

QUARTERLY REPORT

APRIL - JUNE 2022



FENIX
HUMANITARIAN LEGAL AID

CONTEXT

Currently, the population of Mavrovouni Camp is at an all time low. Despite an increase of arrivals in compared to the first quarter of 2022, the trend of a stark decrease in arrivals to the Greek islands remains. Importantly, this is not because there are less people in need of protection: in June UNHCR reported that a 100 million people are currently displaced around the world. While many still risk the treacherous journey across the Aegean Sea in an attempt to find safety in Europe, many do not make it across. In recent years, the increased use of illegal deportations, commonly known as 'pushbacks', as a tool for border control, have been widely reported on. This illegal practice has become yet another barrier for people to access their fundamental right to asylum.

On the islands, the acceleration of the procedure is restricting the real and effective access to the right to seek asylum, leading to rejections on both eligibility and admissibility. On the Greek mainland, the registration of new asylum claims has been put on hold, leaving thousands without access to the procedure. As a result these and other recently implemented policies, an increasing number of people end up in protracted situations of legal limbo, without access to their basic needs. Living in such a precarious state has severe implications for the mental health and well-being of people, and makes them more vulnerable to exploitation.

The obstruction of asylum seekers' rights is not limited to the asylum procedure: there is also a clampdown on NGOs and civilians acting in solidarity with refugees and asylum seekers. For example, in June, a Syrian man was arrested for providing food and water to people who arrived

on Chios in search of safety, as they hid out of fear of being pushed back. Although he was acquitted during his trial, the constant threat of repercussions for acts of solidarity limits the way people are able to support asylum seekers. This tactic of criminalisation is more and more common, and limits asylum seekers' access to safety and support.

Those who do manage to access the procedure face poor living conditions and lack of access to services and support. The Greek Government has argued that these basic rights of asylum seekers could not be met because of overpopulation and lack of resources. Yet, despite the drastic reduction of the population on Lesbos, many issues we have witnessed and contested over the years are still the same.

More appropriate options for accommodation on the mainland are closing. As a result, even clients who are recognised to be vulnerable and transferred to the mainland are forced to live in poor conditions in remote camps, still leaving them without proper access to medical and other services.

With asylum seekers facing this multitude of complex legal and procedural barriers, holistic legal aid is more crucial than ever. We continue to work to remove these barriers on an individual and structural level, aiming to create real and effective access to fundamental rights for those seeking safety.

When people arrive, their mindset is still in 'survival' mode, therefore their primary concern is their day-to-day needs such as housing and access to food and other essential items. To switch to interview preparation mode in such a short space of time is a difficult ask. - Protection Coordinator

OUR WORK IN NUMBERS



We undertook the cases of **13** new clients, from Afghanistan, Eritrea, Somalia, Sierra Leone, Ukraine, for family reunification and full representation throughout the asylum procedure

100% of our surveyed clients express that their situation improved after receiving Fenix services

12 clients received a positive decision on their asylum claim

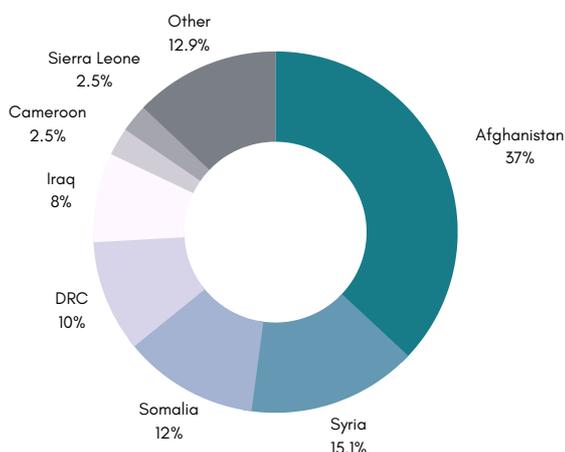


49% of our clients have seen significant progress in their legal case, including positive asylum decisions, family reunifications, transfers and the successful submission of subsequent applications

We published **3** extensive reports, **6** press releases and **3** blogs advocating for positive change at the local, national, and European level.

We provided capacity bridging session to **36** humanitarian actors, on safeguarding, the asylum procedure, and specific vulnerabilities.

OUR CLIENTS



Countries of origin of our current clients (total of 79 people)

'Other' includes Eritrea, Ghana, Sudan, Iran and Ukraine



Survivors of Gender Based Violence



Victims of Torture and Violence



Unrecognized Unaccompanied Minors



People with disabilities, severe medical or mental health conditions



HOLISTIC LEGAL AID

Our holistic approach to legal aid not only allows us to provide a more comprehensive service to our clients, but also increases our impact in overcoming barriers to accessing the right to asylum.

A few months after our change of strategy - providing full representation for all clients, at all stages of their procedure, combined with protection and mental health services - we are seeing the impact of this approach. Complex cases of clients who have been in the procedure for a long time, have received positive decisions or significant progress in their cases.

FAMILY B.

The B. family arrived on Lesbos in March 2019 and is composed of a couple and five minor children. The family was recognised as vulnerable and their geographical restriction was lifted. They were transferred to the mainland, and their application was exempted from the fast-track border procedure and referred to the regular procedure in May 2020. The B. family waited over two years for their first interview, which did not take place until July 2021. The JMD designating Türkiye a safe third country for Afghan nationals (and nationals of four other countries) came into force on June 7, 2021. Despite the fact that the JMD was not yet published when the B. family arrived in Greece, the Greek Asylum Service (GAS) applied the JMD retrospectively and examined the family's application on admissibility only. Their claim was then rejected as inadmissible in September 2021 under the STC concept. The B. family with the support of the lawyers of Fenix Humanitarian Legal Aid (Fenix) appealed the first instance decision the

same month. Finally, their appeal against the negative decision was accepted by the Appeals Authority in May 2022.

POSITIVE DECISION FOR M.

When M. first came into contact with Fenix, during our outreach activities, he was in a very vulnerable state. Fenix advocated for him to receive medical attention, and psychosocial support, ensured that his food would be delivered to his accommodation, and helped him access some essential items. After a few weeks, his well-being had improved significantly, and he also started to feel more comfortable in communications with the Fenix team working on his case. Building this trust and comfort was crucial for M. to feel safe to express crucial incidents of violence and trauma that he experienced.

This allowed his protection team to follow up on these incidents with medical and other care, while at the same time connecting him to psychosocial activities and resources. His lawyer prepared him to express his story in the asylum interview setting, while the mental health team provided sessions to start a process of healing from the trauma.

Now, M.'s wellbeing has improved significantly, and he has received refugee status! M.'s case is a testimony to the importance of combining individual empowerment with access to appropriate services and information, through Fenix's holistic approach.

ADVOCACY & STRATEGIC

UP AGAINST THE CLOCK

People seeking asylum on the Eastern Aegean islands, including Lesbos, face extremely rushed asylum procedures. At first glance decreased waiting times for people wanting to access the asylum procedure may seem like a positive development. In reality, the accelerated asylum procedures leave applicants with no time to adjust to their new surroundings or prepare for their interview, let alone access medical services and legal aid. We witness the impact of the rushed asylum procedure on our clients. That is why we published [a policy brief](#) in which we translate our holistic expertise to set out the impact of this border police on MHPSS and protection services, access to legal aid and information, the examination of the asylum claim and family reunification procedures.

SAFE THIRD COUNTRY VICTORIES

The EU-Türkiye Statement, and the following 2021 JMD have deemed Türkiye a safe third country for nationals from Afghanistan, Bangladesh, Pakistan, Somalia and Syria. In recent months, we have had three victories in cases that fall under the safe third country concept. We have published press releases highlighting these victories and raising awareness on why the safe third concept is problematic, as it denies people access to their right to asylum. Our [first press release](#) addresses the case of H.. H. is a survivor of sexual violence in Türkiye, and of an attempted pushback to Syria. Despite this, her application was rejected on admissibility twice. Only after 2 years of waiting H. received refugee status due to "the lapse of a period of more than a year" - meaning that she lost her connection to Türkiye. In our [second press release](#) we set out the progress in the case of the A. family.

The last press release is focusses on the B. family. Despite 2 years of living in Greece waiting for their interview, B. family's application was rejected due to the retroactive application of the JMD that deemed Türkiye safe for Afghan nationals. Fenix successfully appealed the rejection decision.

SOGIESC ASYLUM SEEKERS

The EU-Türkiye Statement considers Türkiye as a 'Safe Third Country', to which asylum seekers can be returned. Yet, for asylum seekers with diverse sexual orientation, gender identity or expression and sex characteristics (SOGIESC) Türkiye is far from a sanctuary. We published [a blog post](#) on how the EU-Türkiye Statement fails to recognise the particular vulnerabilities and situation of those with diverse SOGIESC, which places them at a greater risk of rights violations and violence. Similarly, asylum seekers with diverse SOGIESC face a general lack awareness about the persecution, stigma and/or discrimination they have often faced. Particularly, people with more marginalised and intersectional identities are often overlooked. In our [statement](#), we address the often unrecognized intersection someone with diverse SOGIESC and the likeness of experiencing gender based violence.

MENTAL HEALTH SUPPORT

People seeking asylum on Lesbos, and in Greece at large face severe shortcomings in mental health support. We have long witnessed ongoing systematic neglect and patient rights violations of refugees with psychological concerns. That is why we published a [joint policy note](#) with 14 other organisations, calling on the Greek Government to prioritise and facilitate access to national health service for asylum seekers.

CAPACITY BRIDGING & COMMUNITY ENGAGEMENT



Training for our new Professional Volunteers

Our Capacity Bridging program is aimed at bridging diverse forms of knowledge between different actors intervening in refugee support services in Greece, to achieve a more holistic and collaborative outcome and work towards the best possible services for the people we work for. We connect participants with essential information, knowledge and resources that can positively impact their projects.

THE ASLYUM PROCEDURE

People who work in different humanitarian sectors often miss in depth understanding of the asylum procedure. Fenix provides regular training to these actors to increase the understanding and collaboration in the context of the asylum procedure. One of these trainings are specifically tailored to medical actors, with whom we work closely to provide our clients with documentation that supports their asylum claim. They for example create scar and body maps that can testify to incidents of torture, or documentation that certify the effects of incidents of gender based violence.

2022 ECRE Annual General Conference

This year we have become a member of the European Council on Refugees and Exiles (ECRE). In June we had the opportunity to attend ECRE's Annual General Conference in Brussels. This has been a great opportunity to exchange expertise and best practices with NGOs and humanitarians from all over Europe. The situation in Greece, and specifically on the islands, has rapidly changed in recent years. Offering current insights from the field on an international platform is crucial in raising awareness on the obstacles asylum seekers face in Greece.

INCOMING PROFESSIONAL VOLUNTEERS

A new team of professional volunteers has arrived! Professional volunteers are essential to the furthering of our mission on Lesbos. During the next 6 months, these professionals will work alongside our long term staff on our three interconnected programs. We are committed to making sure that our new staff is equipped with relevant knowledge and tools before they start their work, and we started the semester with an intensive training period. These trainings consist of information on the history and context of Lesbos, the philosophy and ethics behind our work, a multitude of legal sessions, workshops on MHPSS and mindfulness, trainings on specific client vulnerabilities such as unrecognised minors, survivors of torture, and people with diverse SOGIESC, and workshops on how to work with interpreters.

After this training period, our new staff shadows the previous professional volunteers. This ensures that no knowledge is lost. Simultaneously, our clients get to meet the new staff, in the company of the people they have been working with. By allowing our new volunteers to learn directly from our old volunteers, we create the smoothest possible handover. Through this, we aim to create as much continuity and consistency for those we work with.



Fenix team in June 2022

As a holistic legal organisation, the impact of our work includes positive asylum decisions or family reunifications, but also extends beyond that. In a context in which clients face numerous and fast barriers to access their rights, the following examples highlight the various successes in overcoming those barriers.

Refugee status for P.

P. has received refugee status! When P. first became our client, she already had a previous rejection. In the last months, our Greek lawyers have fought for P. to access the legal protection she deserves.

Simultaneously, our protection team has been in constant contact with P., to assist her in accessing the medical care she should have access to. The combined efforts of our legal and protection teams, have finally paid off!

Transfers to the Mainland

After finally being recognised as vulnerable after reassessments, several clients have been able to move to the mainland. An example is F, who has a medical condition for which no treatment is available on Lesbos. F can now finally get the medical care he needs!

First time with health professionals

W. had had a traumatic experience with a doctor in their country of origin. Despite feeling unwell since we met W., W. did not want to go to the doctor. After first feeling more comfortable with Fenix's team W. decided to see a doctor, accompanied by the protection officer. Having received medical attention, W.'s health and well-being significantly improved, which also helped to focus on the legal procedure.



A. Family regained access to health care

The A. family received repeated rejections, despite their clear medical needs and vulnerabilities. This resulted in a loss of access to healthcare. Through successful legal intervention, Fenix has ensured that the A. family will continue to have access to healthcare.

Increased knowledge on SOGIESC

Having trained more than 80 people from different organisations on the specificities and best practices in providing services to people with a claim based on their SOGIESC, we are currently seeing a massive increase in awareness, sensitivity and collaboration on the topic. This is a fantastic outcome of our capacity bridging sessions, and will enhance people's access to their rights.

FINANCES

In the second quarter of 2022, our team consisted of 28 long term volunteers and staff, including our eight hired Greek staff.

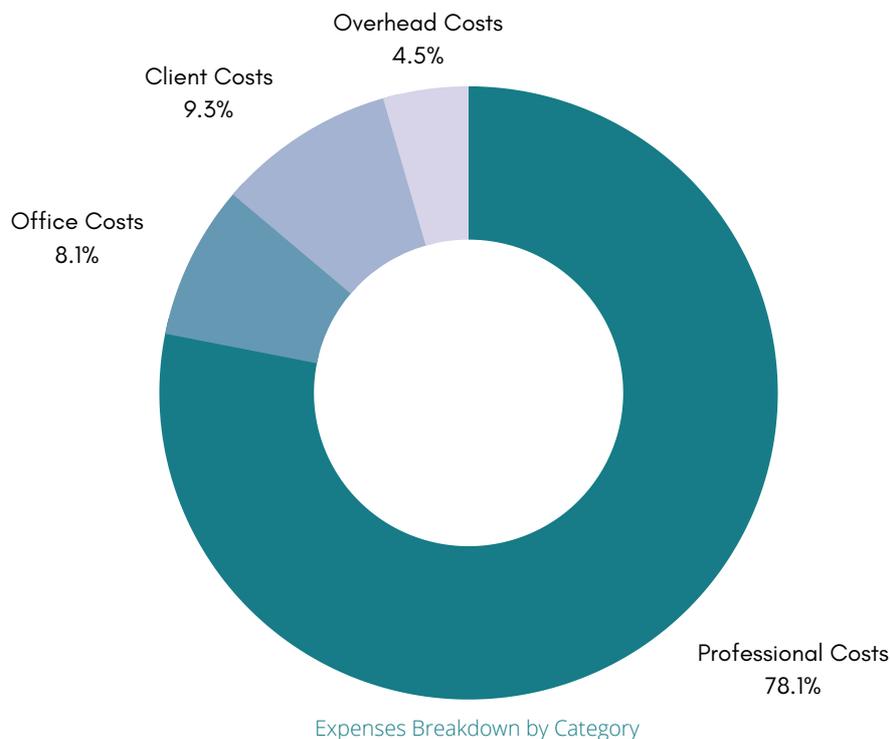
The support we received from our donors allowed us to **continue our services to 79 clients.**

95.5%

Program Costs

4.5%

Overhead Costs



This quarter At the same time, our professional costs increased by 7% due the hiring of several new staff members, in our holistic legal, advocacy and operations teams.

Our **main expense was again professional staff** which represented 78% of our costs. As a holistic legal organization our priority continues to be the building of our capacity and expertise through investing in our long

term and professional staff, allowing for sustainability and stability.

95.5% of the money donated to Fenix was used to provide services to our clients and impacting the asylum system. Every Euro donated counts towards continuing our three programs.

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Photo by Pedro Matias