



## **Note on the extremely worrying humanitarian conditions in VIAL refugee camp, Chios (EU Hotspot in Greece)**

The EU hotspot VIAL is a refugee camp and also a management and reception complex. The center is located in a decommissioned aluminum factory and is still partly used as a waste separation and recycling facility.<sup>1</sup> At present Vial accommodates at least 2,000 people in tents and lightly secured containers.<sup>2</sup> Many more occupy makeshift structures which leave inhabitants entirely exposed to the elements, and to other residents of the camp. These are situated outside the official camp, and are constructed from materials such as tarpaulin, wooden pallets and blankets.<sup>1</sup> The camp's capacity is wholly inadequate.<sup>3</sup> Only in extreme emergencies is it even possible for extremely vulnerable individuals to be entered on the waiting list for a flat; the waiting times are several months. The housing is so limited that even three-quarters of unaccompanied minor asylum seekers live in the camp. Families with small children, unaccompanied minor asylum seekers, newborn babies, the elderly, physically and mentally ill, pregnant women, LGBTIs - all live in the Vial camp.

Since the entry into force of the EU-Turkey Statement,<sup>4</sup> asylum seekers are subject to a restriction on the free movement of persons, which prohibits them from leaving the island. Only in isolated cases is the onward journey to Athens approved. Asylum procedures on the island are progressing very slowly despite support from EASO. The waiting period until the first hearing is usually several months, often up to one year. During this period, asylum seekers remain subject to inhuman and degrading conditions in Vial.<sup>5</sup>

The Greek Minister for Migration, Yannis Mouzalas, summarized the situation in January 2017 with the following words: "The situation in the hotspots is very bad. The conditions on the islands

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1 Refugee Support Aegean, Winter has arrived: "Thousands left at the mercy of winter in Greek hotspots", 25. October 2017. Last accessed on 11.01.2018 at: <http://rsaegean.org/winter-has-arrived-thousands-left-at-the-mercy-of-winter-in-greek-hot-spots/>.

2 UNHCR, Fact Sheet Aegean Islands/1.-30. November 2017, November 2017. Last accessed on 11.01.2018 at: <https://data2.unhcr.org/en/documents/download/61294>; UNHCR, Chios island snapshot, 26.12.2017; recently Tasos Kokkinidis, Police Detain 10 After Clashes Erupt at Greek Refugee Camp, 11. January 2018. Last accessed on 11.01.2018 at: <http://greece.greekreporter.com/2018/01/11/police-detain-10-after-clashes-erupt-at-greek-refugee-camp/> and Tania Georgiopolou, Work to improve island centers for migrants moving slowly, 4. January 2018. Last accessed on 11.01.2018 at: <http://www.ekathimerini.com/224622/article/ekathimerini/news/work-to-improve-island-centers-for-migrants-moving-slowly>.

3 Report from the Commission to the European Parliament, the European Council and the Council: Progress report on the European Agenda on Migration, 15. November 2017, p. 4. Last accessed on 11.01.2018 at: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20171114\\_progress\\_report\\_on\\_the\\_european\\_agenda\\_on\\_migration\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20171114_progress_report_on_the_european_agenda_on_migration_en.pdf).

4 European Council, Council of the European Union, EU-Turkey Statement, 18 March 2016, published as press release. Last accessed on 11.01.2018 at: <http://www.consilium.europa.eu/de/press/press-releases/2016/03/18-eu-turkey-statement/>.

5 Dutch Council for Refugees, The implementation of the Hotspots in Italy and Greece. A Study by DRC, GRC, CIR, ECRE, ProAsyl, December 2016, p. 47. Last accessed on 11.01.2018 at: <http://www.ecre.org/wp-content/uploads/2016/12/HOTSPOTS-Report-5.12.2016..pdf>.

are appalling."<sup>6</sup> Mouzalas does not seem to have come to a contrary assessment on the recent visit a year later.<sup>7</sup>

Already last winter, the temperatures in heavy snowfall in the thin, unheated tents dropped dangerously, which is why flu and pneumonia could spread quickly. In addition, there were several deaths from smoke poisoning when people tried to heat their homes with gas cookers.<sup>8</sup> As in September 2016, the authorities are well aware of the inadequate provisions in 2017/2018.. However, hardly any provision has been made for this winter, and many containers and all tents remain without electricity and heating units.<sup>9</sup> Although the construction of additional 50 containers was proposed, the continuation depends on the court decision on 16 January 2018.<sup>10</sup> In addition, heavy rains have caused the unattached shelters to sink into mud.<sup>11</sup> Even the containers can not withstand these rains. However, the people in the camp are not only exposed to the strong weather in winter. There are hardly any shade spots in summer and the temperatures in the accommodation are unbearable.

The food supplied by NGOs and the military is of very poor quality. Residents of Vial camp regularly report waiting times of up to three hours and not enough food packages for all.<sup>12</sup> Especially for particularly vulnerable groups, children and unaccompanied minors, a condition in which regular food supplies are not secured, is specifically worrying. This also poses another potential for conflict and thus contributes to the already disturbing security situation in Vial. Overcrowding and poor humanitarian conditions in the camp, as well as cultural differences, repeatedly cause

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6 theguardian, Greece: severe weather places refugees at risk and government under fire, 10. Januar 2017. Last accessed on 11.01.2018 at: <https://www.theguardian.com/world/2017/jan/10/greece-severe-weather-places-refugees-at-risk-and-government-under-fire>.

7 NN, Vial camp 'will not close,' migration minister says on Chios visit, 11. January 2018. Last accessed on 11.01.2018 at: <http://www.ekathimerini.com/224825/article/ekathimerini/news/vial-camp-will-not-close-migration-minister-says-on-chios-visit>.

8 Amnesty International, Greece: Move asylum seekers to safety before winter hits, 1. December 2017. Last accessed on 11.01.2018 at: <http://www.refworld.org/docid/5a253dbf4.html>.

9 Remarks by Commissioner Avramopoulos at the EP Plenary sesión, Winter plan for Asylum Seekers, 15. November 2017. Last accessed on 11.01.2018 at: [https://ec.europa.eu/commission/commissioners/2014-2019/avramopoulos/announcements/remarks-commissioner-avramopoulos-ep-plenary-session-winter-plan-asylum-seekers\\_en](https://ec.europa.eu/commission/commissioners/2014-2019/avramopoulos/announcements/remarks-commissioner-avramopoulos-ep-plenary-session-winter-plan-asylum-seekers_en).

10 NN, Plans to expand Chios hot spot inch forward, 22. December .2017. Last accessed on 11.01.2018 at: <http://www.ekathimerini.com/224387/article/ekathimerini/news/plans-to-expand-chios-hot-spot-inch-forward>; Tania Georgiopolou, Work to improve island centers for migrants moving slowly, 4. January 2018. Last accessed on 11.01.2018 at: <http://www.ekathimerini.com/224622/article/ekathimerini/news/work-to-improve-island-centers-for-migrants-moving-slowly>; INFOMIGRANTS, Chios residents to protest in Athens over migrant crisis, 01. December 2017. Last accessed on 11.01.2018 at: <http://www.infomigrants.net/en/post/6344/chios-residents-to-protest-in-athens-over-migrant-crisis>.

11 TAZ, Flüchtlinge in Griechenland: Ganz normaler Ausnahmezustand, 12. October 2017. Last accessed on 11.01.2018 at: <http://www.taz.de/!5452592/>.

12 Action from Switzerland, Be Aware And Share (BAAS) i.a., Open Letter to the European Commission from Chios, November 2017. Last accessed on 11.01.2018 at: <https://medium.com/@AreYouSyrious/open-letter-to-the-european-commission-from-chios-40fb64bde0bf>.

conflicts between the residents of Vial,<sup>13</sup> as well as the local community. In addition, there is an increased risk of sexual abuse within the camp, especially for vulnerable groups.<sup>14</sup>

The hygiene and sanitary facilities are completely inadequate. There is often no running water. The chemical toilets hardly work and the toxic wastewater flows directly to the tents, posing a serious health risk<sup>15</sup>. In addition, access to health care is extremely limited. Due to the very limited number of doctors on the small island and the fact that most doctors do not treat asylum seekers, the waiting time for a doctor's appointment is extremely long. Many treatments can not be done on the island. Partly, NGOs take on medical emergency care; the hospital of the island has only a small emergency room.

The circumstances described lead - especially in persons already traumatized on arrival - to severe psychological problems, intensify existing conditions. Many asylum seekers are already traumatized on arrival in Chios due to war experiences, torture or other violent experiences in their country of origin or on the flight. Severe depression, sleep disorders, anxiety and consequent health problems are prolific.<sup>16</sup> Waiting times for appointments with a small number of available psychologists are unacceptably long. As a rule, no therapy takes place; at best, a medical report will be issued. Due to the high number of mental health problems, as well as in protest against the living conditions, self-injuries, hunger strikes, suicide attempts or suicides are increasingly common. Already in June 2016, a hunger strike of nearly two weeks was held by a group of Syrians. In March 2017, an asylum seeker lit himself in protest and despair.<sup>17</sup>

The Country Report of the Asylum Information Database coordinated by the European Council of Refugees and Exiles (ECRE) concludes that *The situation on the islands is extremely alarming and it has become obvious that the reception condition prevailing in particular in the hotspot facilities may reach the level of inhuman or degrading treatment in certain cases.*<sup>18</sup>

The conditions in the camp on the island of Chios have not improved in the past year. On the contrary, since the entry into force of the EU-Turkey declaration, asylum seekers are no longer allowed to leave the island for the mainland, and conditions are therefore steadily deteriorating. In November 2016, the Fundamental Rights Agency stated that *the hotspot approach is deemed to fail*

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13 Recently Tasos Kokkinidis, Police Detain 10 After Clashes Erupt at Greek Refugee Camp, 11. January 2018. Last accessed on 11.01.2018 at: <http://greece.greekreporter.com/2018/01/11/police-detain-10-after-clashes-erupt-at-greek-refugee-camp/>; NN, Clashes break out between migrants at Chios camp, 11. January 2018. Last accessed on 11.01.2018 at: <http://www.ekathimerini.com/224813/article/ekathimerini/news/clashes-break-out-between-migrants-at-chios-camp>.

14 Human Rights Watch, Greece: Refugee "Hotspots", Unsafe, Unsanitary, March 2016. Last accessed on 11.01.2018 at: <https://www.hrw.org/news/2016/05/19/greece-refugee-hotspots-unsafe-unsanitary>.

15 Refugee Support Aegean, Winter has arrived: "Thousands left at the mercy of winter in Greek hotspots", 25. October 2017. Last accessed on 11.01.2018 at: <http://rsaegean.org/winter-has-arrived-thousands-left-at-the-mercy-of-winter-in-greek-hot-spots/>.

16 Doctors without borders, Greece- Confronting the mental health emergency on Samos and Lesvos, October 2017. Last accessed on 11.01.2018 at: [https://www.aerzte-ohne-grenzen.de/sites/germany/files/2017\\_10\\_mental\\_health\\_greece\\_report\\_final\\_low.pdf](https://www.aerzte-ohne-grenzen.de/sites/germany/files/2017_10_mental_health_greece_report_final_low.pdf).

17 ALJAZEERA, Syrian refugee critical after 'self-immolation', 30. March 2017. Last accessed on 11.01.2018 at: <http://www.aljazeera.com/news/2017/03/syrian-refugee-critical-immolation-chios-170330142455924.html>.

18 Asylum information database - AIDA, Country Report: Greece, 2016, p. 104. Last accessed on 11.01.2018 at: [http://www.asylumineurope.org/sites/default/files/report-download/aida\\_gr\\_2016update.pdf](http://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2016update.pdf).

*in respecting the Charter rights if these systemic issues are not addressed through concerted legislative, policy and operational response both at the EU and national level.*<sup>19</sup>

The conditions in Vial allude to the conclusion that applicants for international protection are at risk of a violation of Article 3 ECHR, the prohibition on inhuman and degrading treatment.<sup>20</sup> In this context, it should also be pointed out that the judgment of the Verwaltungsgericht Düsseldorf of 26.10.2017 states that with regard to the asylum system in Greece in general: "It is not apparent that the systemic shortcomings of the asylum procedure and the reception conditions in Greece are now resolved. [...] As regards the asylum system, there are still systemic deficiencies in Greece."<sup>21</sup> This is even more the case for the EU hotspots, where the situation is considerably worse than on the Greek mainland.

Instead of tackling the deficits of the island's facilities, European and Greek authorities and contracted organizations withdraw their responsibility and evade responsibility.<sup>22</sup> A further deterioration of the situation - especially with regard to medical care - is foreseeable. Due to the lack of funding or political resistance of the island's population,<sup>23</sup> some of the larger and smaller NGOs have already left the island of Chios.<sup>24</sup> More will follow in the coming months. Particularly in the medical care sector the already existing pension gap is suspected to grow rapidly.

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19 European Union Agency for Fundamental Rights, Opinion of the European Union Agency for Fundamental Rights on fundamental rights in the 'hotspots' set up in Greece and Italy, 29. November 2016, p. 4. Last accessed on 11.01.2018 at: [fra.europa.eu/sites/default/.../fra-opinion-5-2016-hotspots\\_en.pdf](http://fra.europa.eu/sites/default/.../fra-opinion-5-2016-hotspots_en.pdf).

20 Ziebritzki, Catharina/Nestler, Robert, 'Hotspots' at the EU External Border. A Legal Survey, p. 64 et seq. with further proof. Last accessed on 11.01.2018 at: [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3028111##](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3028111##).

21 Administrative Court of Düsseldorf/Germany, Decision of 26. October 2017, 12 L 4591/17.A. Last accessed on 11.01.2018 at: <http://www.asylumlawdatabase.eu/en/case-law/germany---administrative-court-duesseldorf-26-october-2017-12-l-459117a>.

22 NN, Migration Ministry responds to criticism over island camps, 29. December 2017. Last accessed on 11.01.2018 at: <http://www.ekathimerini.com/224504/article/ekathimerini/news/migration-ministry-responds-to-criticism-over-island-camps>; Global Policy Journal, When will Greece's Refugee Emergency descend the EU Policy Agenda?, 28. November 2017. Last accessed on 11.01.2018 at: <http://www.globalpolicyjournal.com/blog/28/11/2017/when-will-greece-s-refugee-emergency-descend-eu-policy-agenda>.

23 NewsThatMoves, NGO not opening clinic on Chios, 24. April 2017. Last accessed on 11.01.2018 at: <https://newsthatmoves.org/en/ngo-not-opening-clinic-on-chios/>.

24 Deutsche Welle, Refugees on Greek islands face untenable conditions, 2. July 2017. Last accessed on 11.01.2018 at: <http://www.dw.com/en/refugees-on-greek-islands-face-untenable-conditions/a-39484932>; Laurence Lee, Refugee aid dries up in Greece as media interest wanes, 2. August 2017. Last accessed on 11.01.2018 at: <http://www.aljazeera.com/blogs/europe/2017/08/refugee-aid-dries-greece-media-interest-wanes-170801190706290.html>.



*The following pictures were taken in December 2017 in VIAL:*





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This note was written by **refugee law clinics abroad e.V.** Unless a written source is provided, the reference is based on own views of the members of the association acting on Chios and their observations and conversations with refugees who live in Vial, as well as employees of Greek and foreign NGOs, UNHCR, Greek authorities and EU agencies.

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