

With the continuation of wars in Iraq and Afghanistan, as well as the clashes in Sudan, for the past three years, the EU has been facing a major influx of refugees, seeking political asylum. Greece, being one of the border countries of the EU, and being relatively closer to countries such as Afghanistan, Iraq, and Sudan, receives a big number of these refugees who view Greece as the entry point to Western Europe. Yet, because of the overloaded and inefficient Greek system for processing asylum requests, many refugees now try to shorten the time they spend in Greece and seek to flee the country and reach Italy, which offers an easier access to the rest of Europe by land. Since EU regulation states that the asylum request of a refugee has to be processed in the country of entry, no other country of the Union is required to process a request if the interested individual has already requested asylum elsewhere in the EU. However, given the slow and inefficient Greek system of processing asylum requests, many refugees attempt to flee the country. Most of these unregistered refugees, including a large number of children, gather up in a refugee camp in the city of Patra, in which the living conditions are below average, with no sewage system and no health care.

Due to the importance of the issue, and the extent of violations of human rights that occur, the Greek Ombudsman felt the need to begin a broader investigation, aimed at finding a solution for all refugees coming to Greece, in contrast with the private cases with which the independent authority was initially concerned. Thus, senior investigators of the Greek Ombudsman have been sent to the camp in Patra on a number of occasions, and after collecting all the facts they compiled a report which aimed at: raising awareness on the issue; pinpointing the problems and deficiencies; and proposing solutions, while also urging the Greek authorities, local and national, to mobilize.

One of the first findings of the senior investigators is that the majority of the people residing in the refugee camp of Patra are Afghani or Iraqi, and that there are a great number of underage refugees. Also, with no health services, no sewage or waste disposal mechanisms, no electricity and no running water, the risks of infectious disease, which could devastate the camp, but also spread in the city of Patra, are high, raising concerns for short term but also long term health issues.

Also it appears that the refugees are in a stagnant political and social state, in which they do not know what to do. Because of the war conditions in Afghanistan and Iraq, they are impeded from going back to their home countries. At the same time, here in Greece they do not want to enter the Greek asylum procedures, and yet they find it really hard to leave the country before local authorities arrest them. These arrests are, in most cases, unconstitutional, but authorities claim, necessary. Once arrested, they either have to apply for asylum or face deportation. Also, these arrests operate only as a short term solution, which has long term repercussions. Already it is noted that the persecution of these immigrants by the Greek police, has caused the formation of many other smaller encampments which pose the same health threats as this one. Should the refugee influx in Greece increase, controlling and monitoring so many illegal encampments will be even harder.

A very important issue in the refugee camp is the large number of underage children living there. An attempt by the Red Cross to record the refugees in this camp, found 132 underage children, which should be granted special rights based on Greek and European legislation. Yet, once arrested by the Greek authorities they are treated as illegal immigrants, and few of them eventually get the treatment that they are supposed to get. These actions are in violation of Greek and EU legislation. Yet, the Greek authorities claim that within their sovereignty they have reached and surpassed

the maximum capacity of underage immigrants they can provide special services for. Thus, underage refugees have to either live in camps, such as the one of Patra, in which they face serious health problems, or be arrested and imprisoned like the other immigrants. The problem/solution for some of these children is that they are rejoining their families in other EU countries, but once arrested by Greek authorities they all get stuck in the slow bureaucracy of the asylum system.

An important factor contributing greatly to this problem is the inefficiency of the Greek authorities in processing the applications of asylum seekers. According to Greek law, applications are supposed to be processed within three months from the day they are submitted. Yet, there are many people who get stuck in the asylum process for far longer than that.¹ Even though it is required from the Greek Government to provide food, health and shelter to these people, because of the large number of requests, combined with a poor and ill managed infrastructure for such procedures, Greek authorities find it easier to keep these immigrants in a perpetual state of arrest and release. The other problem these refugees face is that for as long as their request is being processed, they can not work, legally, in Greece. Thus, many of these immigrants go to Patra, remain illegal and unreported in the country, and wait for their chance to get into a boat that will take them to Italy or Spain.

Within its report, the Greek Ombudsman reached a number of important conclusions. The first one is that the conditions of life in the Patra refugee camp are unacceptable, not only for the people living in it, but also for the people who live around it. They pose a threat to short term and long term health security, especially for the regions surrounding the camp.

Furthermore, the Greek Ombudsman concluded that the actions taken by the Greek authorities are vastly illegal or even unconstitutional and they definitely do not help in finding a solution to the problem. Illegally prosecuting asylum seekers, arrests conducted independent of age and needs as well as not providing for basic care to a group of people who do not only need it, but also require it by law, puts little faith in the hearts of the refugees, who prefer to risk their whole trip to Europe, rather than asking Greece to grant them the refugee status.

A very important realization was that Greece has to face the fact that it can not any longer process the great amounts of refugees it receives. In an interview Mr. Andreas Takis, Deputy Ombudsman for Human Rights, gave to the Greek newspaper "ELEYTHEROTIPIA", he criticized both Greece, and other European countries for the handling of this problem. Specifically he argued that it is time Greece accepts and admits to the EU that it is going to require help from the other member states to resolve this issue. At the same time, other member states have to stop enforcing their right to send immigrants who seek asylum back to Greece, based on the first entry regulation provided by European law, especially since they are well aware of the deficiencies of the Greek procedure.²

Last, but not least, it is observed that these immigrants, and Greek authorities, are found in a state of limbo. On the one hand, the immigrants do not want to seek asylum in Greece, making them illegal in the country and forcing Greek authorities to take evasive actions. On the other hand, Greek authorities do not accept the asylum requests of most refugees, but at the same time can neither dispatch them to Europe nor send them back to their country of origin, keeping these people in a perpetual state

¹ It is nowadays considered that an acceptable timeframe for an answer in Greece is at least 10 months and maybe even more.

² Interview of Mr. Andreas Takis, Deputy Ombudsman, published in the Greek newspaper "ELEYTHEROTIPIA" on 06/05/2008

of insecurity about their future, while the solutions to the problems of both sides are never found.

Due to the importance and severity of the problem, the Greek Ombudsman felt obliged to include in its report a series of suggestions, which would help give a different perspective to the problem in general, and maybe solve some, if not all the problems faced by specific agents who are affected by the camp of Patra. Concerning the camp as a whole, the Greek Ombudsman urged for a complete change in policy from the Greek authorities. Prosecutions of refugees are ineffective and temporary, since there exist no provisions for their transfer to some specially organized space. Local authorities of the Municipality of Patra need to take action in creating special hosting facilities.

Also, local authorities should, as quickly and efficiently as possible, prepare a detailed register of the refugees in the camp. This will help authorities know accurately what these people needs are. Eventually, the facilities created to host these refugees will be able to provide the services needed.

Of great importance is also the problem with the underage refugees, who in great numbers travel without a parent or an adult who takes care of them. These underage immigrants form a special category in the Patra camp, and the Greek Ombudsman called for their immediate transfer to special facilities. In these facilities they will receive care from experts at handling children and adolescents, while at the same time they will be protected from persecution or imprisonment, independent of whether they are seeking asylum or not (under Greek law, the Greek government is required to provide all unaccompanied minors with representation and shelter, independent of the submission of an asylum request).

Lastly, pending the creation of new hosting facilities, the Greek local authorities and the relevant social services are urged to provide the temporary camp in Patra with basic health and hygiene services.