

Opening thanks:

Thank you all for coming

Thank you to Ms Coode, Bishop Dowling, Ms Dennis

Thank you to Pax Christi International, Secretary General Ms Vanaerschot for the prize and the invitation to address you tonight.

Background:

- In preparing this speech, I have been thinking back to the beginning of the European Lawyers in Lesvos project and how the situation in 2015 and 2016 has changed.
- 2015 – 2018: Europe's biggest influx of migrants and refugees since WWII (more than 1.8 million arrivals, 1 million in 2015 alone)
- 2018 arrivals: over 140,000 into Europe - Spain (65,000), Greece (50,000) and Italy (23,000)

Initial response:

- Open borders
- More than 1 million asylum seekers travelled to Germany in 2015 under Chancellor Merkel's open-door policy
- Media attention and local/European solidarity (volunteers, NGOs)
- EU-Turkey deal – for many (in political circles and popular consciousness), this represented the solution to the issue. However, it changed the situation fundamentally – and in human rights terms, for the worse – now asylum seekers must stay on Lesvos (geographical restriction) and apply for asylum in Greece.

Establishment of ELIL:

- Founded by the Council of Bars and Law Societies of Europe (CCBE) and the German Bar Association (DAV)
 - Thank CCBE and DAV – President de Freitas and vice presidents Pelicarić and von Galen from the CCBE, Vice President Seibel and Eva Schriever from the DAV, particularly Dr Cord Bruegmann and Philip Buisseret
- Operational in Moria Camp, Lesvos, since July 2016
- European Lawyers in Lesvos is an independent German charity
- Our team of Greek asylum lawyers and volunteer European asylum lawyers provide free, independent legal assistance to asylum seekers on Lesvos

Where?

- Over 7,000 asylum seekers on Lesvos, the vast majority of whom have fled Syria, Afghanistan or Iraq

- Almost all the asylum seekers on Lesbos live in Moria Camp, which last year was called by MSF in a BBC report “the worst refugee camp on Earth”
- Over 5,500 asylum seekers reside in Moria (capacity 3,100). More than half (64%) are women or children, including over 400 unaccompanied minors
- The numbers keep growing – in June 2019 so far, 1216 people have arrived.

Why do we do what we do?

- We believe unhindered access to independent legal assistance from a lawyer is a fundamental right and vital to protecting human rights and upholding the rule of law – our mission is to provide this
- Asylum is a complex process, particularly in Greece
- To harness the solidarity and pro bono spirit of lawyers across Europe

Why is free legal assistance important?

- Complex and ever-changing legal process
- No state-legal aid at first instance, only at the appeal stage (even then no state lawyer for over a year)
- Majority of asylum seekers attend their interview without having spoken to a lawyer – it is their only interview
- Without access to legal assistance, asylum seekers do not know their rights or understand the process/criteria applied when their asylum applications are assessed
- Limited information provided - without access to legal assistance, asylum seekers do not know their rights or understand the process/criteria applied when their asylum applications are assessed
- Iraqi example

What we do:

- Legal assistance for asylum seekers before their asylum interview
 - Explain asylum as a concept and asylum process in Greece
 - Legal advice regarding the asylum seeker’s case
 - Assist in collecting supporting information and evidence
- Advice and guidance on the asylum process
- Family reunification under the Dublin Regulation
 - Collecting supporting documentation
 - Preparing application
- Information sessions

- Legal Information Leaflet (10 languages, 13,000 copies)
- Why do we do this, rather than, for example, strategic litigation? Most effective intervention and best way that European lawyers can assist
- Also try to give people back some human dignity – the asylum process is a dehumanizing process. The refugees in Moria say their least favourite word is “tomorrow” as, often, they are told over and over to come back tomorrow.

Impact:

- Largest provider of legal assistance to asylum seekers on Lesbos
- Reach approx. 40% of those in Moria
- Assist over 800 people per month on average
- Primary provider of legal assistance to:
 - Unaccompanied minors who have been incorrectly registered as adults (over 300 cases in total)
 - Asylum seekers in detention (almost 200 cases in total)
- 148 volunteer lawyers, from 17 European countries
- Assisted over 9,100 people (4,174 cases).
- Main nationalities assisted – Syrians, Iraqis, Afghans, Iranians and people from the Democratic Republic of Congo
- Many vulnerable individuals – victims of torture, victims of violence through war/conflict, victims of SGBV and minors
- Over 37,000 voluntary hours contributed by volunteers
- Thanks to volunteers – incredible hard work, tenacity and commitment – giving up holidays, taking unpaid leave.
 - Some volunteers have come multiple times, using every holiday for the past three years to volunteer in Lesbos.
 - This is something that greatly surprised me and demonstrates the desire and commitment of lawyers to volunteer.
 - No volunteer ever missed a day, no volunteer ever did not work – rather the opposite problem, trying to stop people working.
- Thanks to staff
 - Incredibly fortunate that Chrysoula was our first volunteer, incredibly hard working, tenacious and compassionate, with an unflinching commitment to justice and fairness.
 - Vassilis demonstrated the same qualities of commitment, compassion and humanity.

- Interpreters – hard work and very emotionally challenging.

Outcomes – the value of legal assistance:

- Of the over 1,800 people who have notified us of the outcome of their application, 74.5% have been granted international protection compared to an average in Greece of 46.5%
- We have helped:
 - Almost 3,600 people be recognised as vulnerable, meaning they have been able to move to the Greek mainland
 - Over 900 people be recognised as eligible to be reunited with their family members in other European countries.
- Changing policies through our intervention:
 - Age Assessment
- Nigerian case (7 meetings, convinced they had a case, then they were the only 2 out of 51 who were recognised – showing value of a lawyer)
- Afghan lady (SGBV survivor) who could not even speak of the trauma
- Syrian boy reunited with his uncle in Germany

Current situation:

- Focus on tougher border controls and externalisation of border control (deals with third countries):
 - Closing borders
 - EU-Turkey deal
 - Italy-Libya deal
- Political reaction
 - Losses for Chancellor Merkel
 - Rise of right wing – Italy (Salvini), Hungary (Orbán), Germany (AfD)
- Lack of media attention
 - Normalisation – actually in some way more shocking than the massive overcrowding
 - Gradual erosion of human rights safeguards and guarantees in the name of efficiency – e.g. low threshold nationality project (Burkina Faso boy)
 - Belief in the camp that Europe must not know about what goes on in Moria, otherwise they would not allow it. This is why MSF called it “the worst refugee camp on earth”, because it is in the EU.
 - People fled to Europe thinking it was the bastion of human rights

- Thank Pax Christi for drawing attention to this issue through this Prize and for supporting organisations like ELIL

The future:

- Expanding on Lesvos – new project ‘Know Your Rights’, information leaflet, information sessions, focus on unaccompanied minors, unaccompanied women, asylum seekers in detention
- In light of the increasing challenges, ELIL plans to expand – Samos, Italy, Spain

Conclusion:

- But, the need and the challenge is still there:
 - 581 people dead or missing in the Mediterranean in 2019 and 2,277 in 2018. Two weeks 7 people, including 2 children, died just off the coast of Lesvos.
 - Yesterday, Sea Watch appeal decision and today trying to enter the port of Lampedusa
 - Have to continue to bring attention to it, protect human rights and rule of law – push towards the CCBE and DAV’s aim of *Establishing independent and individual legal advice as standard measure of humanitarian aid*, like food, water and shelter.
- Thanks – Pax Christi, CCBE, DAV, ELIL staff, volunteers