



Humanitarian Problems Relating to Migration in the Turkish-Greek Border Region

The crucial role of civil society organisations

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By Max Schaub

Abstract

Drawing on a comprehensive analysis of migration-related humanitarian problems in the Turkish-Greek border region, this brief argues that civil society organisations (CSOs¹) have a key role to play in ameliorating the situation. Migrants and refugees clandestinely attempting to cross the Turkish-Greek border region suffer from a host of human rights violations. They are mistreated by smugglers, detained under intolerable conditions, and are at risk of being illegally pushed-back across the border to Turkey and deported. Since the actions of governments are at the core of the humanitarian problems, civil society organisations are virtually the only actors that can help to reduce the numbers of violations and to promote the humane treatment of migrants and refugees. However, the report shows that existing organisations in both Turkey and Greece are poorly positioned to take on such a role, as they lack staff and volunteers, access to funds and know-how. CSOs from regions that face fewer problems should thus support organisations active in the border region. CSOs should both assist and monitor state authorities. On the international level, local and international CSOs should continue to pressure European governments to devise more constructive migration policies.

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¹ “Civil society organisation” (CSO) is used as the generic term throughout the report to refer to non-state organisations of varying forms, including citizen associations, nationally and internationally active non-governmental organisations (NGOs) and faith-based organisations. If a term other than CSO is used, the statement applies only to the specified sub-type.

Introduction

The Evros (Greek)/Meriç (Turkish) river forms the border between Turkey and Greece; in recent years it has become one of the main 'entry gates' to the EU for undocumented migrants and refugees. Estimates by the Greek police and the EU border agency Frontex indicate that 55,000 migrants and refugees crossed the river or the short stretch of land border close to the Turkish city of Edirne in 2011 – up from 47,000 in 2010, and only 3,700 in 2005.² Undocumented migration flows shifted to this border when other (maritime) routes – for instance those from Morocco to Spain, from Libya to Malta and Italy, and from the Turkish mainland to the Greek islands – were more intensively controlled whilst simultaneously the Evros/Meriç border became passable due to the clearance anti-personnel mines by 2009.

With the help of friends, smugglers and facilitators, migrants and refugees from all over Africa and Asia find their way to Istanbul and subsequently over the Evros/Meriç border to Greece. The Greek police statistics cite at least 14 different nationalities of origin. Most prominent are Afghan and Pakistani citizens, who together account for about 50 per cent of all migrants and refugees. Other prominent groups are citizens of Bangladesh, Algeria, Somalia and Syria.³ From this list, it becomes clear that many migrants and refugees come from crisis or war-struck countries and thus, in theory, would have good chances of being granted (subsidiary) protection or even refugee status under the rules of the 1951 UN Refugee Convention. Among

The changing situation at the border

This report depicts the situation in summer 2012. Since then, migration dynamics at the Greek-Turkish border have changed significantly. After a doubling of police numbers in August 2012, the number of apprehensions on the Greek side of the border has decreased by 95 per cent (see link in footnote 3 for current statistics). In parallel, migration to the Greek islands – which had previously had almost vanished – has picked-up again. These may be a temporary effects, and migration may increase again when police presence is reduced (a reduction by 50% is taking place in December 2012). The dwindling number of migrants may also be due to changed practices of the Turkish authorities. Local newspapers report of hundreds of arrests of migrants in the Edirne region in recent months (see haberler.com).

The reinforcement of border controls went hand in hand with the clamping down on migrants in Athens and other Greek cities. During the raids, the Greek police have arrested hundreds of migrants, many of whom were brought to detention centres (some of which have only recently been 'opened', often on former military or police premises). Reportedly, due to these new detention practices, many of the problems regarding detention in Greece's Evros region described below have been replicated. In addition, important legal changes have been instituted: the maximum detention period for migrants has been increased to one year –, a change that has triggered angry protests of migrants detained in Orestiada and Komotini, leaving several people injured. Many of these developments and associated problems are have been taken up in a recent report of the UN Special Rapporteur on the human rights of migrants, which can be accessed at

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12858&LangID=E>.

² Greek Ministry of Citizen Protection, "Statistics on Apprehensions of Irregular Migrants", 2012, (http://www.astynomia.gr/index.php?option=ozo_content&perform=view&id=5071&Itemid=429&lang=) and Martin Baldwin-Edwards, "Migration Between Greece and Turkey: From the 'Exchange of Populations' to Non-recognition of Borders," *South East Europe Review for Labour and Social Affairs*, no. 3 (2006): 115 – 122.

³ Greek Ministry of Citizen Protection, "Statistics on Apprehensions of Irregular Migrants", 2012, op. cit.

The report

This report is based on a literature survey and around 50 interviews with migrants, refugees and representatives of civil society organisations working in the region. The interviews were conducted in the immediate border region (notably the cities and towns of Edirne, Alexandroupoli, Feres and Orestiada), Istanbul and Athens during four weeks in June and July 2012. The majority of migrants interviewed were young men from Western and Northern Africa and Afghanistan. Five interviews were conducted with female migrants, all of them from Western Africa. Interviews were conducted in English and French, as well as Greek and Turkish (with the help of translators). Representatives of the following organisations were consulted: the Greek Council for Refugees (Athens and Alexandroupoli), ARSIS Alexandroupoli, Médecins Sans Frontières (Feres and Athens), UNHCR Athens, Mülteci-Der Edirne, Bar Association Edirne, Edirne City Council, the Migrant Solidarity Network Istanbul, Caritas Istanbul, IOM Istanbul, Mimar Sinan Fine Arts University Istanbul and Koc University Istanbul. The author is grateful to all his informants for their collaboration, to the Mercator Foundation for providing funding for the field research and to Franck Düvell for providing advice throughout research and analysis.

the migrants and refugees, young men typically dominate; women and families form only a small minority – though an important one with special needs.

The migrants and refugees' journeys to Greece and the EU are plastered with dangers and hardships. Istanbul serves as a hub where almost all migrants and refugees gather, rest, in some cases work and have their onward journey organised by smugglers. For some, the journey to Istanbul has already been an odyssey, involving perilous crossings of mountains (in the case of those coming through Iran), the Mediterranean Sea (for those coming via northern Africa) and militarised borders (which are standard in the region). Others come to Istanbul directly by plane, profiting from Turkey's relatively liberal visa policies. While some migrants and refugees know what hardships to expect on the journey and in Greece, others (especially those who travel by plane and do not stay in Istanbul long enough to exchange views with other migrants and refugees) are largely ignorant, having received most information from smugglers who often downplay the dangers and risks involved.

From Istanbul, migrants and refugees are usually taken to the Greek border in small vans by smugglers. They then either walk across the land border⁴ or use inflatable dinghies provided by the smugglers to cross the Evros/Meriç river. Those caught close to the river are automatically detained by the Turkish authorities, and taken to detention centres in Edirne or Istanbul. If released, many will try another crossing; others run out of money and will attempt to make a living in Istanbul.

Those caught on the Greek side of the river by the Greek police (supported by the European border agency Frontex) are initially detained in the Evros region's various police stations and detention centres. When released, most migrants and refugees quickly make their way to Athens, where they hope to have their onward journey to other EU countries organised.

During each of these steps, violations of migrants and refugees' rights abound – so much so that the EU Fundamental Rights Agency (FRA) has referred to the situation as a “fundamental rights emergency”.⁵

⁴ The Greek government has started constructing a barbed-wire fence along the 12 km-long land border in early 2012. The fence is to be finished by mid-December 2012 (http://www.ekathimerini.com/4dcgi/_w_articles_wsite1_1_30/11/2012_472466). An inevitable effect of the fence will be that more migrants will choose the more dangerous river crossing in the future.

⁵ FRA, *Coping with a Fundamental Rights emergency: The Situation of Persons Crossing the Greek Land Border in an Irregular Manner* (Vienna, Austria: European Union Agency for Fundamental Rights (FRA), 2011).

What follows is a short, non-exhaustive list of problems encountered by migrants and refugees on each of the different legs of the border crossing.

Humanitarian Problems of Migrants and Refugees in the Border Region

Smuggling to the border and river-crossing

In order to have a realistic chance of crossing the border, migrants and refugees must draw on smugglers. According to several informants, some smugglers exercise their work with a certain idealism, knowing that being-smuggled is the only way for refugees from war regions to find protection; others, however, do it for commercial reasons only and sometimes exploit the migrants and refugees. For instance, some smugglers overload the small, windowless vans typically used to cover the 200 km from Istanbul to the border. As a result, especially when it is hot, some of migrants and refugee passengers may faint – and are then just thrown out of the bus. Sometimes, villagers or other passengers provide help, but at other times those who fainted are left to struggle for themselves. Numerous migrants and refugees report that upon arrival at the border smugglers forced them to leave all their belongings behind, except for what they were wearing on their bodies. In this way, they not only lose items of personal value, but also the warm clothes needed for protection against the cold. As with the vans, smugglers also frequently overload the dinghies used for the river crossing – sometimes to an extent that these sink. Both the overcrowding and the seizure of protective clothing regularly has fatal consequences.

On the Greek side of the border, 70 migrants were found dead in 2010. Many of them had drowned. By August 2011, another 47 had lost their lives.⁶ This adds to the 52 migrants and refugees found either drowned in the Meriç river or died from hypothermia on its shores and who were taken to the morgue in Edirne in 2011.⁷

Extract from the field notes (30/6/2012)

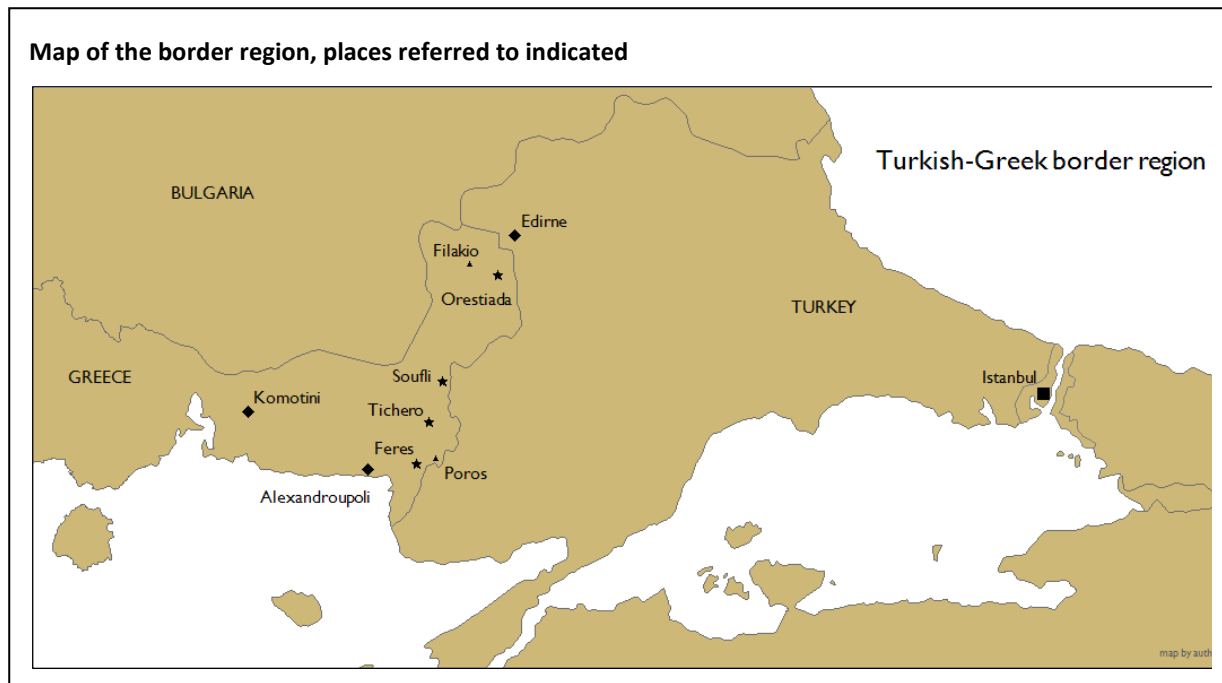
“Ebi, the Nigerian migrant I met yesterday evening, told me about some of the dangers he encountered during his journey. Ebi’s ‘trip to Europe’ was premeditated from Nigeria, and he flew directly to Istanbul. At the airport, he recounted, there is a danger of getting in contact with false smugglers. “They will await you at known entry points, pretending they are your real contact. They will then lock you up in a basement, and will try to extract ransom.”[...] From Istanbul, the journey proceeds in several legs to the border; the migrants have to change vehicles several times in the process. Smugglers are often very aggressive, and force migrants to strip off cloths they would like to steal from them. Up until the border, the migrants carry the entire luggage they brought with them. On the riverbank, they are then told they have to leave everything but a little something behind, as the boats get too full. The smugglers take the rest. In order to take more clothes, most men were wearing two pairs of trousers, and several other layers of clothing.[...] While travelling, migrants often help each other. When crossing the river, Ebi’s friends carried the two little boys (three or four years old) of an Afghan family with whom they had shared the boat, as their father was too old to do so himself.”

⁶ PRO ASYL Foundation and Friends of PRO ASYL in co-operation with the Greek Council for Refugees and Infomobile/Welcome to Europe, *Walls of Shame: Accounts from the Inside - the Detention Centres of Evros*, 2012.

⁷ According to the Edirne City Council Working Group on Refugee Rights and Problems. The morgue in Edirne is only responsible for the northern part of the Meriç river; more bodies might have been discovered further south.

Detention in Turkey

While in Istanbul, undocumented migrants and refugees can often move relatively unchallenged by the Turkish authorities.⁸ If identified closer to the border with Greece, however, they are usually apprehended and taken to the detention centre located in the outskirts of the city of Edirne in the very West of Turkey.



While according to some interviewees, physical conditions in the centre are bearable – its recent refurbishment and extension was funded by the EU –, migrants and refugees almost completely lack legal safeguards. Turkey applies the 1951 refugee convention only partially – offering protection only to ‘European’ asylum seekers (i.e. it has not signed the 1967 protocol removing this geographic limitation). This means that hardly any of the contemporary migrants and refugees are eligible for international protection in Turkey. With a new asylum and migration law still pending adoption in the Turkish parliament, migrant and refugee apprehension and detention under the Turkish security services therefore is a process riddled with legal uncertainty.

Lawyers are regularly denied access to the Edirne detention centre on the grounds that undocumented migrants lack a clear legal status in Turkey. “Since the migrants are not defined as criminals under Turkish law and there is hence no indictment against them, we are often told by guards that we do not have a right to defend them” one of the lawyers working with migrants and refugees in the region affirmed.⁹ The denial of legal support is even more concerning in light of reports from migrants and locals that migrants and refugees are frequently deported from the Edirne centre without having had access to a process determining whether their lives will be in danger when deported.¹⁰ If these reports are true, this would be a clear breach of the principle of non-refoulement. Other violations of fundamental rights,

⁸ The migrants I talked to in Istanbul moved freely in the city. However, they also stated that occasionally in Istanbul, too, the Turkish police conduct raids and identity checks, leading to the detention of undocumented migrants (see also: Brewer, Kelly T., and Deniz Yüksek. *A Survey on African Migrants and Asylum Seekers in Istanbul*. MiReKoc Research Projects 2005-2006. Istanbul: Koç University Department of Sociology, 2006, p26).

⁹ Interview on 11.07.2012, Edirne.

¹⁰ Interview with informants in Edirne and Istanbul. It remains unclear where the migrants are brought to, however. While the Edirne informant claimed that migrants are brought directly to Turkey’s external borders and forced to leave the country, migrants in Istanbul say that they were released close to the city after having spent a month in detention in the Edirne centre.

listed in a recent report by the UN Rapporteur on Migrants' Rights, Francois Crepeau, are the separation of families (if travelling with their mothers only, boys over the age of 12 are placed in orphanages), the restriction of access to outside areas, inadequate food provisions and unhygienic conditions.¹¹

Deterrence at the border, apprehension and detention in Greece

When Greek or Frontex officers spot migrants on the Turkish side of the Evros/Meriç river, they reportedly use methods such as shouting, flashing lights or shooting in the air to deter them, or deploy motor boats to hinder them from crossing the border. Given that some of the migrants and refugees are seeking protection under international law in the EU, this practice is highly problematic and legally questionable, especially in light of Turkey's partial application of the the refugee convention. It thus cannot be argued that refugees should rather seek protection there.

Once the migrants and refugees have reached Greek territory, authorities are prohibited under international law to 'push back' the migrants and refugees. In spite of this, several informants confirmed that until 2009 or 2010 Greek authorities continued to use this illegal practice. While none of the migrants and refugees interviewed for this report stated that had experienced push-backs themselves, there are disquieting reports that there has been a recent return to this practice.¹²

After the border crossing, migrants and refugees are either apprehended by the Greek police, sometimes in collaboration with Frontex officers, or they avail themselves to the authorities. They do so in the hope that will be released after a few hours or days, once their registration has been concluded. This practice had been introduced with regard to those migrants considered non-deportable in response to sharp and sustained criticism from CSOs, UN organisations and the EU Fundamental Rights Agency (FRA) on the conditions under which migrants and refugees were being detained.¹³

Other groups are systematically detained, however. Most problematically, this seems to be the case for those migrants and refugees actually applying for asylum immediately after crossing the border (many of them wait until they have reached Athens or other European countries before making their application), and for unaccompanied minors. According to informants, the rationale for detaining asylum seekers is to 'facilitate' the asylum procedure. For unaccompanied minors the aim is to allow time to provide adequate assistance. Whatever the reasons, this practice is highly problematic, since detention conditions are still widely considered as violating human rights standards.¹⁴

The systematic detention of these two groups aside, detention practices are "chaotic", as one observer remarked: "Migrants are left in the dark as for why they are detained and not others, or how long their detention will last." Access to legal information and aid is severely curtailed, cells are overcrowded and

¹¹ Office of the UN High Commissioner for Human Rights, "UN Special Rapporteur on the Human Rights of Migrants Concludes Second Country Visit in His Regional Study on the Human Rights of Migrants at the Borders of the European Union: Visit to Turkey", July 2, 2012, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12307&LangID=E>.

¹² See the following report of the Guardian 'Syrian Refugees "Turned Back from Greek Border by Police"' December 7, 2012. <http://www.guardian.co.uk/world/2012/dec/07/syrian-refugees-turned-back-greek>.

¹³ The screening centre in the village of Poros, where MSF is active, exclusively serves the purpose of initial registration, after which the migrants are usually set free.

¹⁴ Human Rights Watch. *Stuck in a Revolving Door: Iraqis and Other Asylum Seekers and Migrants at the Greece/Turkey Entrance to the European Union*, 2008; Human Rights Watch. *The EU's Dirty Hands: Frontex Involvement in Ill-Treatment of Migrant Detainees in Greece*. New York, 2011; MSF. *Migrants in Detention: Lives on Hold*. Athens: Médecins Sans Frontières, 2010; FRA. *Coping with a Fundamental Rights emergency: The Situation of Persons Crossing the Greek Land Border in an Irregular Manner*. Vienna, Austria: European Union Agency for Fundamental Rights (FRA), 2011; Pro Asyl. *Walls of Shame: Accounts from the Insight - The Detention Centres of Evros*. Frankfurt/Main, 2012. The latest CPT report of January 2011 can be found at http://www.cpt.coe.int/documents/grc/2012-01-inf-eng.htm#_Toc289681110.

dirty, detainees are not allowed outdoor exercise, there is a lack of heating and the food provided is insufficient – to cite just some of the most severe problems. According to several informants, the border police are overwhelmed in dealing with the situation, not least since translators, social workers and lawyers are lacking. This creates frequent tensions between officers and detainees.

Even the first stage of the refugee recognition procedure remains the responsibility of the Greek police, a situation considered “absurd” by the officers themselves, according to one informant who is in regular contact with the officers. This is despite a 2011 law governing the creation of a dedicated asylum service that aims to bring Greek legislation in line with EU Directives.¹⁵ However, the implementation of the law has been slow.¹⁶

Xenophobia and racist attacks in Greece

Another issue contributing to the vulnerability of migrants and refugees are rising racism and racial violence that have become a prime threat to the safety of migrants and refugees in Greece. The right wing, openly racist party Golden Dawn is gaining more and more followers, garnering up to 22 per cent support in recent opinion polls.¹⁷ Reports by organisations and informants point at shocking levels of violence. Attacks on migrants and refugees (or indeed anyone with a darker than local skin tone) by mugged aggressors using sticks and combat dogs have become commonplace in cities like Athens and Patras.¹⁸ In the immediate border region, attacks on migrants and refugees still seem to be rare. This does not mean that racist attitudes do not exist in the region and could not quickly become a problem: in the last parliamentary election, about 7 per cent of the electorate voted for Golden Dawn – about the national average.¹⁹

The role of governments: alleviating or aggravating the humanitarian crisis in the border region?

From the description so far it occurs that national Turkish, Greek and EU government policies and practices are part of the humanitarian problems, either accidentally through negligence or deliberately through deterrence measures and (alleged) illegal deportations. The rhetoric of Greek politicians strongly points to only modest sympathy for the migrants and refugees’ human rights situation, if any; instead, their sole focus seems on stopping the inflow of migrants and refugees.²⁰ All the worse, politicians from the political mainstream routinely mirror the rhetoric of the extreme right thus contributing to the envi-

¹⁵ Law no. 3907 of 21 Jan 2011 establishing an "Asylum Service and a First Reception Service", drafted to bring Greek legislation in line with the EU Directive 2008/115/EC. The text of the law can be found at <http://www.yptp.gr/images/stories//2011/law%203907.pdf.pdf>.

¹⁶ The implementation is laid out in the Greek Action Plan on Migration and Asylum Management, the updated (December 2012) version of which can be found here: <https://zoek.officielebekendmakingen.nl/blg-206114.pdf>. According to several informants, the service had hardly started to operate by mid-2012 due to staffing difficulties. A recent report by the European Commission notes that by December 2012, 200 additional posts of public administrators have been committed to the , although it remains unclear when this will render the service operational (cp. European Commission. Greece’s National Action Plan on Asylum Reform and Migration Management ,Note to the Council Mixed Committee, Brussels, October 2012 <http://www.statewatch.org/news/2012/oct/eu-com-greece-migration-15358-12.pdf>).

¹⁷ Financial Times. “Greece Grapples with Shadow of Golden Dawn.”, September 21, 2012.

<http://www.ft.com/intl/cms/s/0/7f797fde-f778-11e1-ba54-00144feabdc0.html#axzz2AVxxmNki>.

¹⁸ Cp. Racist Violence Recording Network. *Findings 1.1.2012-30.9.2012*, October 2012.

<http://www.unhcr.gr/fileadmin/Greece/News/2012/pr/ConclusionsOctober2012EN.pdf>.

¹⁹ <http://www.guardian.co.uk/news/datablog/interactive/2012/jun/18/greek-elections-2012-interactive-graphic>

²⁰ According to the Vice-Head of Thrace region, Ms Mavranezouli-Nikolaou, the focus should not be on bringing more organisations to the Evros region that provide support to migrants, but simply to stop migrants from arriving (Interview, Alexandroupoli, 3.7.2012).

ronment of fear migrants and refugees in Greece are living in.²¹ A tacit strategy appears to be to create or contribute to this hostile environment to discourage further migrants and refugees from coming. The humanitarian crisis with regard to migrants and refugees is aggravated by the crisis of the Greek economy crisis, which further curtails the government's scope for action – although many of the present problems date back to well before Greece dipped into recession.

The analysis is further complicated when EU policies towards Greece are taken into account, which are highly ambiguous in nature and devised and implemented by a diverse set of actors, including other EU member states, the Commission, the Parliament, the Council and different EU agencies. On the one hand, the European Parliament and the European Commission (EC) have been criticising Greece for its treatment of the migrants and refugees in Evros and have been pledging practical solidarity.²² Through EC financial instruments such as the External Borders Fund, the European Return Fund and the European Refugee Fund, large sums of money are made available to Greece for dealing with migrants and refugees. On the other hand, considering how this money is invested and what other measures EU member states have been taking, the impression emerges that the EU partner countries are, first and foremost, trying to 'contain' the 'migration problem' in Greece. By far the largest share of the money made available by EU actors is dedicated to the construction of new migrant and refugee detention centres. According to the then Greek Minister of Citizen Protection, Michalis Chrisochoidis, up to €250 million has been pledged for this purpose.²³ The mission of the European border agency Frontex in Evros – whose purpose beyond supplying modern surveillance hardware remains unclear given the limited practical means available to unilaterally stop migrants and refugees from crossing the border – is also generously funded.²⁴ These amounts are striking if compared with the much smaller funds, €39.9 million, made available through the European Refugee Fund (ERF) from 2008 to 2012. Whilst this ERF money is meant to fund NGOs providing support to migrants and refugees, the 'terms of use' for the ERF funds also allow allocation for "increasing accommodation capacity" i.e. the construction or refurbishment of detention centres.²⁵ The funding made available for restrictive measures dwarfs the €161,700 allocated to the activities of the European Asylum Office (EASO) in Greece in 2011.²⁶

Bilateral measures taken by EU member states, too, add to the impression that these states pursue a strategy of 'containment'. Germany, for instance, has deployed police officers to major airports and ports in Greece, presumably with the purpose of ensuring that migrants and refugees do not leave to the rest of the EU from these exit points.²⁷ According to several reports, Italy is systematically pushing

²¹ Consider the statement of the Minister of Citizen Protection, Nikos Dendias, that Greece is faced with an "unprecedented invasion" by immigrants. See: The New York Times, "As Greece Rounds Up Migrants, Official Says 'Invasion' Imperils National Stability", August 7, 2012, <http://www.nytimes.com/2012/08/07/world/europe/vast-police-operation-targets-migrants-in-athens.html>.

²² A good example is the debate in the European parliament on 19 April 2012 <http://www.europarl.europa.eu/ep-live/en/plenary/search-by-date?start-date=20120419&end-date=20120420&date=20120419&format=wmv&askedDiscussionNumber=11&>

²³ European Council for Refugees and Exiles (ECRE), *ECRE Weekly Bulletin*, March 30, 2012.

²⁴ On 10.01.2011 EU Home Affairs Commissioner Malmström indicated that the estimated budget for the Frontex operations in Greece was € 1,1 million per month, see <http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2010-9576&language=EN>.

²⁵ European Commission, *Note to the Council: Implementation of the Greek Action Plan on Migration and Asylum, and on Borders and Return Issues*.

²⁶ European Asylum Support Office (EASO), *2011 Annual Report on the Situation of Asylum in the European Union and on the Activities of the European Asylum Support Office*, 2012.

²⁷ See answer by the German government to a parliamentary enquiry http://www.dpolg.de/upload/pdf/Polizei_Zolleinsaeetze_Ausland_Drs_17_7617.pdf.

back migrants and refugees arriving on ferries from Greece.²⁸ Measures of ‘practised solidarity’, whereby other EU countries would process migrants and refugees’ asylum applications on their own territories (and would grant asylum for those found eligible), or would accept the resettlement of recognised refugees, are hardly even discussed.²⁹

The attitude of the Turkish government towards the migrants and refugees seems to be one of utter indifference, especially towards those merely transiting. These are arguably of less concern to the country than the estimated 300,000 to 400,000 international labour migrants – many of them undocumented – currently present in Turkey.³⁰ Ankara’s response seems to be mainly driven by its implications for EU-Turkey relations. The EU is trying to bring Turkey in line with its external migration policies, which aim to create a sort of ‘cordon sanitaire’ around the European Union, where migrants and refugees will be stopped.³¹ As one part of the strategy, the EU is pushing and supporting Turkey to bring its asylum system in line with international standards. A comprehensive migration law, largely in line with EU ideas, is currently pending discussion in the parliament. Turkey is, however, likely to retain the geographic limitation even after the adoption of the new law – that is, the country will continue to only consider applications of ‘European’ asylum seekers.

Other elements of the EU strategy towards Turkey are the conclusion of a readmission agreement for irregular immigrants (though not asylum seekers), implementing strict detention policies with regard to migrants found ‘transiting’ to the EU, and the introduction of integrated border management with the involvement of Frontex on its western border. However, as one informant said, “Turkey isn’t bought off as easily as Morocco or Libya, but demands compensation for concessions.” The price Turkey seems to have in mind is visa-free travel to the EU for its citizens. The migrants and refugees crossing Turkey’s western border, it appears, have become a token in a much larger game.

The role of international organisations: quiet actors?

In Greece’s immediate border region only UNHCR is represented. Two UNHCR staff members, both lawyers, sit on the local second-instance asylum determination panels held in Orestiada, as foreseen by the 2011 Greek asylum law.³² The organisation has a strong track record for urging the government to comply with its obligations towards migrants and refugees under international refugee and human rights law, but has so far restricted its operative role to the refugee status determination process. Two of my informants in the Evros region therefore described the organisation as too timid and indecisive. According to one informant, the European Commission, determined to see the immediate suffering in the Evros region stopped, urges UNHCR to provide direct services to migrants and refugees, and has proposed concrete plans. Apparently, a vast catalogue of activities has been discussed, which includes the provision of clothing, the tracking of family members, and the provision of medical treatment and legal advice. Under the extensive plans, families and unaccompanied minors would be brought to special centres, asylum seekers would be separated from migrants scheduled for deportation, and released, and

²⁸ See the report of the UN Special Rapporteur for Migrants’ Rights, Mr Crépeau, of 08.10.2012 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12642&LangID=E>.

²⁹ This is all the more remarkable since, according to a recent Eurostat poll, 80% of EU citizens are of the opinion that the number of asylum seekers should be shared more equally among EU member states http://ec.europa.eu/public_opinion/archives/ebs/ebs_380_en.pdf.

³⁰ Estimations provided by Fabio Salomoni of Koç University in Istanbul.

³¹ Reportedly, detention centres are currently refurbished or newly constructed elsewhere in Turkey, presumably in Ankara and Erzurum. The EU contributes € 15 million. to the construction activities i.e. three fourth of the total costs, through the twinning project TR 07 IB JH 05. See http://ec.europa.eu/enlargement/pdf/turkey/ipa/tr_07_02_16_removal_centres_en.pdf.

³² Art. 3(3) of law no. 3907, op. cit.

'un-deportable' migrants would be given form of legal status. However, at the time of writing, it seemed unlikely that this project (which, if duly implemented, would indeed address many of the problems existing on the Greek side of the border) would materialise, mainly due to the difficult task of finding qualified staff. Closer to being realised were plans by UNHCR Athens to have para-legal teams providing legal information to detainees in the border region. Such teams were envisioned to be composed of around 10 lawyers affiliated with UNHCR, along with a group of interpreters.³³

The lengthy discussions on the motives and strategies of state and international actors suggest, first and foremost, one thing: with the exception of the UNHCR, and with the partial, ambiguous exception of the European Commission – these actors can hardly be counted on to ensure migrants and refugees' rights are respected. For that reason, it is argued here that civil society organisations would have a pivotal role to play to achieve this end. As the next section will show, however, to date only few organisations are active in the border region, and those present face serious limitations to their capacities.

The role of civil society organisations: activities and problems

Only a handful of civil society groups currently operate in the immediate border region, almost all of which are faced with serious problems. On the Turkish side these are the refugee protection organisation Mülteci-Der, a working group of the Edirne City Council and the Migrant Solidarity Network; on the Greek side, these are Médecins Sans Frontières, the Greek Council for Refugees and children's rights organisation ARSIS.

In Edirne province, volunteer-lawyers of the NGO Mülteci-Der attempt to offer legal support to migrants and refugees detained in the detention centre in Edirne. This work is supplemented by a working group of the Edirne City Council (a supervisory body formed in various cities in Turkey to oversee the work of the local government) focusing on the fate of transiting and detained migrants and refugees which has been formed recently. The working group aims to inform the local population about the phenomenon. More organisations can be found in Istanbul, although these hardly address the problems in the border region, with the partial exception of the Migrant Solidarity Network – a loose association of people practising solidarity with migrants and refugees, who have supported the nascent working group.

In the Evros/Greece region, migrants and refugees are offered medical trials (and, if necessary, treatment) by Médecins Sans Frontières (MSF), which collaborates with the Greek authorities in a recently established migrant screening centre located in the hamlet of Poros. Free legal counselling is offered by lawyers of the Greek Council for Refugees, based in Orestiada and Alexandroupoli. Finally, the organisation ARSIS – also based in Alexandroupoli – offers support for unaccompanied migrant and refugee minors. With the one exception of MSF, whose operations seem to run on a sustainable basis, all of these organisations are faced with serious problems that compromise the effectiveness of their work.

Scope and challenges of operations

The fact that there are only a few organisations active in the region implies that many of the potential functions of civil society organisations (cited in the scenario below) are simply not covered. On neither side of the border are organisations specifically informing migrants and refugees. Even in Istanbul, the

³³ In Turkey, the UNHCR is highly involved in the refugee status determination process, but does not provide direct other legal or social services, and is largely invisible in the discourse on migrants and refugees transiting the border region with Greece (a discourse that, admittedly, hardly exists in the first place).

only place where migrants and refugees can receive independent information is a communal kitchen run by the Migrant Solidarity Network – which mainly serves, however, as a point of contact, not information. Likewise, very few organisations even aim to engage the local publics in dialogue. One exception is the Edirne City Council Working Group which occasionally holds public events in collaboration with Mülteci-Der and the Migrant Solidarity Network. No local group systematically monitors state authorities. For Greece, sporadic but thorough monitoring of state authorities is provided by international NGOs such as Human Rights Watch (HRW) and Pro Asyl, backed by occasional reports by the Greek Council for Refugees and the UNHCR. Turkish state practices have received much less attention, however, apart from occasional reports by HRW and the Helsinki Citizens Assembly.

In addition, the operations of the organisations active in the border region are very small: in Edirne, Mülteci-Der has only three volunteers working to support the 600 inmates of the Edirne detention centre – and they do this in addition to their regular work as lawyers (2) and in journalism (1). Plans are underway, however, to open an office in the city, which would serve as a contact point for migrants and refugees seeking support, serve to liaise with the local authorities and other civil society groups, and serve help to recruit more volunteers. The Edirne City Council Working Group on Migrants comprises five volunteers, a mixture of academics and teachers. As one member conceded, however, they are “still amateurs” in the field, trying to better understand the situation.

The Greek Council for Refugees runs a project that pays three lawyers in Evros to work part-time with an estimated 800 detained migrants and refugees (who are distributed across at least five different locations of varying capacity: Filakio, Orestiada, Soufli, Tichero and Feres), but it does not have an office in the region. While the organisation ARSIS has a branch office in Alexandroupoli, where it can also provide provisional shelter for about seven minors, it only has a very limited number of staff and volunteers working for it. ARSIS staff members visit only one detention centre (in Filakio) to identify particularly vulnerable minors for whom shelter can be offered. In addition to its temporary shelter, ARSIS runs two permanent shelters – the only institutions of this kind – in Volos and Thessaloniki where 60 minors are provided with housing and education. However, in a recent report the Greek Council for Refugees estimates that between 650 to 700 unaccompanied migrant and refugee minors were detained in Filakio and Orestiada between March 2011 and March 2012 only.³⁴

In contrast, the field office of Médecins Sans Frontières (MSF) in Feres coordinates about 20 staff members providing medical trials in the screening centre in nearby Poros. MSF has specifically developed a quick medical trial procedure that focuses exclusively on those migrants and refugees deemed vulnerable or those showing obvious medical problems. This focus has been introduced in order to deal effectively with the large numbers of migrants and refugees passing through the screening centre. It still considers its operations insufficient. Given the size of the migratory phenomenon in the region, this verdict certainly applies to the other organisations as well, as frequently stated by their members.

Finally, the migration situation in the region is very mutable, demanding high flexibility from the organisations. The recent change in migrant and refugee routes from the Evros border to the Greek islands meant that MSF had to quickly relocate some of their activities to Samos, Lesbos, Leros and Simi.³⁵

³⁴ Greek Council for Refugees. *Unaccompanied Minors in the Greek-Turkish Borders: Evros Region, March 2011- March 2012*. Orestiada, 2012.

³⁵ MSF, various Field News, <http://www.doctorswithoutborders.org/news/allcontent.cfm?id=190>

Funding, staff and independence

With the exception of MSF, whose operations are largely funded by private donors, the organisations active in the border region face major funding problems. Indeed, none of the other cited CSOs has an independent source of income. The small-scale activities of the Working Group in Edirne and the volunteer-lawyers of Mülteci Der are, so far, self-funded – a major limitation for their scope for action. All the other organisations – Mülteci Der (for its main operations), ARSIS and the Greek Council for Refugees – receive most of their funding from the European Commission (through the European Refugee Fund) and from governments. This mode of funding makes them somewhat dependent on their donors' agendas.

In Greece, organisations face serious practical problems in obtaining funds granted by the European Commission (EC). As a rule, under the European Refugee Fund the EC will only cover up to 80 per cent of the costs of an accepted project; the remaining 20 per cent have to be covered with co-funding from the respective government. What is more, the EC will only start to disburse money once that latter share has been made available. Informants lamented that the Greek government usually takes several months to pay its contribution, meaning that organisations have to pre-finance their operations. According to an informant, it was for this reason that the Greek Red Cross, asked by the EC to deliver non-food items to migrants and refugees in Evros, declined to step in.

Relationship with the government and access to detained migrants and refugees

In Turkey, the public sphere remains highly politicised and civil society organisations affiliated with political currents countering are regarded by the government with suspicion. Vague laws give the government the option to sue members of all sorts of organisations under charges of terrorism.³⁶ Civil society organisations, therefore, have to operate in an environment of latent fear of repression and authorities remain reluctant to work with NGO representatives. In Edirne, the volunteer-lawyers of Mülteci-Der only gain access to migrants and refugees through personal relationships; officially, they are not allowed access to detention facilities. These conditions stand to change with the new asylum law currently awaiting voting in the Turkish parliament. Under the law, authorities would be allowed to collaborate with NGOs, and lawyers (but not other members of the public) would gain the right to access detained migrants and refugees.³⁷

In Greece, relations between CSOs and state authorities are less tense, but here, too, problems of access to detainees persist. The Greek Council for Refugees reports frequent problems, despite an apparent general understanding that access should be granted.³⁸ Problematically, access is also granted to private lawyers offering services at grossly inflated rates, who use the vulnerability of the detained migrants and refugees to extract high fees. In the cases of ARSIS and MSF, these problems seem to be less pertinent. MSF, especially, reports a generally good working relationship with the government due to the relatively long history of cooperation – the organisation has been working on migration issues in Greece since 2007.

³⁶ See the country report on Turkey 2012 by Amnesty International <http://www.amnesty.org/en/region/turkey/report-2012#section-21-3>.

³⁷ Draft Law on Foreigners and International Protection, articles 58 and 59. The draft law (in Turkish only) is available on the website of Amnesty International Turkey: <http://www.amnesty.org.tr/ai/node/1912>.

³⁸ When conducting its study on unaccompanied detained minors in Evros, the Greek Council for Refugees was arbitrarily denied access several times (see GCR, 2012). There are also reports that the organisation's lawyers working with migrants on a regular basis occasionally have problems accessing their 'clients'.

Local embeddedness, international links and volunteers

With the exception of the Edirne City Council's Working Group, whose explicit aim is to inform the public, the CSOs cited above all keep a low public profile and seem poorly embedded in local structures. This is understandable as they operate in communities that are ignorant, sceptical or outright hostile towards the migrants and refugees, and – by extension – towards those helping them.³⁹ As one respondent said, locals do not understand why they should be helping the migrants and refugees; after all, "they don't even come here [to Edirne] for Turkey, but only to go to Europe." Combined with the difficult economic situation many people face, and – in Turkey – the latent fear of the state revenging against those challenging its power, this feeling makes it difficult for organisations to recruit volunteers. However, the strategies of both Mülteci-Der and the Edirne City Council Working Group actually rely heavily on volunteers, and they fear that their impact will remain marginal if they do not manage to broaden their membership base. For the Greek organisations, volunteer work seems to be less part of the strategy, although ARSIS does draw on volunteers to conduct activities with migrants and refugees. However, if engaging the public in a dialogue or fundraising activities was to become part of the existing (or potential newly founded) organisations' agendas, volunteers would have to play an important role, and could possibly help to broaden the limited activities (e.g. in the case of the Greek Council for Refugees).

The organisations active in the Turkish-Greek region are largely left alone. With the exception of human and refugee rights organisations like Pro Asyl and Human Rights Watch, representatives of like-minded organisations from abroad are rarely seen in the region – even less so on the Turkish side. Practical support – in the form of money and the exchange of strategies from other civil society groups – seems to largely be lacking. Levels of exchange between organisations from either side of the border are also low, despite the great interest in meeting like-minded organisations from across the border (especially expressed by the representatives of the Turkish organisations in Edirne). The lack of money to cover travel and visa costs, and uncertainties regarding whom to address has prevented more sustainable cross-border exchange.⁴⁰

From the field notes (02.07.2012)

"In Greece's the immediate border region, the attitude to the migrants varies considerably. A shop attendant said that she felt pity with migrants and could 'see that the migrants are cultivated'. Other locals we talked to, however, complained about the nearby migrant detention centre, saying that migrants should at least be transported by bus to Alexandroupoli. They said they are afraid of the migrants – because they are foreign, they 'stink', and they fear they could contract diseases from them."

The Potential Role of Local and International CSOs in the Border Region: A scenario

In the following, a scenario approach will be applied to explore the contributions that a well-organised CSO-scene in the region could make. The purpose of this sketch is to encourage the currently active CSOs to expand their activities and to motivate other organisations to join and support their efforts. The purpose is *not* to propose an ultimate solution based on NGO-involvement. Clearly, a more long-term improvement of the humanitarian situation will only be possible if state policies and practices change.

³⁹ A concrete example of how this affects the organisations' work are the difficulties Mülteci-Der in Edirne faces in finding a space for a local office. A large number of property owners have already turned down the organisation's request to rent office space, fearing that the sight of migrants might turn customers of other businesses (and, as a consequence, the tenants) away.

⁴⁰ Notable exceptions are the Kayiki project, <http://www.kayiki.org/> set up in 2008, and the TransBorder Conference of over 100 activists in 2012 in Istanbul

The scenario assumes the status quo in terms of migration policies and migration flows but presumes an unlimited supply of CSOs and an unrestricted scope of actions.

Under such idealised conditions, CSOs would systematically offer advice and information to migrants and refugees at points of arrival (such as Istanbul's airports and international bus stations), in local migrant communities (e.g. in Kumkapi/Istanbul) and at nodal points (such as the bus and train stations in Orestiada and Alexandroupoli). They would inform them about the risks of people smuggling, the mandate of the security forces, the implications of an undocumented status, and on asylum application procedures. This information would be delivered in a neutral, confidential and personalised way, so as to give those of the migrants and refugees who do have other options a chance to reconsider their plans, and to help those in search of protection to avoid harm.⁴¹

Close to the border/in Edirne region and in other places where migrants and refugees are being detained,⁴² CSOs would work to prevent or counter infringements of the migrants and refugees' rights by state authorities. Independent lawyers associations would offer their help to detained migrants and refugees and independent doctors would visit detainees to offer appropriate medical care.

Civil society groups would constantly remind state authorities of the limits to their powers prescribed by law, inform the public about migrants and refugees' rights, and survey policing and detention practices.⁴³ Public vigilance would also cover developments at the national level – such as the adoption of new legislation – as well as the local level, and ensures that local and national media stay informed and report on developments concerning migrants and refugees.

In the Greek Evros region, CSO staff or members would be present close to the border to make sure migrants and refugees are not arbitrarily pushed back, are treated humanely by border police officers. In addition, they would monitor refugee status determination procedures and check whether detention conditions are acceptable.

CSOs would constantly communicate problems to local, national and international media and sensitise the wider public to migrants and refugees' rights. Highly visible campaigns would be launched in the border region and cities all over Greece to elucidate the migrants and refugees' backgrounds, goals and aspirations, and to explain their role in the current economic crisis – with the aim of reducing xenophobia.

As on the Turkish side, detainees would be offered independent legal counselling and medical checks. While some civil society organisations would thus mainly work to check state authority, others would collaborate with the Greek authorities and the UNHCR, for example by helping to improve detention conditions and by offering specialised services to migrant and refugee groups with particular needs (e.g. families with small children). Glaring holes in the support infrastructure would be addressed by additional organisations (such as the Greek Red Cross) becoming active in the border regions.

⁴¹ While critics may argue that this encourages migrants even more to try to cross the border clandestinely, this argument is repudiated with reasoning that at this stage, when migrants are already well into their journeys, they do not need further encouragement. Not informing the migrants means leaving the information monopoly to smugglers, who have an interest in downplaying the risks of the process and concealing their own, exploitative practices.

⁴² Currently, these gendarme stations and Kirklareli, Istanbul, Ankara and Izmir detention centres. Information from informants and the Global Detention Project (<http://www.globaldetentionproject.org/countries/europe/turkey/introduction.html#c2949>).

⁴³ While for the Greek side this has worked quite well, due to the efforts of organisations such as Human Rights Watch or Pro Asyl, similar constant attention in Turkey is missing. How valuable such attention can be is shown by the 2008 Human Rights Watch report on detention conditions in Edirne, which certainly played a role in the refurbishment of the centre. Nevertheless, as described above, serious problems remain.

Civil society organisations from both sides of the border would regularly collaborate, exchange experiences and develop joint activities. Organisations so far only represented in the bigger cities would open branches in the border region. Especially in Turkey, where Istanbul hosts a range of active refugee/migrant support organisations, this could be a viable strategy.⁴⁴ As the border regions are currently recognised hotspots, the work of local organisations in these areas would receive strong support from like-minded NGOs and church groups from those parts of Europe that do not face similarly urgent situations, as well as experienced Italian or Spanish organisations. Support would come in the form of information exchanges and training programs, but also through direct monetary support and the secondment of staff delegates to work directly with organisations 'on the ground'.

In order to be able to communicate the perspective of the migrants and refugees, the network would include NGOs from the migrants' and refugees' countries of origin. In a concerted effort, network members would lobby for practical solidarity with Greece with the aim of ensuring the humane treatment of migrants, the resettlement of refugees and asylum seekers or the processing of asylum applications in other EU countries.

Conclusion

Whereas the present reality is a far cry from this scenario, this report is, nevertheless, optimistic about the positive role that civil society organisations do and could play. This is not because NGO action is seen as the ultimate solution to the problems existing in the border region. Rather, the situation is so problematic that, even given all their limitations, the measures CSOs can provide could still help to significantly improve the situation.

Migrants and refugees in the Turkish-Greek border region are faced with exploitation and repression of a systematic nature. Much of the suffering is directly caused by the authorities of Turkey and Greece, who receive essential support from EU governments, the EC and Frontex. It is true that EU actors also criticise the directly involved governments, and that the EC gives funding to organisations supporting migrants and refugees. The impression remains, however, that the general strategy of the state actors is, at the core, one of deterrence which implicitly or even explicitly accepts harm to those who are not deterred.⁴⁵

Given this bleak reality, much hope to improve the situation of migrants and refugees rests with civil society organisations (and, arguably, the UNHCR). As shown in the scenario, CSOs could play a crucial role by providing services to migrants and refugees, informing the public and holding to account state actors. However, at present, the organisations are operating in a very difficult environment and struggle to fulfil these tasks since their number and scope of operations is limited, their relations with governments strained, funding scarce and local support lacking.

The help of likeminded partners from other European partners is therefore crucial. While the eventual aim of CSOs should arguably be the creation of an European asylum system that realises intra-European solidarity and ensures that migrants' and refugee's rights are fully respected, offering practical support to likeminded organisations in Greece and Turkey would be an important, concrete step in this direction.

⁴⁴ Examples for such organisations are Médecins du Monde, Caritas and the Helsinki Citizens' Assembly.

⁴⁵ For a sophisticated argument on how state border policies and practices often indirectly, but nevertheless intentionally, cause harm to migrants, see Weber, L., and S. Pickering. *Globalization and Borders: Death at the Global Frontier*. Palgrave Macmillan, 2011, p90ff.

Support from other organisations – domestic and international – is therefore even more needed. On a more general level, CSOs from Europe and beyond should continue to hold policy makers to account. On the European level, as well as in their respective countries, organisations should also engage in concerted lobbying for more constructive, long-term measures to address the problems in the region, such as resettlement.

RECOMMENDATIONS TO LOCAL AND INTERNATIONAL MIGRANT SUPPORT AGENCIES

Keep-up, expand and support the following, on-going activities:

- Provide independent legal aid and medical checks wherever migrants are detained.
- Monitor detention and border policing practices, highlighting limits to state powers prescribed by law; monitor and critically comment on new legislation.
- Inform the public about migrants' rights on the national and local level; elucidate the migrants' backgrounds, goals and aspirations to strengthen public identification with migrants.
- Provide authorities with concrete ideas for improving detention conditions and the situation of groups with special needs, such as minors and families.

Engage in the following additional activities, and support organisations offering such services:

- At points of arrival, transit and residence, provide independent information and advice on the risks of being smuggled, the implications of an undocumented status, the mandate of law enforcement agencies and on asylum application procedures.
- Set up independent, cross-border border monitoring mechanisms so as to ensure that migrants are not arbitrarily pushed back and are treated humanely by border police officers; survey status determination procedures and detention conditions.

Build strong networks to support local actors and more effectively lobby governments:

Local organisations

- Regularly coordinate with other local organisations and the UNHCR – as well as with organisations from across the border – to exchange experiences and develop common policies.

Migrant and European migrant support agencies

- Share experiences in working with similar migrant flows (particularly applicable to organisations from Spain and Italy).
- Offer training programs to local organisations, especially concerning fundraising, the recruitment of volunteers and public outreach.
- Second staff members to temporarily work with local organisations in the border region.
- Include NGOs from the migrants' countries of origin or migrants in the network, so as to be better able to communicate the perspectives of the migrants.
- In Greece and Turkey, and on the European and on the respective national levels: lobby for practical solidarity with Greece and Turkey to deal with migrants and refugees, for instance in the form of resettlement.

CSOs active in the border region

Médicins Sans Frontières Greece	http://msf.gr/ (in Greek)
ARSIS Greece	http://arsis.gr/ (in Greek)
Greek Council for Refugees	http://www.gcr.gr/en (in English)
Mülteci-Der Turkey	http://multeci.org.tr/ (in Turkish and English)
Migrant Solidarity Network Turkey	http://gocmendayanisma.org/ (in Turkish and English)
Edirne City Council Migrant Working Group	no web page
Helsinki Citizens Assembly	http://www.hyd.org.tr/ (in Turkish and English)
Welcome to Europe & Infomobile	http://w2eu.info/greece.en.html ; http://infomobile.w2eu.net/ (in English)

The author

Max Schaub is PhD student at the European University Institute, Florence, Italy. The paper was prepared in course of his Mercator Foundation fellowship and during his stay at COMPAS as visiting academic in 2012. His current research is non irregular migration in Germany.

Contact: max.schaub@eui.eu