



Greek Council for Refugees & Oxfam International Submission

Inquiry on Fundamental Rights in the EU-funded Migration Facilities on the Greek Islands

Case OI/3/2022/MHZ

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1. Introduction

Oxfam started operating with a humanitarian intervention in Greece in October 2015, providing clean water, sanitation, food, and non-food items, as arrivals of people seeking protection in Europe rapidly increased. Since September 2016 Oxfam is working with and through the Greek Council for Refugees (GCR). Through this partnership we ensured direct protection and legal aid services to asylum seekers

on the Greek mainland and islands.¹ Currently, we together produce research and policy outputs, engaging in advocacy vis-à-vis national and EU institutions and policy makers on upholding the rights of asylum seekers and refugees. Oxfam and GCR have conducted on the ground research and published reports on the new EU-funded ‘closed control access centres’ (CCACs) on the Greek islands since their inception. In December 2021 and in September 2022 Oxfam and GCR had the opportunity to visit the CCAC on Samos Island, where we also consulted with numerous NGOs and authorities. Moreover, GCR has a permanent presence on Kos Island, providing legal aid services to asylum seekers and recognized refugees. Based on that, the below submission summarises our fundamental rights concerns regarding the new centres. We would like to thank Marta Gionco of the Platform for International Cooperation on Undocumented Migrants (PICUM) for providing a valuable analysis of conditions amounting to deprivation of liberty for this submission.² Throughout the submission, we refer to the EU Fundamental Rights Agency’s (EUFRA) guidance on fundamental rights issues in EU reception facilities at external borders.

While containers with beds and toilets have replaced the makeshift tents of the old camp on Samos and sanitary conditions have improved, we have serious concerns regarding the fundamental rights impact of the CCACs. These include: the prison-like environment, practices of illegal de facto detention and arbitrary restrictions of residents’ personal liberty and freedom of movement, the centres’ extremely remote locations and concomitant safety risks, lack of medical care, lack of effective access to rights and services, lack of procedural safeguards in the border procedure, inadequate monitoring and oversight of the governance of and conditions in the centres, and lack of operationalisation of various facilities in the centres. In sum, these EU funded facilities appear to exacerbate rather than mitigate most of the fundamental rights concerns that GCR, Oxfam and others have highlighted with regards to migration management facilities in Greece for many years. With the establishment of the new centres, these now take place even further from the public eye and with even less opportunity for independent or systematic monitoring. There is a stark contrast between the way these centres are publicly presented and communicated about in particular by the European Commission, and the reality people living in them face in practice.

2. Carceral Environment

“A centre intended for the first identification and registration of new arrival should not look like a prison. To avoid as much as possible the risk of re-traumatising effects for people who have experienced violence and persecution, barbed wire and prison-like fencing should not be used and ununiformed personnel deployed, where possible”.

EU FRA, Aide Memoire on the Establishment of Multi-Purpose Reception and Identification Centres.³

During our visits to the Samos CCAC in December 2021 and in September 2022, we observed a highly securitised and fortified site, dominated by multiple layers of fencing around the site’s periphery and around each section within the centre (even the kindergarten), each fence being topped by two layers of barbed wire, as well as multiple watchtowers overlooking the site. The presence of private security and police personnel who guard the site 24/7 appeared disproportionately high, particularly in

¹ <https://www.gcr.gr/en/our-programs>

² See p.5.

³ <https://fragdenstaat.de/anfrage/fra-role-in-joint-pilot-for-the-establishment-of-a-new-mpric-in-lesvos/598354/anhang/1-aide-memoire-fra.pdf>, hereafter ‘EUFRA Aide Memoire’. See also: <https://fra.europa.eu/en/publication/2021/initial-reception-facilities-external-borders#publication-tab-1>, hereafter ‘EUFRA Note’.

relation to the low number of residents at the time of the visit. To access the administrative services' office inside the camp, residents must pass through a gate manned by a security officer and submit to a security check as well as a body check with a metal detector. A closed-circuit surveillance system with video surveillance and motion analysis algorithms monitoring the behaviour and movement of residents inside the camp has been installed and operational since the opening of the centre. This prison-like environment⁴ stands in stark contrast to the EU FRA's recommendations and indeed risks re-traumatising vulnerable individuals, while being wholly unfit for children.

3. Personal Liberty & Restriction of Freedom of Movement

Unless deprivation of liberty is justified in an individual case under the Reception Conditions Directive 2013/33/EU, asylum applicants should be allowed to leave the facility and return to it, when possible facilitated through public transport. EUFRA Note

3.i. Illegal de facto detention & arbitrary restriction of movement

The confinement of asylum applicants appears to be a primary objective in the new EU-funded sites. According to the Greek General Regulation on the Operation of the Islands' CCACs, residents are only permitted to enter and exit the centre from 8am-8pm daily, which restricts their freedom of movement and access to basic goods and services.⁵ Moreover, in practice, unjustified restrictions of movement have been applied since the beginning of the centres' operation, that in certain cases amount to illegal detention

In Samos CCAC, illegal detention measures were implemented from mid-November 2021 until early spring 2022. Residents who did not have an asylum applicant smart card (which is necessary to pass through the centre's security systems) were generally forbidden from leaving the site.⁶ This prohibition was implemented without any administrative decision and without provision of information regarding the exit ban's legal basis. In December 2021, roughly 100 of the in total 450 residents were banned from exiting the camp.⁷ On 17 December 2021, the Administrative Court of Syros, ruling in the case of an Afghan resident, confirmed that the prohibition of exit from the Samos CCAC imposed by the Greek state was unlawful.⁸ The Court stated that the Head of the CCAC had illegally imposed the prohibition of exit on the applicant and ordered for it to be lifted.⁹ In this case, there was no possibility to monitor the centre administration's reaction to the court decision as the Afghan resident was able to leave the centre due to a positive admissibility decision issued by the Greek asylum service, not due to the CCAC administration's compliance with the court decision.

Following the illegal de facto detention practice implemented in the first months of the centre's operation, from mid-April 2022, administrative delays in the issuance of the applicants' cards resulted

⁴ See Stories from Samos -A Collection of Testimonies: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.gcr.gr/media/k2/attachments/Stories_from_Samos_A_collection_of_Testimonies.pdf.

⁵ General Regulation on the Islands' CCACs' Operation – Decision of the General Secretary of Reception of Asylum Seekers, FEK 25.0/118832: <https://bit.ly/3hwcn8Z>.

⁶ See GCR-Oxfam Bulletin, March 2022, Chapter "Illegal Detention Practice", p.4: <https://bit.ly/3BWAUdu>; Amnesty International, Greece: Asylum seekers being illegally detained in new EU-funded camp, 2 December 2021: <https://bit.ly/3Ytfnnf>; Joint PR, Κλειστή Δομή Σάμου: Ο Εγκλωβισμός Συνεχίζεται [Confinement Continues in Samos CCAC], 10 February 2022, [in Greek]: <https://bit.ly/3v0AqQp>.

⁷ Amnesty International, Greece: Asylum seekers being illegally detained in new EU-funded camp, 2 December 2021: <https://bit.ly/3kNBFAr>.

⁸ GCR Press Release, The Administrative Court of Syros ruled unlawful the measure of prohibiting the exit of an Afghan asylum seeker from the new Closed Controlled Access Facility of Samos (CCF Samos), 22 December 2021: <https://bit.ly/3v1QI53>.

⁹ The decision of the Administrative Court of Syros, AP 36 /17-12-2021: <https://bit.ly/3G3teCH>.

in them not being allowed to exit the centre, in certain cases for more than 25 days. Since at least July 2022, a new general rule in Samos CCAC applies an unjustified 25-day movement restriction to new arrivals.¹⁰ According to the centre's administration, all newly arrived asylum applicants are only permitted to exit the centre after 25 days, despite being fully identified and registered within the first five days of their arrival. Therefore, there is no justification for the extension of the restriction of residents' freedom of movement which the law provides by way of exception for purposes of registration and identification.¹¹

In Kos CCAC, newly arrived asylum applicants are similarly only permitted to exit the centre 25 days after their registration.¹² Furthermore, according to legal aid organizations operating in Kos including GCR, during various periods since the beginning of the Kos CCAC's operation, restrictions of the number of residents permitted to exit the centre have been applied, without further justification. These constantly changing and unjustified measures make it near impossible for lawyers to effectively challenge them, which contributes to the arbitrary governance of the sites.

3.ii. Discriminatory Quarantine

Until the end of November 2022, all asylum seekers in CCACs in Greece were subjected to five or more days of mandatory 'quarantine', applied automatically upon arrival, regardless of whether they tested positive for Covid-19. This was a discriminatory measure, as it was not imposed on anyone else entering Greece, including those fleeing the Ukraine war.¹³

During this time, individuals were held in the quarantine area of the CCAC in isolation and without access to legal information or other information with regards to the reception, identification and asylum procedures. Only RIS personnel had access to the newly arrived individuals who were detained in quarantine. No organizations nor UNHCR personnel had access to the detainees. According to information provided by the RIS, the RIS personnel provided general information to the quarantine detainees, however, this was contrary to the testimonies of individuals released from quarantine given to GCR, who reported that they did not receive any information regarding their rights and the asylum procedure during quarantine. Moreover, the reception and identification procedures were only carried out once the asylum seekers were moved out of quarantine. This means that during the quarantine period, asylum seekers remain unregistered, without access to their rights and without any assessment of potential vulnerabilities.

Throughout 2022, containers within the Pre-Removal Detention Centre (PRDC) section of the new CCAC on Kos were used to quarantine newly arrived asylum seekers. During the quarantine period, individuals held in the containers could not communicate with anyone outside of the detention area and had no access to legal aid, as their phones were arbitrarily confiscated upon arrival. GCR has also worked on the cases of individuals who were kept in the containers of the PRDC after the completion of the quarantine for an additional period of one month before being transferred to the CCAC's RIC sector.

A Joint Ministerial Decision published on 19 November 2022 (GG B' 5874) terminated the indiscriminate five-day quarantine period, stipulating that new arrivals who test negative to COVID-19 are held in the CCAC's First Reception Area for one day and are then registered by RIS. Newly arrived asylum seekers who test positive are placed in mandatory quarantine for five or more days with restricted access to their rights in the above-mentioned conditions. In practice, the 'first reception

¹⁰ See GCR-OXFAM-SCI Bimonthly Bulletin, July 2022, p.8: <https://bit.ly/3SGPUmn>, GCR-OXFAM-SCI Bimonthly Bulletin, October 2022, p.7: <https://bit.ly/3HQeqz7>.

¹¹ Article 39, Law 4636/2019.

¹² See GCR-OXFAM-SCI Bimonthly Bulletin, July 2022, p.8: <https://bit.ly/3SGPUmn>.

¹³ See GCR-OXFAM-SCI Bimonthly Bulletin, July 2022, p.14: <https://bit.ly/3SGPUmn>.

area' or so called 'waiting area' is the same area that was used for the quarantine detention. This means that individuals are held in this area for 24 hours without access to legal or other information, health care and without undergoing vulnerability assessments. In practice, the time of registration and therefore restriction of freedom of movement in the waiting area, depends on the number of arrivals and the RIS's registration capacity. During January 2023 in the Kos CCAC, there have been cases of asylum seekers who remained in the 'waiting area' for periods up to 14 days, due to the increased number of arrivals, according to information provided by GCR lawyers on Kos. The period that the asylum seekers are held in the 'waiting area' is not included in the aforementioned 25-day movement restriction imposed after the RIS registration. Moreover, in Kos CCAC a section of the Pre-Removal Detention Centre is one of the areas used as a 'waiting area'. While the asylum seekers remain in this area, if they must leave it for example to receive their registration appointment in the centre's administrative area, they can only do so accompanied by RIS security personnel. Therefore, despite the official termination of the quarantine period, in practice arbitrary restrictions of freedom of movement during which asylum seekers have no access to their rights are still applied, without issuance of formal decisions or documentation, constituting measures that amount to de facto detention.

3.iii. Entry & Exit

Under Article 52 of the EU Charter of Fundamental Rights, any restriction to the right to liberty and security must be provided for by law, pursue a legitimate objective, and be necessary and proportionate. The centre and the services offered should...allow asylum applicants to move freely inside the camp and to come and go (if necessary facilitated through public transport).

Aide Memoire, EUFRA

To enter and exit the camp, residents must pass through a set of turnstiles, magnetic gates, x-ray machines and a two-factor access control system using an electronic card and fingerprinting. Whenever residents return, they have to undergo body and bag searches and again have to pass through metal detectors. Children attending school are also subjected to this security screening twice a day.

Additionally, according to the General Regulation on the Operation of the Islands' CCACs, in case of absence or lateness, residents can be punished with a decision of termination of residence and provision of material reception conditions i.e., cash assistance and food.¹⁴ These measures are at odds with Directive 2013/33,¹⁵ which, according to the Court of Justice of the European Union (CJEU), must be interpreted as precluding the imposition of sanctions consisting of the withdrawal of material reception conditions,¹⁶ relating to housing, food or clothing, in so far as it would deprive the applicant of the ability to meet their basic needs.¹⁷ Moreover, according to the CJEU, any imposition of sanctions related to asylum applicants' reception by a Member State, must in all circumstances comply with the conditions laid down in Article 20(5) of Directive 2013/33, including those concerning the principle of proportionality and respect for human dignity.¹⁸

In addition to the illegal practices presented above, legal aid organizations operating on Samos have reported further unjustified and arbitrary restrictions of individuals' entry and exit of the centre. These include security guards refusing entry to residents who had been absent for one day without prior

¹⁴ Article 7 of the General Regulation on the Islands' CCACs' Operation – Decision of the General Secretary of Reception of Asylum Seekers, FEK 25.0/118832: <https://bit.ly/3jgfYIM>.

¹⁵ Articles 20(1) and (5).

¹⁶ Within the meaning of Article 2(f) and (g) of said Directive.

¹⁷ See the recent CJEU case law on the scope of Member States' right to determine the sanctions applicable: CJEU, Court of Justice of the European Union- Judgment - Asylum -Ministero dell'Interno v. TO - Case C-422/21: <https://bit.ly/3hCvsX2>.

¹⁸ Ibid.

notice; the centre's administration rejecting a resident's request to enter without justification, after them being absent for a few days due to personal reasons; and the centre's administration not approving exit of residents for work or volunteering purposes. These reports raise concerns over the administration and security service's¹⁹ restriction of residents' personal liberty by preventing entry or exit, without following official procedures and without providing written decisions or justifications, in violation of procedural safeguards and residents' rights.²⁰

3.iv. Deprivation of Liberty

According to relevant jurisprudence,²¹ the cumulative effect of systematic restrictions of people's freedom of movement, is likely to amount to deprivation of liberty. Irrespective of terminology used by states, any placement of a person in custodial settings which that person is not permitted to leave at their will is considered as deprivation of liberty under the Optional Protocol to the Convention Against Torture.²² According to the European Court of Human Rights (ECtHR), the difference between deprivation of liberty (or detention) and restriction to freedom of movement lies in the intensity of the measure rather than its nature. The ECtHR analyses the specific facts of each case (the type of measure, the duration of the measure, effects on the person concerned, and manner of implementation) to determine whether a measure formally qualified by the state as restriction of freedom of movement amounts to detention in practice.²³ Crucially, the ECtHR assesses these criteria in a cumulative manner, meaning that a series of restrictions, which in themselves would not reach the threshold of detention, together may do so.

In *Guzzardi v. Italy*,²⁴ the ECtHR found that a situation amounted to detention because the applicant was obliged to stay on a small area of an island for 16 months; was subject to a night-time curfew; was required to report to the authorities twice a day and inform them of the telephone number of his correspondent; and his trips required the consent of the authorities and were supervised by the police (para. 95). In *R.R. and Others v. Hungary*²⁵ the Court found that the applicants' stay in the transit zone amounted to de facto detention because of the lack of any domestic legal provisions fixing the maximum duration of the applicants' stay, the "excessive duration" of that stay (almost four months) and the considerable delays in the domestic examination of the applicants' asylum claims (para. 83). Based on this jurisprudence, it is likely that the conditions of the CCACs, in which residents are held for several months; face unjustified and arbitrary restrictions to entry and exit, including the impossibility to leave for a few days for personal reasons, or to leave the centre for work or volunteering purposes; and in which the residents must pass through security checks, fingerprinting as well as body and bag searches, amount to deprivation of liberty.

4. Camp Governance & Standards, Access, and Monitoring

We are concerned over the apparent discretion of the centres' administrations and the resulting arbitrariness in the management of entry and exit, respect of residents' personal liberty and access to rights more generally. Concerns over mis- or untransparent governance and lack of accountability in

¹⁹ GCR-Oxfam Bulletin, March 2022, p.3: <https://bit.ly/3BWAUdu>.

²⁰ GCR-Oxfam Bulletin, March 2022, p.3: <https://bit.ly/3BWAUdu>.

²¹ See case law below.

²² Art. 4(2), <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-against-torture-and-other-cruel>.

²³ See ECtHR, *Guzzardi v. Italy*, 7367/76, (November 6, 1980), para. 92-93; ECtHR, *Austin and Others v. the United Kingdom*, 39692/09, 40713/09 and 41008/09, GC, (March 12, 2012), para. 57.

²⁴ See <https://hudoc.echr.coe.int/eng?i=001-57498>.

²⁵ See <https://hudoc.echr.coe.int/fre?i=001-115019>.

the migration management facilities on the Greek islands and mainland have been raised by GCR, Oxfam and countless NGOs and civil society groups for several years, including regarding the former 'EU Hotspots'. These arbitrary practices have frequently been the result of internal and non-public SOPs from the central administration, i.e., the central RIS and the central CCACs administration, provided to the CCACs' local administrations, i.e., CCAC Directors and the rest of the personnel. These SOPs are invoked by the local CCAC administrations but never shared by the Reception and Identification Service (RIS) personnel to address legal aid actors' [including GCR] requests. For example, the central RIS administration rejected GCR's requests²⁶ to communicate the Instruction Manual for Entry-Exit in CCACs, which introduced requirements for the access of residents, lawyers and civil society in addition to those initially provided by the General Regulation on the Operation of the Islands' CCACs.²⁷ The response of the Head of the Central RIS Administration was that the requested document was internal to the administration and "*refers to instructions only for internal distribution [to the RIS' personnel] that cannot be communicated to third parties*".²⁸

The lack of transparency and publication of SOPs that ultimately determine the governance of these sites mean that in practice the day to day living conditions and access to rights of individuals seeking protection in EU funded reception centres, depend on the subjective decisions or goodwill of administrations who are not subject to any systematic monitoring or public accountability, while making it extremely difficult for residents, legal aid actors and others to challenge misgovernance and maladministration.

These concerns are further exacerbated in the new EU-funded centres by the reduction of independent actors such as lawyers, NGOs and civil society groups present in the sites, as well as the difficulty of access for journalists and other independent monitors.

- A. Withdrawal of NGO operations: Numerous NGOs withdrew their operations or programs before the establishment of the CCACs, as they opposed this policy or because they were unable to effectively operate in such remote locations.²⁹
- B. NGO Registry: NGOs that are not registered in the National Register of Greek and Foreign NGOs ('NGO Registry') cannot access the CCACs. The legal framework introduced in the Registry stipulates that the registration of NGOs is a precondition for their operation in the field of asylum and migration.³⁰ It imposes numerous burdensome requirements for registration and certification while allowing for broad discretion in the rejection of registrations. This legal framework has been criticized by inter alia the Council of Europe, UN bodies and civil society organizations, including GCR, for unduly limiting civic space in

²⁶ GCR Request no. 206165/2022 submitted on 6/4/2022 to the CCACs' Central Administration and the Secretary General of Reception of Asylum Seekers. The request was re-submitted on 15/4/2022 with further argumentation regarding GCR's legitimate interest and right to information.

²⁷ General Regulation on the Islands' CCACs' Operation – Decision of the General Secretary of Reception of Asylum Seekers, FEK 25.0/118832: <https://bit.ly/3jgfYIM>.

²⁸ Responses from the Head of the Central RIS Administration, rejecting GCR's requests, on 11/4/2022 and 19/4/2022.

²⁹ For example, one of the organizations that ended its activities on Samos Island was MedEqualiTeam Clinic that served as a primary health care facility since 2018. See <https://www.medequali.team/en/about/clinic/>.

³⁰ JMD 10616/2020, 10 September 2020, Register of Greek and Foreign Non-Governmental Organizations (NGOs) dealing with international protection, migration, and social integration issues.

Greece.³¹ Specifically, the law was found to “raise both procedural and substantive difficulties with respect to freedom of association and the protection of civil society space” and “*the onerous, complex, time-consuming and costly requirements for NGO and individual member registration (including re-registration) and to maintain active membership in the registry give rise to problems of compliance with the rights in Articles 8 and 11 of the ECHR because of a lack of legitimacy and proportionality*”.³² NGOs lodged an application for annulment before the Greek Council of State which was examined on 2 December 2022 and the judgment is pending.³³

- C. Further restrictions for registered NGOs: while the Greek authorities and the EU Task Force informed us that officially, NGOs who are in the National Registry for NGOs are permitted to enter the centres, in practice this is not always the case. The CCAC central administration has introduced a new rule requiring all NGO personnel, including lawyers, to present a smart card with a photo, personal details as well as fingerprints, to access the centres. This led the Athens Bar Association, following requests from registered legal organizations, to issue a legal opinion (under protocol number 185/1-12-2022), stating that according to the Lawyers’ Code of Conduct (L.4194/2013), lawyers can freely enter Ministries and all public facilities solely by presenting their lawyer’s ID at any time and without restriction. It also states that lawyers can enter all facilities (including CCACs) without presentation of a smart card and without prior notification to the Administration. Accordingly, the CCAC administrations’ refusal of entry to lawyers due to lack of a smart card is an illegal obstruction of residents’ access to legal aid.

In January 2023, lawyers working for a registered legal aid NGO operating in Samos CCAC, reported that the CCAC administration informed them that they will no longer have access to the CCAC unless they issue a smart card. In Lesvos, the administration of the future CCAC that is now in charge of Mavrouvouni has requested NGO members operating in Mavrouvouni to provide a Greek tax and social security number to enter. Several NGOs and INGOs operating on Lesvos have expressed their concern that international staff and volunteers without Greek tax and /or social security numbers will not have access to the site, further reducing the presence of independent civil society and those providing services to asylum seekers in the centres.³⁴

Moreover, taking photographs of the sites (inside and outside) is strictly prohibited, including during our visits to Samos CCAC. A resident of Samos CCAC reported that when journalists visited the facility, they were accompanied by security guards, and residents did not feel free to express their views.³⁵ In our view, there is no reasonable justification for EU-funded migration management facilities to be secretive sites where the standards and treatment of asylum seekers are untransparent and near impossible to monitor independently, systematically, or effectively.

³¹ EXPERT COUNCIL ON NGO LAW CONF/EXP (2020)4, OPINION ON THE COMPATIBILITY WITH EUROPEAN STANDARDS OF RECENT AND PLANNED AMENDMENTS TO THE GREEK LEGISLATION ON NGO REGISTRATION, 2 July 2020: <https://bit.ly/3kNYN1Z>; Amnesty International Public Statement, 31 July 2020: <https://bit.ly/3kLhG5C>; ECRE, Expert Opinion Concerning the Lawfulness of Greek legislation regulating the registration of non-governmental organisations (NGOs) on the Registry of NGOs working with refugees and migrants in Greece, December 2021: <https://bit.ly/3kNTYFE>; RSA, Joint statement by 19 organisations active on refugee issues in Greece on the rejection of RSA from the NGO Registry, 8 December 2021: <https://bit.ly/405WkQp>.

³² According to the Opinion on the Compatibility with European Standards of the Greek Legislation on NGO Registration of the Expert Council on NGO Law.

³³ Equal Rights, NGO Law at the Greek Council of State, 4 December 2022: <https://bit.ly/3kMfta9>.

³⁴ Minutes of Lesvos Protection Working Group Meeting, 6 December 2022.

³⁵ GCR-Oxfam Bulletin, March 2022, p.3: <https://bit.ly/3BWAUdu>.

4.i. EU Task Force on Migration Management

GCR has engaged with the representatives of the Commission's Task Force on Migration Management³⁶ in Lesvos, within the context of their meetings with civil society organizations, i.e., members of the Protection Working Group and Legal Aid Working Group, including GCR. During these meetings there is generally insufficient time for constructive discussion on the concerns of civil society organizations or exchange of relevant information by both sides, which renders the meetings more of a box-ticking exercise than an opportunity to improve the governance and the conditions in the centres based on the feedback of NGOs and civil society.

Moreover, GCR has participated in two bilateral meetings with representatives of the Task Force in Lesvos, in late 2022. During these meetings, GCR informed the representatives of inter alia a) the illegal detention practice in Samos CCAC and the unjustified restriction of liberty in Samos and Kos CCAC, b) concerns over the under-construction of Lesvos CCAC in the isolated area of Vastria c) the discriminatory treatment of asylum seekers submitted to mandatory quarantine d) the reports on pushbacks and non-access to asylum for asylum seekers landing on Samos, Kos and Lesvos islands. The Task Force representatives reported that the restrictions of movement in Samos CCAC as well as quarantine practices were discussed during meetings between the Task Force and Greek government. However, these meetings are held behind closed doors, without the participation of civil society and legal aid groups and remain undocumented. During the most recent meeting, the Task Force representatives informed GCR of the Task Force's regular visits to the construction site of the Lesvos CCAC in Vastria and provided very little further information.

In Samos and Kos, the Task Force has no permanent presence despite the operation of the EU funded CCACs. In Kos, GCR staff have never been invited to participate in a meeting with the Task Force. In general, there is no accessible and official information regarding the Task Force's activities in Greece nor relevant results. There are no written records of the meetings between the Task Force and the Greek authorities, the Task Force's positions nor relevant recommendations to the Greek authorities. Furthermore, there is no official referral pathway for civil society organizations to submit a request for provision of information and/or submit any valuable information and/or complaints to the Task Force, adding to the lack of clarity on the Taskforce's objectives, mandate, and accountability structures.

In order to ensure that the governance of these sites safeguards asylum seekers' fundamental rights, it is crucial that these facilities adhere to strict common standards, including with regards to residents' personal liberty, freedom of movement and effective access to asylum. This can only be guaranteed if these standards and SOPs are regularly and transparently documented and publicised, if the sites are open to regular independent monitoring, as well as to vetted journalists and NGOs. While we welcome the opportunity to visit the Samos CCAC, a few hours do not suffice to effectively monitor conditions and access to fundamental rights, especially when the rules and policies concerning their governance are constantly changing, and usually not public or accessible. Residents must also be able to effectively report fundamental rights violations and unjustified measures such as arbitrary restrictions of freedom of movement to an independent body.

³⁶ Hereafter 'Task Force'.

5. Remote Isolated Locations & Security Risks

“The location selected for the construction of a facility can affect the protection risks faced by people hosted there. Based on FRA’s past observations from the Greek and Italian hotspots, when selecting the site for a new facility, the following factors deserve particular attention:

- *accessibility of services and life necessities available outside the facility;*
- *availability of necessary infrastructure e.g. sufficient water supply, sewage connections, electricity and reliable internet connection;*
- *adequate terrain to allow people with reduced mobility to reach all services;*
- *absence of environmental or health hazards...”*³⁷

EUFRA Note

On all the islands³⁸ where the new centres are either already in place or under construction, they are in extremely remote and isolated locations. This gives rise to security risks and barriers to residents’ effective access to rights, services, and integration.

5.i. Samos and Kos

The new CCAC on Samos is in an extremely remote location, roughly 9 km from the next city centre and around 11km from Samos General Hospital.³⁹ The city can primarily be reached through a 20-minute drive on a rural country road that has no pavement for pedestrians, so residents cannot reach any city by foot without walking for hours in unsafe conditions. This road was not restored or made pedestrian-friendly following the centre’s construction. Residents are therefore entirely dependent on a bus that runs five times a day on weekdays, twice on Saturdays and not at all on Sundays.⁴⁰ Moreover, residents must pay for this transport themselves, at €1,60 for a one-way bus ticket. Given the current €75 monthly allowance for individuals and €210 monthly allowance for families of four or more, this transport is clearly unaffordable to most on a regular basis. Return tickets for the local bus cost €3.20, while the daily financial aid is €2.50 per day for a single person, and €1.75 per person in families of four or more.⁴¹

In Kos, the new centre is similarly remote and isolated, approximately 15km from the closest town. The country road to the town is unsuitable for pedestrians. There are three daily bus routes to the town of Kos, at 07:30, 10:30 and 13:30 at a price of €2.10 for a one-way ticket. On Saturdays there are two buses per day, while on Sundays there are none at all, leaving residents no option to reach the town other than walking 15km or a €30 taxi ride.⁴²

In contrast to EU FRA’s recommendations, the remote and isolated locations selected for the centres, in combination with the bus fee and restricted entry and exit hours, severely impede residents’ effective access to essential services, including medical assistance, that are currently largely unavailable in the centres. These conditions simultaneously obstruct residents’ opportunities to participate in everyday life and integrate into local communities through work, education, language

³⁷ <https://fra.europa.eu/en/publication/2021/initial-reception-facilities-external-borders#publication-tab-1>.

³⁸ Samos: <https://migration.gov.gr/en/ked-samoy-kleisti-elegchomeni-domi-samoy/>; Kos: <https://migration.gov.gr/en/ris/perifereiakes-monades/kyt-domes/k-y-t-ko/>; Leros: <https://migration.gov.gr/en/ris/perifereiakes-monades/kyt-domes/k-y-t-leroy/>. CCACs under construction: Lesvos (GCR-OXFAM-SCI Bimonthly Bulletin, October 2022, pp.7-8: <https://bit.ly/3Y64qqv> and Chios.

³⁹ The previous RIC on Samos was about 400 meters from the city centre and within a 10-minute walk, asylum seekers could have access to essential goods and services, interact with the local community and engage in social activities. Although conditions in the camp were inhumane, before the pandemic, asylum seekers could practice their personal liberty by being able to move freely in and out of the camp.

⁴⁰ According to the Samos bus routes & timetable: https://www.samosin.gr/wp-content/uploads/Samos_bus_routes_01_05_2018.pdf.

⁴¹ See Ministry of Migration and Asylum, "Financial Aid", at: <https://migration.gov.gr/en/ris/epidomata/>.

⁴² This information was provided by GCR personnel in Kos.

classes, and leisure activities. As mentioned, most NGOs, legal aid groups and lawyers on the islands do not operate in the sites, meaning that residents' access to specialised support including legal aid is also severely restricted in practice. This concern is exacerbated for individuals with reduced mobility, an already highly vulnerable population. While the area within the centre's perimeter is highly securitised, the extremely remote rural location gives rise to risks such as fire hazards and concerns over the personal security of camp residents when they attempt to reach the city. Finally, these remote, isolated locations heighten the risk of arbitrary administrative practices and violations of asylum seekers' fundamental rights such as those outlined above taking place outside of the public eye.

5.ii. Lesvos

Construction of the Lesvos CCAC is ongoing, and according to the Greek Migration Minister will be complete in February 2023,⁴³ though reports on the opening date vary. The site chosen is similarly remote and rural, currently lacking essential infrastructure such as water supply and sewage, electricity, waste management and public roads.⁴⁴ Research has shown that the construction and operation of the facility will have disastrous and irreversible consequences for the environment.⁴⁵ Construction of the centre has also been met by significant local resistance: the North Aegean regional government and villages neighbouring the site opposed the construction, and members of the North Aegean Fire Department and the neighbouring villages' elected representatives have raised serious concerns over the high risk of wildfire in a forest area with no fire safety zones. The high risk of fires and the lack of resources to adequately respond is an ongoing safety hazard on Lesvos. In the current Mavrovouni camp, regular fire incidents due to electrical short-circuits, resulted in the destruction of rub halls and containers even though it is located only 5km from Mytilene centre and the fire brigade.⁴⁶ Moreover, a recent fire on Lesvos resulted in the destruction of more than 20,000 km² of land and dozens of houses due to an understaffed fire brigade and inadequate state resources to respond. Therefore, plans for this EU funded facility that is even more remote and surrounded by a forest, raise urgent concerns over the potential risk to hundreds of people's lives.

6. Lack of effective access to rights and services & barriers to integration

A clear legal definition of responsibilities and applicable material reception standards – which must ensure dignified conditions as set out in EU and international law – is vital. So are protocols for identifying vulnerable groups. Together, these promote a clear division of responsibilities among all actors, avoiding gaps. They also help to ensure consistency for oversight of reception conditions by responsible national bodies.

Notwithstanding the authorities' duty to ensure dignified reception conditions, assistance and support provided in the facility should utilise the capacities and skills of those hosted there. Where people stay more than just a few days, they should be enabled, as much as possible, to take care of their daily needs – for example, by allowing them to cook...

EUFRA Note

⁴³ Sto Nisi, Τον Φλεβάρη «εγκαινιάζεται» η Βάστρια, 26 September 2022, [in Greek]; Info Migrants, Greece: New hotspots on Lesbos, Chios to open in 2023, 28 September 2022, <https://www.infomigrants.net/fr/post/43634/greece-new-hotspots-on-lesbos-chios-to-open-in-2023>.

⁴⁴ GCR, OXFAM, Save the Children, Greece, Bimonthly Bulletin on refugees and migrants, October 2022, pp. 7-8: https://www.gcr.gr/media/k2/attachments/GCR_OXFAM_STC_Advocacy_Update_October_2022.pdf.

⁴⁵ Nealesvou.gr, Άρθρο: Βάστρια σε αναμονή - η υπόθεση στο Συμβούλιο της Επικρατείας, 18 August 2022, [in Greek]: <https://bit.ly/3ClthX>.

⁴⁶ GCR, OXFAM, Save the Children, Greece, Bimonthly Bulletin on refugees and migrants, October 2022: https://www.gcr.gr/media/k2/attachments/GCR_OXFAM_STC_Advocacy_Update_October_2022.pdf.

One year after its inauguration, the Samos CCAC is still not yet fully operational. In practice, the majority of the facilities hailed as significant improvements to residents' quality of life by the European Commission and the Greek authorities⁴⁷ - such as restaurant and communal areas, shared kitchens, IT 'labs', distribution points for non-food items as well as playgrounds and recreational areas, have never been used.⁴⁸ During our visit, the camp administration explained this through the relatively low (though in recent months significantly increased) number of arrivals. This stands in stark contrast to the significant resources that have been invested in the extremely high security infrastructure, police and private security personnel in the centres (compared to the number of residents).⁴⁹

To ensure transparency and accountability over resource allocation and fundamental rights compliance in the centres, we recommend the establishment of a clear and transparent public reporting mechanism on EU funds spent, resources used and for what purposes in these centres, including which sections of the sites are operational or not, with written justifications.

6.i. Material Reception Conditions

NGOs and civil society groups on the ground have reported poor quality and limited quantities of food as well as shortages in clothing. While civil society groups have stepped in to fill the gaps, sufficient and adequate food and clothing should be provided regularly by the camp administration without exception, to keep residents healthy, safe and warm and to respect their personal dignity.

In Samos CCAC, asylum seekers had no access to adequate water for more than two weeks in May 2022.⁵⁰ Due to a water pump malfunction the tap water supply was limited to only two hours per day (8-9 am and 7-8 pm).⁵¹ According to organizations operating in Samos, on certain days asylum seekers living in the facility had no access to tap water at all, while receiving only three bottles of water (4.5 litres) per person per day, to meet all their needs - consumption, personal hygiene, laundry, personal and household cleaning.⁵² According to the World Health Organization (WHO), 50 - 100 litres of water are needed per person per day to ensure that their most basic needs are met.⁵³ The remote and isolated areas selected for the CCACs in Greece heighten the risk of such water and electricity shortages, as we have observed at other refugee camps constructed in remote areas in Greece.⁵⁴

6.ii. Access to Medical Care

States are obliged to assess whether an applicant for international protection has special protection needs. ...Identifying vulnerabilities is crucial to safeguard people's rights during their entire stay in a facility and for organising transfers to appropriate facilities. Standardising, to some degree, procedures to identify whether a person has vulnerabilities promotes consistency.

First-reception and identification procedures should be set up in a way that allows medical, legal, social and psychosocial staff to work in tandem with the authorities registering new arrivals. Having sufficient space for confidential interviews and involving female staff and interpreters in registration

⁴⁷ European Commission, Migration and Home Affairs, Opening of the first new reception centre on Samos – Zervou, 28 September 2021, https://home-affairs.ec.europa.eu/news/opening-first-new-reception-centre-samos-zervou-2021-09-28_en.

⁴⁸ GCR-OXFAM-SCI Bimonthly Bulletin, October 2022, pp. 6-7: <https://bit.ly/3jdyWzV>.

⁴⁹ According to information provided by the Ministry of Asylum and Migration, Samos CCAC is guarded by the Hellenic Police and by a private security company 24 hours a day with the presence of fifty uniformed personnel on each shift.

⁵⁰ GCR, OXFAM, SCI Bimonthly Bulletin on Refugees and Migrants, July 2022, pp.7-8: <https://bit.ly/3SycU74>.

⁵¹ Ibid.

⁵² Ibid.

⁵³ UN, The Human Right to Water and Sanitation: <https://bit.ly/2YTTloF>.

⁵⁴ GCR, OXFAM, SCI Bimonthly Bulletin on Refugees and Migrants, July 2022, p.8: <https://bit.ly/3SycU74>.

improves the registration process and the identification of certain vulnerabilities, such as those affecting victims of gender-based violence.

EUFRA Note

Lack of medical care is an urgent concern in Samos and Kos CCAC. The centres' Medical and Psychosocial Units (staffed by EODY, the National Organization for Public Health), still have no doctor on staff. In Samos CCAC, a doctor 'loaned' by the already under-staffed Samos General Hospital, occasionally visits the facility, while in Kos, a doctor from Leros island occasionally visits the facility.⁵⁵ This makeshift solution jeopardizes residents' health, as there is no one to provide medical first aid or to assess daily health risks in the CCAC. In combination with the centre's remote location and the fee imposed for buses to the city centre, this severely impedes residents' effective access to healthcare. Moreover, the lack of full-time medical staff hinders adequate and timely vulnerability and age assessments, procedural safeguards that have a significant impact on the outcome of individuals' asylum procedure.

In Kos, there is no doctor or provision of primary healthcare or pharmaceutical aid in the Pre-Removal Detention Center (PRDC) inside the CCAC, to cover the needs of the detainees. In the case of an emergency, police therefore need to transfer detainees to Kos' General Hospital. The General Hospitals of Samos and Kos are under-staffed, as is the case with all hospitals on the Greek islands. Not all medical specialists are available and there is a lack specialized medical equipment. Kos' General Hospital lacked a GP (pathologist) between June- September 2022. Moreover, on both Samos and Kos, only one ambulance is available for the islands' entire population of more than 32,000 and 37,000 people respectively. This means that residents of the CCACs on Samos and Kos, including vulnerable individuals with physical and mental health concerns are currently unable to access the medical care they urgently need.

6.iii. Access to the Labour market/ Integration

The abovementioned extremely remote rural locations combined with restricted entry and exit hours and the fee imposed for buses into town, severely impede residents' opportunity to access the labour market, which they have a right to according to Greek asylum law. Specifically, according to Article 71 Law 4375/2016 (as amended and in force since 1.1.2020), asylum applicants have the right to work after 6 months from the date of submission of the application for international protection and provided they are holders of an asylum applicant's card. The ability to provide for one's livelihood is crucial to individuals' wellbeing and personal agency, and to participate in everyday life and integrate into local communities. Reducing individuals' personal agency and holding them in remote isolated locations for prolonged periods has a severe negative impact on their mental health and psycho-social wellbeing.⁵⁶ It is also at odds with the EU's stated aim to foster integration and inclusion.⁵⁷

Since the first months of operation of Samos CCAC, Medecins Sans Frontieres (MSF) continuously report that the majority of their mental health patients on Samos present symptoms of depression and PTSD and denounced the deterioration of these people's mental and physical well-being in the new closed camp.⁵⁸

⁵⁵ GCR, OXFAM, Save the Children, Greece, Bimonthly Bulletin on refugees and migrants, October 2022: https://www.gcr.gr/media/k2/attachments/GCR_OXFAM_STC_Advocacy_Update_October_2022.pdf

⁵⁶ International Rescue Committee (IRC), Press Release "This World Mental Health Day, refugees in Greece are more vulnerable than ever as plans for closed facilities threaten wellbeing of thousands", 10 October 2021: <https://bit.ly/3JhsgTm>; MSF, Opinion, 17 September 2021: <https://bit.ly/3kz2ecz>.

⁵⁷ European Commission, Inclusion for all: Commission presents action plan on Integration and Inclusion 2021-2027, 24 November 2020, https://ec.europa.eu/commission/presscorner/detail/en/ip_20_2178.

⁵⁸ MSF Opinion, 17 September 2021: <https://www.msf.org/we-can-only-help-refugees-survive-new-camp-greek-island>.

7. The Border Procedure: Lack of Safeguards, Barriers to Access to Asylum & Legal Aid

To comply with the right to asylum enshrined in Article 18 of the Charter, people must have an effective opportunity to seek international protection... Adequate information on the right to apply for international protection and the procedure to follow is a prerequisite under EU law for accessing the right to asylum. Cooperating with organisations specialised in refugee protection and making available legal support can make more effective the information provided. EUFRA Note

7.i. Lack of Information and Access to Legal Assistance

We have urgent concerns as to the so-called ‘border procedure’ implemented in the centres – a fast track asylum procedure subject to fewer due process guarantees. Specifically, the current lack of safeguards and due process guarantees, independent monitoring, as well as the lack of opportunity for legal aid constitute significant barriers to residents’ access to asylum. Upon being released from the abovementioned five-day quarantine that amounts to arbitrary and discriminatory de facto detention, individuals must often undergo the asylum interview after only one or two days, leaving them with no opportunity at all to consult legal aid groups or lawyers, or to receive detailed information on the asylum process and their rights. This has been repeatedly witnessed in cases that GCR and other legal aid actors represent. Currently, general information is mainly provided to groups of individuals when they newly arrive in the centre by UNHCR upon their release from quarantine. Numerous NGOs and INGOs we consulted during our visits to Samos raised this concern, stating that due to the lack of information provision and opportunity for legal assistance, some individuals start the interview without even being aware that it is their asylum interview or that their case will not be examined on the merits but instead with regard to Turkey as a safe third country for them (‘admissibility’).

The registration carried out by the RIS immediately following the release of individuals from quarantine, is subsequently used by the Asylum Service for the registration of the asylum application. Therefore, newly arrived asylum seekers are forced to respond to a series of questions relevant to their asylum claim as soon as they are released from quarantine, without having prior access to information regarding the overall procedure or how the information they are providing might affect the decision on their application for international protection. Asylum seekers also do not have adequate time to seek for legal assistance, as they must go through the registration procedures immediately upon release from quarantine or from the ‘waiting area’.

Moreover, lawyers are required to submit a written request for permission to enter the centres a day in advance and are granted access for only two hours per visit, in addition to the unlawful ‘smart card’ entry requirements outlined above.⁵⁹ Lawyers providing legal support to asylum seekers in Samos have also reported incidents of waiting at the centre’s gate for as long as one to two hours, before being permitted to enter and being followed by security guards while visiting their clients inside the camp.

This lack of preparation, information and access to legal assistance has a detrimental impact on the outcome of an individual’s asylum claim and therefore constitute a significant barrier to access to asylum. The same applies for unaccompanied children, who currently do not have sufficient time within the border procedure to access adequate information and support regarding their asylum

⁵⁹ See p. 7.

procedure and rights. There is also insufficient time in the border procedure to conduct a Best Interest Assessment before unaccompanied children's asylum interview.

7.ii. Lack of Procedural Safeguards & Vulnerability Identification/ Assessment

During our visit to the administrative section of the Samos site, we noticed a lack of clarity on the registration, identification and asylum procedures and the sequence of steps within them. These were presented on an A4 sheet of paper with a list of single words ('screening', 'de-brief', 'police') in English, stuck to the side of one of the containers in the administrative area. When we discussed the steps of the procedure with various personnel in the administrative area (EUAA, RIC Staff, Frontex) we received diverging answers as to the steps and order of the procedure. Contrary to EUFRA's guidance, neither did we observe designated areas for women. To our knowledge, there is currently no designated staff on site for vulnerability identification or assessment. This means that vulnerabilities are currently not taken into account during the interview or in the decision-making on individual cases. Moreover, it means that individuals with vulnerabilities, including GBV survivors, torture survivors, traumatised individuals, those with PTSD, people in need of psycho-social and mental health support, as well as those with serious medical conditions, chronic diseases or particular needs are not offered the support or procedural safeguards that they have a right to.⁶⁰

The Medical Unit of the CCAC has no doctor and lacks the required specialised medical staff to examine alleged minors and assess their age. Regarding Victims of Torture (VoTs), according to Article 61 of Greek Law 4636/19 (implementing Article 25 of Directive 2013/33/EU) the reception state, is required to provide specialized staff as well as continuous specialized training to public staff. However, there is currently a lack of specialist staff in the Medical and Psychosocial Unit of the CCACs' Reception and Identification Service (RIS) and the islands' General Hospitals. Therefore, there currently is no systematic identification and assessment of a VOT and/or GBV, contrary to the Istanbul Convention's provisions and Istanbul Protocol on procedural safeguards.⁶¹

7.iii. Role of FRONTEX in the CCACs

We have further concerns over the role of FRONTEX in the border procedure carried out in the centres. Following the release from quarantine detention, newly arrived individuals are subjected to the screening procedure carried out by the Greek Police with the assistance of FRONTEX. GCR and other legal actors have worked on cases of minors who have been incorrectly registered as adults upon their arrival and during their initial registration by Police Units assisted by FRONTEX, which violates the procedural safeguard relating to the presumption of a minor's age in line with the best interests of the child.⁶² Similarly, there have been cases of asylum seekers who were registered under different nationalities than their own during these early stages of the procedure. Wrong information on both elements can have a decisive impact on an individual's asylum claim. It is extremely difficult to challenge erroneous initial registrations during subsequent stages of the procedure, even with the submission of original documents from the asylum seekers' country of origin. In these cases, lawyers must submit original documents to specialised Police Units for an assessment of their authenticity, a procedure that frequently takes months. Challenging inaccurate registrations can be even more difficult when the asylum seekers concerned cannot provide documents from their country of origin,

⁶⁰ Directive 2013/33/EU Art. 18 para. 3, 21, 22, Greek L.4939/2022, Art. 60, 62.

⁶¹ Article 60, Council of the European Convention on preventing and combating violence against women and domestic violence (Istanbul Convention): <https://rm.coe.int/168008482e>.

⁶² FENIX, Frontex Fundamental Rights Officer Confirms Obligation of Registration Authorities to Respect the Presumption of Minority, 7 November 2022: <https://bit.ly/3WEoXBh>; HIAS, Press Release, The European Court of Human Rights examines possible inhuman and degrading treatment of a gay unaccompanied minor in Greece, 11 November 2021: <https://bit.ly/3DgoWNf>.

as for example, in the case of stateless people from Kuwait, who were wrongly registered as Iraqis. The nationalities of asylum seekers are registered by FRONTEX 'nationalities experts'. The procedures followed by this staff are not known and no records are kept or can be accessed by the affected individuals or their lawyers.

Frontex personnel are present in the administrative area where the identification and registration procedures carried out by RIS personnel take place. We received conflicting information as to what role exactly Frontex plays during the registration procedure and at what steps of the procedure they are present. We were informed that Frontex officers conduct a 'de-briefing' with asylum applicants who 'offer to provide further information' to the agency following their registration. It is unclear to us in what cases exactly this applies, whether applicants are properly informed and knowledgeable as to the agency's mandate and role when they offer this or prior to the de-brief, and in what circumstances they are agreeing to provide further information. Neither is it clear to us what degree of monitoring is in place over the use of this further information when provided to Frontex by asylum applicants, and for what purposes, or whether individuals are informed of this use and asked for consent in every instance. It is also unclear whether the applicants are informed that their participation in FRONTEX' debrief is voluntary or whether it will affect their asylum procedure or not. Furthermore, it is alarming that no written records are maintained for the de-brief, at least no records accessible to the applicants and their lawyers. In order to safeguard residents' right to privacy, access to asylum and due process in the centres, there is an urgent need for better information provision on the asylum procedure and residents' rights, heightened transparency as to the sequence of and safeguards within the border procedure, increased presence of lawyers, as well as more transparency and scrutiny over the role and presence of FRONTEX during the procedure.

8. Conclusion

In contrast to the EU's and Greek authorities' public communications around the EU-funded migration management facilities on the Greek islands, in practice they exacerbate many of the fundamental rights concerns that GCR, Oxfam and many others have raised in recent years with regards to refugee camps and former 'hotspots' in Greece. Specifically, the centres' isolated and remote locations pose risks to individuals' personal safety, while reducing their access to rights and essential services including medical care, legal assistance, as well as integration opportunities such as education, the labour market and leisure activities. The arbitrary practices of de-facto detention and restriction of residents' freedom of movement since the centres' operationalisation further undermine their fundamental rights and in combination with other measures applied in the centres, are likely to amount to deprivation of liberty. Linked to this, we have urgent concerns over the continued lack of transparency and accountability with regards to the centres' governance, both in terms of the Greek authorities' and EU stakeholders' roles, including the EU Taskforce and EU agencies such as FRONTEX. While certain material reception conditions are improved, there is an urgent lack of medical assistance, and at times reported shortages of water, adequate food, and clothing. The isolated, highly securitised, prison-like environment has a detrimental impact on residents' mental health and integration, risks re-traumatising individuals and is entirely unfit for children, while many of the facilities announced as improvements to residents' quality of life in the centres are not operational in practice. The 'border procedure' applied in the new centres lacks key safeguards and currently obstructs residents' access to asylum and due process. Finally, the extreme securitisation and reduced access for independent organisations, lawyers, journalists, and human rights monitors heighten concerns that these fundamental rights violations now occur even further from the public eye, without any mechanisms for systematic monitoring and accountability, despite the use of EU funding and official involvement of EU stakeholders in the centres' establishment and governance.