

QUARTERLY REPORT

JULY - SEPTEMBER



FENIX
HUMANITARIAN LEGAL AID

HUMANITARIAN LEGAL AID

CONTEXT

The number of arrivals in Greece increased significantly, despite the continuation of the violent border control and surveillance policies at the land and sea borders. On Lesbos, we have seen weeks with more than 100 arrivals, an occurrence that For these increased new arrivals, being subjected to the fast tracked border procedure continues to restrict their effective and dignified access to the right to refuge and rights within the asylum procedure.

In recent months, the attempt of the Greek authorities to label everyone crossing from Türkiye to Greece as 'illegal', 'fake' or 'hybrid threats' has been even more explicit. This narrative is being used to justify not only pushbacks, but also the intimidation and criminalisation of everyone who tries to monitor or intervene at the borders. Both the Greek Government and EU continue to deliberately ignore the large amount of evidence on the violations of rights at the borders. Moreover, the Greek Government denies all allegations and tries to shift the responsibility for the current situation to others - Türkiye, journalists, NGOs or people seeking protection, creating a complex and hostile environment to operate in.

After months in which it was close to impossible to schedule appointments for the registration of new asylum claims on the mainland, which left thousands in limbo, a new platform to schedule registration appointments in Diavata and Malakasa was published. However, people are already experiencing serious problems. Besides facing delays, when people proceed with the electronic registration they do not receive any official and recognised documentation that proves their status as asylum seekers.

This puts individuals at risk of detention or illegal deportations. The new platform also does not allow the possibility to request the prioritisation of vulnerable asylum seekers or asylum seekers with family members in other EU Member State.

The Greek government is speeding up the efforts to isolate people in remote camps, especially on the islands. After Samos and Kos, the new 'Closed Controlled Access Center' on Lesbos - which is extremely remote and inaccessible - is set to open in spring 2023, and the one on Chios shortly after. This increases the fear of rights violations, a restriction on people's access to services including medical care and legal aid, and a further deterioration of people's mental health.

In the meantime, more appropriate options for accommodation on the mainland are closing, including the ESTIA II Program, and people are receiving notice for their eviction into remote camps. As a result, even people who are officially recognised to be vulnerable, and are therefore being transferred to the mainland to access more appropriate living conditions and access to services, are forced to live in poor conditions in remote camps. This will leave thousands of 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 fair and effective access to fundamental rights for those seeking safety.

OUR WORK IN NUMBERS



We undertook the cases of **12** new clients, from Afghanistan, Somalia, DRC, and Guinea, for family reunification and full representation throughout the asylum procedure



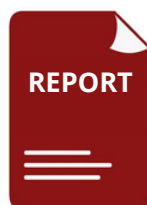
92% of participants to capacity bridging stated that the training they attended was relevant for their work and will help them improve their projects



100% of newly arrived clients we undertook in 2022 have received refugee status



We held information sessions for **76** newly arrived asylum seekers inform them about the asylum procedure and their rights

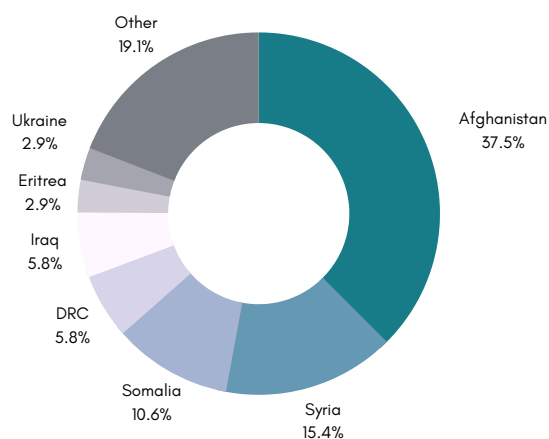


We published **6** statements, **2** blog posts and sent **1** letter advocating for positive change at the local, national, and European level



We provided capacity bridging trainings to **68** humanitarian actors, on safeguarding, the asylum procedure, and specific vulnerabilities

OUR CLIENTS



Countries of origin of our current clients
(total of 104 people)

'Other' includes Ghana, Sierra Leone, Iran, Cameroon, Nigeria, Senegal, and Sudan

27%

Survivors of Gender Based Violence

26%

Victims of Torture and Violence

7%

Unrecognized Unaccompanied Minors

37%

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.

TRANSFER TO GERMANY FOR S.

S. is a woman from Afghanistan. She had been granted protection in Germany in early 2017, along with her husband and three children. During a trip to visit her family in Iran at the end of 2017, she lost her documents from Germany, and was unable to travel back. Out of fear of the authorities, who were routinely deporting undocumented Afghan nationals back to Afghanistan, she did not approach the Iranian authorities or the German embassy. She eventually made her way to Greece and applied for asylum in 2019.

Because she had already received international protection in Germany, Greece could not assess her asylum claim. However, without documentation she was unable to return and was left in legal limbo.

When we came into contact with S. in September 2021, she suffered from medical and mental health issues.

Our **Family Reunification Team** immediately began working on the case to establish a legal strategy. Meanwhile, our **Protection Team** supported S. with her medical and social needs, and our **Mental Health Team** ensured she had access to psychological support.

Alongside these individual efforts, our **Advocacy Team** wrote a statement to draw attention to the legal limbo individuals like S. find themselves, in leaving them stuck between states.

After being redirected for many months between various institutions which were unable to provide a viable solution in regards to a safe and legal transfer back to Germany our Family Reunification Team was finally able to obtain the necessary documentation and secured an appointment for S. at the German embassy in Athens. While we applied to the local authorities in order for S. to be authorised to leave the island, our Protection Team on Lesbos transferred their information over to the Athens team so they could continue to support S. on the mainland. S. was able to attend her appointment, and received a positive decision!

In August 2022, S. received a return visa and a temporary travel document and was finally reunited with her children in Germany after 5 years.

ADVOCACY & STRATEGIC



BUREAUCRATIC HURDLES

Although structural problems related to reception conditions continue to exist as a result of increased investment in closed centres and segregation policies, the material improvement of reception conditions is one way the Greek government can better meet their obligations under EU asylum acquis, and improve the daily lives of applicants while they wait for their decisions. In recent times, potential improvements have often been stalled as a result of the Greek government's failure to properly manage service delivery contracts. In fact, over the last few years contract issues have plagued everything from basic services such as electricity and sanitation, to cash assistance and family reunification transfers. That is why we published a [blog text](#) in which we address some of the administrative and bureaucratic failures of the Greek authorities.

INSTRUMENTALISATION REGULATION

In December 2021, the European Commission presented a proposal for a Regulation addressing situations of instrumentalisation in the field of migration and asylum. The proposal introduces a mechanism which allows Member States to derogate from their responsibilities under EU asylum law in situations of "instrumentalisation" of migration. The mechanism is permanently available to Member States who can invoke it in multiple situations, essentially enabling them to derogate at will from their obligations. The derogations are substantial and substantive, significantly affecting the rights of people seeking protection. We co-signed a statement to demonstrate our strong opposition to the introduction, use of the instrumentalisation concept and its

codification in EU law and widespread derogation from EU law. Moreover, we issued a [statement](#) alerting to the risks of using instrumentalisation by third countries as an excuse to derogate from EU asylum law based on our experience in Greece.

SOGIESC ASYLUM SEEKERS

In light of information collected through input from numerous organizations and focus groups from the community, we, in collaboration with 36 NGOs, sent a [public letter](#) to the General Secretary of Reception of Asylum Seekers and to the Secretary General of Migration Policy, highlighting particular concerns relating to the situation of LGBTQI+ asylum seekers in Greece with focus on shelter and security, services and support, asylum process.

PRISON-LIKE REFUGEE CAMPS

In September 2021, the first EU-funded Closed Controlled Access Centre (CCAC) for asylum seekers in Greece was inaugurated on the island of Samos. A year later, with two similar CCACs now operational on the Greek islands of Leros and Kos, and another two additional facilities being built on Lesbos and Chios, NGOs who have witnessed the impact are calling for the approach to be urgently revised. We, together with 21 organisations, signed a [statement](#) highlighting some of the concerns with this type of camp and call the Greek Ministry of Migration and Asylum and the European Commission to move away from short-sighted policies based on containment and deterrence.

CAPACITY BRIDGING & COMMUNITY ENGAGEMENT



SOGIESC training at UNHCR premises

As Fenix continues to adapt to the constant changes in the Greek asylum system, our capacity bridging program aims to bridge diverse forms of knowledge between actors intervening in refugee support in Greece. We connect the participants with essential information, knowledge and resources that can positively impact their projects or communities, optimize the services provided, and work towards a more holistic and collaborative outcome.

THE ASYLUM PROCEDURE

The holistic approach of capacity bridging recognises that the work of organisations supporting asylum seekers in Greece is interconnected. The training on the asylum procedure provides organisations working in capacities such as medical, MHPSS or education with information on the asylum system they are working within, which can lead to more efficient collaborations, the production of more appropriate or relevant documents, and an improved communication with clients.

SOGIESC

In July, 57 people from 11 organizations on Lesbos participated in the training on SOGIESC asylum claims. A typical training session involves a presentation followed by an opportunity for participants to ask questions. Participant feedback has been positive and the questions asked during trainings reveal the practical implications, including a reconsideration of terminology used, evaluation and revision of forms and documents, and an increased awareness of the vulnerabilities and legal protections.

INFORMATION SESSIONS

The legal team has continued to give information sessions to asylum seekers who have recently arrived on Lesbos. When people arrive, they may have no or very little information about what to expect in the upcoming process. The information sessions aim to connect participants with this essential information and empower them through access to information.

A standard information session explains the applicants' rights, and the logistics, purpose and content of the upcoming interview. The sessions provide applicants with the necessary tools to articulate their story appropriately by explaining the intent of each interview and the grounds for international protection.

Since Turkey is considered a third safe country for applicants from Somalia, Afghanistan, Syria, Pakistan and Bangladesh, the information sessions for applicants from these countries has responded to this change by placing an emphasis on the two-part process, in particular, the focus on Turkey in the admissibility interview.

Prior to the information sessions, many clients were not aware they would be subject to an interview on Turkey or their rights in the interview. The regular information sessions continue to ensure asylum seekers have the relevant information and are equipped with the necessary information to go through the asylum procedure well-informed.

OTHER HIGHLIGHTS



Legal team - August 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.

E. got glasses

During a mental health session, E. reported having vision problems. Our Protection Team arranged an appointment with an ophthalmologist, and she was prescribed a pair of glasses and eye drops. She was later able to try on and choose a pair of glasses at the optician, with the help of her protection officer, and she now wears glasses for the first time!

Health improvement

When we met A, he had severe medical needs. His health had deteriorated since his arrival in Lesbos a year prior, to the point where he lost usage of his legs and had to start using a wheelchair. Fenix accompanied him to several different specialists until he received the correct diagnosis and treatment. Today, A.'s health has greatly improved, he's able to walk again and even to ride a bike!

New Protection Officer in Athens

To support our clients on the mainland, a new Protection Officer has joined our Athens team. Our Protection Officer is able to ensure that vulnerable clients can access the support they need - medical, psychological or otherwise - supporting people and empowering them to navigate the complicated context of Athens.

Positive decision for N. family

When we started working with N. family in September 2021, the parents and two older children had received a rejection on their subsequent application. When their baby - born in Greece - received refugee status, both parents consequently received a residence permit as carers of the child, which did not apply to their two other daughters. Fenix submitted a second subsequent application for them, which was accepted. The whole family is now able to start their new life in Greece.

E. got refugee status

E. is a single woman from Syria, she arrived in Lesbos in 2019. Her initial asylum application was deemed inadmissible on the basis of the safe-third-country concept at both first and second instance - meaning that Turkey was deemed a safe country for her, although Turkey has ceased accepting returns of rejected asylum seekers since March 2020.

She started working on her new admissibility interview with her Fenix lawyer and finally in July 2022, she got refugee status.

FINANCES

In the second quarter of 2022, our team consisted of 28 long term volunteers and staff, including lawyers, protection officers, psychologists, cultural mediators, advocacy and communications officers and program staff.

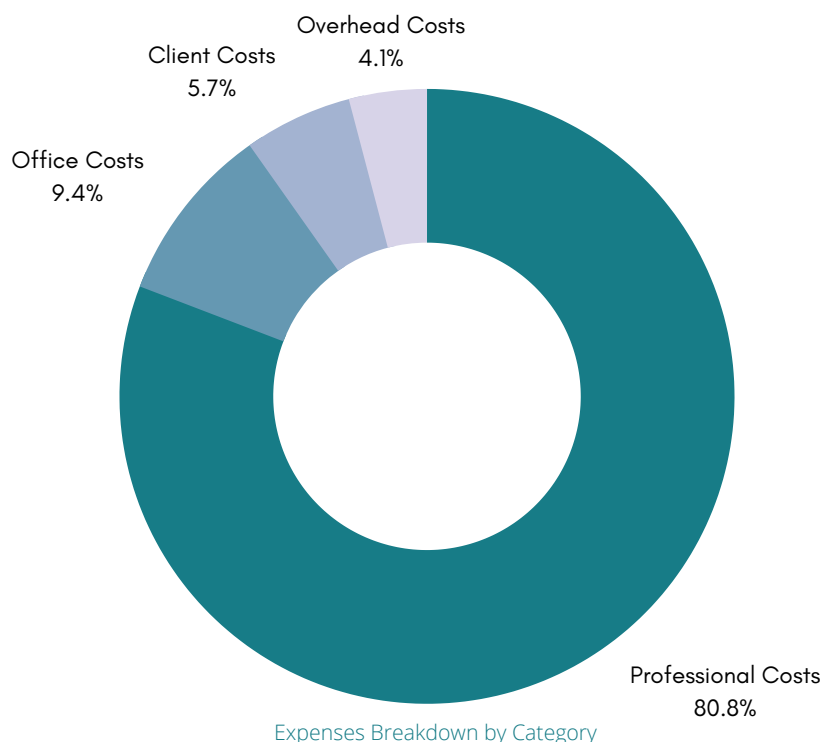
The support we received from our donors allowed us to **continue our services to 104 clients for holistic legal aid.**

95.9%

Program Costs

4.1%

Overhead Costs



Expenses Breakdown by Category

This quarter, our **main expense was again professional costs** which represented 80,9% 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.

95.9% 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.

THIS REPORT IS PROPERTY OF FENIX HUMANITARIAN
LEGAL AID AND CANNOT BE REPLICATED OR USED IN
ANY WAY WITHOUT EXPRESS WRITTEN AUTHORIZATION
OF FENIX. FOR QUESTIONS PLEASE CONTACT:
MAAIKE@FENIXAID.ORG



QUARTERLY REPORT
JULY - SEPTEMBER 2022