



medico international

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fight for solidarity



## WE WILL NOT BE A PART OF THIS CRIME!

Once again, Erdogan is using refugees as political pawns. Once again human rights defenders from different fields and countries are witnessing an illegal and inhuman situation at the border between Greece and Turkey.

Official numbers are not available, however, it is clear that thousands of refugees, including a large number of minors, have been manipulated by Erdogan and are now stuck between two borders without the chance not only to access asylum procedures, but even proper food, clean water and a place to stay. There are serious reports about violence against migrants and it is also known that around a hundred people who have crossed the border have already been arrested by Greek authorities. Besides this new situation, the unacceptable situation in the Greek hotspots is still on going and people are dying in the Mediterranean Sea.

Once again it is necessary to remind European Governments' of their obligation to adhere to the principles of international laws and human rights.

The current plight of migrants at the border between Turkey and Greece is not just the responsibility of these two countries. The European States are directly responsible for this crisis, in addition to the dire situation in Greek hotspots and/or the Mediterranean Sea. This disaster is a direct outcome of the unlawful and unofficial EU-Turkey Statement. This Statement should be cancelled immediately. There is no doubt that Turkey is not a safe country for migrants and declaring it safe third country is a clear violation of human rights. The "Safe zones" in Syria suggested by the Turkish state are contrary to international law.

A solution can only be found in Europe and without the participation of the Turkish Government. National politicians and EU representatives should immediately set xenophobia, populism and racism aside. These approaches lead to fascist solutions that are incompatible with our European values.

The right to seek protection and the right to live in dignity is the fundamental right of every single person whose life is under threat. European States have to provide access to international protection, not just out of humanistic sensitivity, but because they are legally obliged to do so.

Therefore, the EU states and international organisations should not provide any support to the measures adopted by the Greek Government to suspend registrations of applications for international protection and deport without registration all persons entering Greece illegally. These acts violate international refugee and human rights law and find no support in the decision of ECHR in *N.D. N.T. v. Spain* (Applications nos. 8675/15 and 8697/15). Such manipulation of laws and reading of judgements endangers the rights of every European citizen and democracy and poses a fatal attitude towards persons in need of protection.

Greek courts have announced convictions of those arriving in Evros these days with up to 4 years imprisonment without suspension. These measures violate the Geneva Convention and raise serious questions in relation to due process and fair trial. European governments and international organisations should act.

Since the situation is worsening daily:

- We are calling Greece to open the borders and stop using police violence against the refugees immediately.
- We are calling for the immediate resettlement of refugees from Greece to other states in Europe. The “take charge” system of the Dublin III Regulation could be used immediately, as well as other relocation mechanisms. In this regard EU budget should be used for these ends and not for FRONTEX operations aiming at intercepting and pushing back refugees and asylum seekers from the Greek sea and land borders.
- We call for the cancellation of all criminal charges brought against refugees whose crime is to cross the border.
- We ask European states to respect international and European law and human rights charters.
- We call for the immediate abrogation of the unlawful EU-Turkey Statement.
- We call upon everybody to take a position in this dramatic situation.

Yiota Masouridou, vice-president of AED, Athens states: “Since the adoption of the EU Turkey Statement in 2016 EU member States are collectively violating the principle of non refoulement A human rights solution needs to be implemented now, by accepting refugees and asylum seekers in EU territory. Short term political solutions that disgrace Europe's legal culture should be abandoned.”

And Turkish lawyer Ceren Uysal adds: “We are witnessing a crime against humanity. We strongly believe that it is necessary to act, protest and fight against the erosion of the rule of law and the violations of human rights”.

There is an on-going crime and we will not be a part of this crime!

*Athens, Istanbul, Berlin, Amsterdam, Paris, Brussels, Rome, Madrid, Barcelona, 02<sup>nd</sup> of March, 2020,*

Contact:

Giota Massouridou, Vice-President of the AED-EDL: [massouridou@yahoo.gr](mailto:massouridou@yahoo.gr)

Signatories:

Avocats Européens Démocrates : [www.aeud.org](http://www.aeud.org)

Borderline Europe: <https://www.borderline-europe.de/>

Mission- Lifeline <https://mission-lifeline.de/>

Mission Life-line [www.mission-lifeline.de](http://www.mission-lifeline.de)

Alarmphone <https://alarmphone.org/en/>

Dutch Organization for Asylum Lawyers [www.hvh-advocaten.nl](http://www.hvh-advocaten.nl)

Medico international e.V [www.medico.de](http://www.medico.de)

Borderline Europe <http://www.borderline-europe.de>

The Dutch League for Human Rights

Foundation of the Day of the Endangered Lawyer <http://dayoftheendangeredlawyer.eu/>

Lawyers' Association for Freedom (ÖHD)

Progressive Lawyers' Network (CHD)