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## **Committee on Migration, Refugees and Displaced Persons**

### ***Ad Hoc* Sub-Committee to visit reception facilities for migrants on the island of Kos (Greece)**

## **Information report of the meeting held on the island of Kos (Greece) on 24 and 25 October 2015**

### **1. Introduction**

1. On 30 September, the Committee on migration, refugees and displaced persons established an Ad hoc Sub-committee to visit reception facilities for migrants on the island of Kos (Greece), with a view to assessing the humanitarian situation of refugees, reception conditions and impact of mass arrivals on the local community. On the basis of this visit, the Chairperson was asked to prepare an information report and written conclusions, to be submitted to the Plenary Committee.

2. The visit took place on 24-25 October 2015, with the participation of the following persons:

- Ms Doris Fiala (Switzerland, ALDE), Chairperson of the Sub-committee
- Mr Christopher Chope (United Kingdom, EC)
- Ms Annette Groth (Germany, UEL)
- Mr Eerik-Niiles Kross (Estonia, ALDE)
- Ms Athina Kyriakidou (Cyprus, SOC)
- Mr Tom van Dijck, Secretary of the European Conservatives political group
- Mr David Milner, Secretary of the Committee.

3. Kos is a small island of some 287 km<sup>2</sup>, with a permanent population of around 33,000. It lies in the Aegean Sea between Turkey and mainland Greece, on the Eastern Mediterranean route for irregular migration into the European Union. 2015 has seen an unexpected and unprecedented explosion in the number of people using this route, from 43,377 in 2014 to 608,970 (including 49,505 to Kos) between 1 January and 4 November 2015. Kos is clearly visible a few kilometres' distance from the Turkish coast, although strong ocean currents make the distance that must actually be travelled longer. Being a much shorter sea crossing, the Eastern Mediterranean route is on the whole much safer than the Central Mediterranean route between Libya and, especially, Italy; nevertheless, so far in 2015, 477 people have died crossing the sea between Turkey and Greece.

### **2. Arrival, administrative processing and transit of refugees and migrants**

4. Refugees and migrants arrive in Kos either unaccompanied, often at the coast at Psalidi, a few kilometres to the south-east of Kos Town; or accompanied to the port following interception at sea by coast guard (including Frontex) or fishing vessels. Most arrive in the early morning: at this time of day, we saw both people disembarking at the port and groups of migrants walking into town who had reached the coast unaccompanied. The boats used are either old and in poor condition, or inflatable dinghies with outboard

engines (sometimes even paddled). In all cases, they are dangerously overloaded. We saw many abandoned boats at the port, including several rigid-hulled vessels that had been left to sink by the quay, and several abandoned inflatable dinghies along the coast. In both cases, there were also many life-jackets, often in large piles but also scattered along beaches and the roadside. Some were pathetically inadequate, including one consisting of half-a-dozen children's armbands tied together with rope.

5. The first stage in processing of new arrivals is the initial 'screening'. This takes place only between midnight and 5 am; refugees and migrants complained that this is "very hard on children". The reason why it is limited to these times is obscure, but presumably relates to the fact that it takes place at the port, which during the day is busy. Screening is done by officials from other countries, seconded to Frontex, in prefabricated cabins on a quay exposed to the open sea. The queuing refugees and migrants are exposed to the wind, rain and waves breaking over the quay. We saw wet, exhausted young children waiting with their parents in the dark, shortly after a heavy downpour.

6. Subsequent processing takes place at the police station. Here, migrants' and refugees' fingerprints are taken and recorded in the Eurodac system, and they are issued with a permit to stay on Greek territory for up to 6 months in the case of Syrians and 30 days in all other cases. The police station is a very old, small building in the town centre, by the sea front between the harbour and the port. A number of refugees and migrants are detained there on administrative or criminal grounds in degrading conditions in the station's filthy, overcrowded cells. Shockingly, until very recently, unaccompanied children were also detained there, alongside adults, for up to three weeks; other arrangements are now in place. The situation is clearly far beyond the facility's capacity to cope.

7. Once they have the permit, refugees and migrants are free to leave Kos by ferry to Athens (Piraeus). They have to buy the €54 tickets themselves, although NGOs may help with this. At present, the administrative processes on Kos are completed in around five days, with Syrians apparently being dealt with most quickly. Some cases, however, seem to take much longer: we met one young Syrian woman who said that, having lost her documents when the boat in which she was travelling capsized, she had been unable to leave Kos for over a month. Five days is significantly less than the 20 that were reported when arrivals were at their peak, but longer than was the case a few weeks ago, as the daily number of arrivals has recently increased to as many as 600. Each ferry carries around 200 people, which in present circumstances is not enough to prevent the number of refugees and migrants on Kos from once again increasing.

### 3. The humanitarian situation and reception conditions

8. Some, particularly Syrians, have the means to stay in hotels for the few days that they are on the island. From amongst the others, NGOs identify the most vulnerable, such as families with children, and pay for their lodging in hotels. (We visited one of these, the Hotel Oscar.) For less vulnerable people without means, there is nothing but small, flimsy tents, mainly in the street along the sea front (where they are exposed to bad weather and breaking waves) and in a nearby archaeological park. Even though there are people sleeping out of doors, we were told that public toilets in the town centre were closed or disconnected. At one point, the previously empty Captain Elias Hotel (which we also visited), on the very outskirts of town, was made available as accommodation by the bank that owned it. Despite the (day-time) presence of *Médecins sans Frontières* and other volunteers, within a couple of months the hotel was overwhelmed by refugees and migrants lacking any other shelter, and after a fire broke out it was closed and is now boarded up.

9. Other forms of assistance are also provided by humanitarian agencies, NGOs and local volunteers, including at the Hotel Oscar. We visited the *Médecins sans Frontières* mobile clinic in the archaeological park, where UNHCR also has an aid facility and there are some portable toilets. Food aid is distributed by the International Federation of Red Cross and Red Crescent Societies from the police station, between the park and the sea front, and elsewhere by NGOs and volunteers. The famous 'baker of Kos', for example, distributes free food every afternoon from a van that he parks in the road by the police station. Kos Solidarity, a local volunteer association, provided free meals at the Captain Elias Hotel, before it was closed; it continues to do so at other locations, but is now desperately short of money. One agency described the situation as "sub-standard assistance in undignified conditions" – a diplomatic understatement, in my opinion.

10. Everyone but the local authorities themselves told us that the local authorities had done nothing to provide shelter, food or medical care to the refugees and migrants, and we saw nothing to suggest otherwise. We were also told that the local authorities did not share information with the humanitarian community and had

in effect refused to co-operate with them, to the point of obstructing certain projects. Most significantly, even though Kos is the only major island with no reception facility and despite the humanitarian community's repeated requests for one, the local authorities had got no further than vague talk of possible sites, with no concrete action. Refugees and migrants have now been arriving in Kos in large numbers for months, but despite their numbers having fallen from the September peak, the situation on Kos remains disorganised and confused.

11. The local authorities themselves blame the Greek government for their predicament, claiming to be completely without means of their own to address the humanitarian crisis on their island. They also criticise Frontex for not doing more. Frontex is responsible for coast guard patrols at the Greek-Turkish maritime border under Joint Operation 'Poseidon Sea' (similar in purpose to Joint Operation Triton in Italian coastal waters, and with a budget of €18 million for 2015) and the initial 'screening' of newly-arrived migrants. Given these limited roles, it is hard to see how Frontex could do more either to prevent irregular migration (it is legally obliged to escort dangerously unseaworthy vessels or transport their passengers to the nearest Greek port), or to assist with reception. The complaints may reflect the fact that Frontex is a visible manifestation of the EU, from whom the local authorities are expecting more assistance.

12. The European Commission has announced that a 'hotspot' operation will be launched on Kos by the end of November. Such operations are not reception centres, however, but intended for registration, fingerprinting and debriefing of new arrivals, and for identifying those clearly in need of international protection who may afterwards benefit from relocation within the EU (it is unclear whether this would amount to final refugee status determination, and what will happen to people who are not relocated). Greece will eventually have five hotspots, with the first, on Lesbos, already in place. The Commission has also stated that a "temporary facility for 300-400 places" will be set up in Kos by the end of the year; presumably this will be for reception and accommodation.

13. The local authorities in Kos, in particular the mayor, were hostile to the idea of a 'hotspot' on the island, for fear that it would act as a 'pull factor' – even though they seemed unclear as to what a 'hotspot' would involve. This fear only makes sense if it relates to the possibility of an increase in the number of refugees and migrants being transferred from other, smaller islands to Kos for processing, with no clear provision for those who are not subsequently relocated: in other words, that ever-growing numbers would be stuck on Kos, without the current possibility of leaving for the mainland. If the local authorities' fear relates to the 'temporary facility' mentioned above, I think it would be misplaced. The refugees and migrants want first of all to reach EU territory, and will already have suffered far greater hardships either at home or on their journeys to Europe than those that they currently endure for a few days on Kos. A relative improvement in conditions on Kos is hardly likely to determine which Greek island they choose, even assuming the migrant smugglers allow them any choice, which is unlikely.

14. The gravity of the situation in Kos is directly related to the level of departures from Turkey. We were told of a clandestine encampment, in the forest behind Bodrum, where thousands of refugees and migrants waited to be taken by smugglers to the coast for transport to the Greek islands. One NGO told us that the EU had given it funding to provide humanitarian aid to refugees and migrants in and around Bodrum. Many of those we met were convinced that the Turkish authorities were aware of this encampment, and also capable of spotting and intercepting boats leaving for the Greek islands, but chose not to act. Several argued that the situation in Kos and the other islands could only be resolved by keeping refugees and migrants in Turkey, and assessing their protection needs there.

#### **4. The impact on the local community**

15. The economy of Kos depends on mainly seasonal tourism. Representatives of the local business community told us that in 2015, some 178,000 holidays had been cancelled, with a 40% decrease in numbers in September and many businesses closing early as a result. There has been a 30% increase in seasonal unemployment and some €7,000,000 revenue lost. Advance reservations for 2016 are down by 60%. This was blamed on adverse publicity, especially in newspapers, concerning the impact of refugees and migrants. (It is unclear whether these figures take account of the mitigating effect of business generated by and on behalf of the refugees and migrants.)

16. Disturbing incidents were reported in August and early September: violent clashes when police attempted to corral refugees and migrants in a football stadium, under the sun and without water, in order to

facilitate registration; clashes between groups of refugees and migrants, on account of preferential processing of certain nationalities; and attacks on refugees and migrants by racist and xenophobic groups. We were told of a campaign on Facebook to “kick [the refugees and migrants] off the island”, although apparently it attracted little support. The situation whilst we were there, however, was peaceful, if somewhat surreal, with locals, tourists, and refugees and migrants co-existing in an uncomfortable *modus vivendi*. No doubt the smaller numbers of refugees and migrants, more rapid administrative processing and cooler weather helped keep things calm.

## 5. The local authorities’ proposals for responding to the current crisis in Kos

17. During our meeting with the mayors of Kos and other islands in the region also affected by mass arrivals of refugees and migrants, we were presented with the following set of proposals, which I reproduce verbatim:

- i. “More efficient immigration policy tackling all the issues faced by local authorities.
- ii. Reduce the administrative burden on local authorities.
- iii. Direct access for local authorities to the available financial resources in order to allow them to fulfil their obligations with regards the immigration flows (Asylum and Migration Fund, the Neighbourhood Policy Instrument, the European Social Fund, External Borders Fund).
- iv. A more prominent role for local authorities in the planning and implementation of immigration policies, as they have first-hand information on their capacity to welcome migrants, in accordance with the multilevel governance and the subsidiarity principle.
- v. Amendment of the Dublin Regulation.”

18. Concerning the third of these, it is surprising that the local authorities in Kos and the other islands are complaining about inability to access EU funds, when these are the very places where money is most urgently needed. This is especially so given that in September, the European Commission announced an additional €100 million for emergency assistance to the most affected EU member States during the remainder of 2015 (on top of €73 million already spent). Even a small fraction of this would make an enormous difference to the shameful current situation in Kos. The first, second and fourth of the local authorities’ proposals add to the impression of a problem in relations between the national and local levels, and that more direct intervention by the relevant EU bodies to ascertain local needs and make the necessary arrangements could allow these funds to be distributed more efficiently. There is also a great deal of confusion locally about what the EU and its various bodies are doing, intend to do and are able to do: the EU should address this as a matter of urgency.

19. As to amendment of the Dublin Regulation, I would recall the Assembly’s own recent Resolution 2072 (2015), in which it concluded that the regulation was dysfunctional and in urgent need of reform. It is hard to see, however, what impact such reform could have on the situation in Greece and Kos, however, as the European Court of Human Rights’ judgment in the case of *M.S.S. v. Belgium and Greece* has made it unlawful to return asylum seekers to Greece; once they have left, they cannot be sent back. (On the other hand, reform of the Dublin system may remove a perverse incentive on Greece not to reform its own, severely dysfunctional national asylum system.)

## 6. Conclusions

20. The situation of refugees and migrants arriving in Kos is simply dreadful and will only get worse as winter approaches and the weather deteriorates, even if the numbers arriving decrease again. Although we were impressed by the efforts shown by the local population, including both volunteers and local businesses, it is very disappointing to see that the local authorities have done nothing to care for the refugees and migrants. I cannot accept that the local authorities do not have at least basic responsibilities to ensure these poor people’s dignity and safety.

21. That said, it is clear that Kos and the other Greek islands of the Aegean cannot cope alone, but need much more support from both the national government and European bodies. It is to some extent understandable that the Greek government has difficulty finding money at present, although this does not release it from the legal and moral obligation to ensure the fundamental human dignity of everyone within its jurisdiction. The EU, on the other hand, certainly does have the necessary resources. For some reason, however, they seem not to be reaching Kos, where the local authorities claim to be unable to obtain the assistance they need to help the huge number of desperate, vulnerable people passing through the island.

22. If the release of EU funds depends on detailed, budgeted proposals for projects, then one obvious candidate would be the establishment of a properly located and equipped site for reception facilities, medical care and temporary accommodation, in peace and quiet away from the touristic centre of Kos Town. The UNHCR, NGOs and local volunteers all say this is crucial both to meeting immediate needs and to any long-term solution to the problem. Even better would be, in addition, to use the establishment of a 'hotspot' operation as an opportunity to relocate the screening, registration, fingerprinting and documentation facilities alongside the new reception facility, and to provide transport from there to the ferries for Piraeus. In any case, a proper reception facility would be a huge improvement on the current situation: a 'win-win' situation for both the local authorities and tourist industry on the one hand, and the refugees and migrants, and humanitarian community that assist them, on the other.

23. A fundamental precondition for any improvement is a change in the attitude of the local authorities: acceptance of their basic humanitarian responsibilities; willingness to work with humanitarian agencies, NGOs and local volunteers; and recognition that the current situation of chaos and misery in the town centre is intolerable and unsustainable. The very fact that we were invited to visit the island and see the situation for ourselves, and the local authorities' openness and willingness to engage with us, however, are for me encouraging signs that a more positive, constructive approach is possible.

24. I would therefore like to express, on behalf of the Sub-committee, our thanks to the local authorities of Kos for their hospitality and assistance during our visit, and our gratitude to the various organisations and individuals, including the many newly arrived refugees, to whom we spoke.

25. I strongly encourage the Committee to continue examining this issue, beginning with an exchange of views at the meeting in Paris on 15 December. At that meeting, I intend to propose that work continue at an extraordinary meeting next year.