of movement to all!

JOINT DECLARATION ON THE 7TH YEAR OF EU - TURKEY STATEMENT