

**Date:** Wednesday, 3rd of May, 2023

## **Joint Statement: Call for the Closure of the Samos Closed Controlled Access Centre**

As actors on the island who work to defend the rights of people on the move, we are deeply concerned about the Samos Closed Controlled Access Centre's (CCAC) compliance with human rights standards and have, since its opening, called for its closure and for people to be accommodated within communities and in housing that prioritises their dignity. Having witnessed a further deterioration of conditions in the CCAC in recent months, we feel compelled, more than ever, to demand its closure.

The first of its kind, the Samos CCAC is one of five CCACs constructed in Greece. Funded in its entirety by the European Union (EU) through the Asylum, Migration & Integration Fund, the construction of the Samos CCAC cost the EU taxpayer €43 million, with a total of over a quarter of a billion euros of EU funds financing the construction of other CCACs in Greece. Heralded by the European Commission as a new and more "humane" approach to migration, CCACs will continue to open across Greece.

Despite the claims of both Greek and EU authorities, both those accommodated in the CCAC and human rights defenders continue to highlight the inhuman nature of these centres. For example, in a recent submission to the EU Ombudsman, NGOs I Have Rights, a legal organisation based in Samos, and the International Rescue Committee highlighted how the CCAC consistently falls short of EU human rights standards. Whether through its treatment of unaccompanied children, or the Greek authorities' practices of unlawful detention and inhuman conditions, people on the move and human rights defenders alike have long called for the closure of CCACs.

### **Unaccompanied children**

When unaccompanied and separated children (UACs) enter the CCAC they are automatically transferred to the so-called "safe-zone", a fenced off section of the structure that acts as a *de facto* detention site within the CCAC. UACs are only permitted to leave the "safe-zone" for two hours of "free time" a day where they can play in Section A of the CCAC only, a restricted area of the facility. Aside from being accompanied to the hospital by the police for cases of urgent medical care, or attending an informal education class once per week, UACs are not permitted to leave the CCAC. This combination of restriction of liberty to a confined space within the facility for 22 hours a day, coupled with the general rule that they cannot leave the wider structure of the CCAC, has resulted in UACs expressing that they feel like they are detained in a prison within a prison.

Unaccompanied minors in the CCAC are currently cut off from almost all access to basic services, including in person access to a lawyer as well as clothing and hygiene items, resulting in their undignified treatment. Throughout the winter months, local organisations witnessed children walking barefoot or in sandals, and without adequate winter clothing. As detailed by Just Action and Samos Volunteers, two Samos-based organisations that support people with access to clothing, unaccompanied minors in the CCAC have limited clothing options, with some resorting to wearing towels while waiting for their one set of clothing to be washed. Local organisations and people on the move consistently maintain that the hygiene items provided are largely insufficient, with minors reporting to Just Action that continuous requests for basic items, including toothbrushes, toothpaste and soap, go ignored by the Reception and Identification Service of the CCAC.

## Detention

**The CCACs currently in operation or under construction**, including the Samos CCAC, are **located on the five 'hotspot' border islands of Greece**. In this context, asylum seekers' freedom of movement and liberty is *already* restricted, as they are immediately placed under "geographical restriction" upon arrival to the islands, as the law prohibits persons from leaving the island on which their application is lodged until their asylum procedure is completed.

A report published this year by I Have Rights, details how the CCAC is a site of unlawful *de facto* detention and its infrastructure mimics the dehumanising architecture of prisons. At the time of writing, people on the move are systematically *de facto* detained for up to 25 days upon arrival to the CCAC for "identification purposes". Not only is this blanket *de facto* detention of newly arrived asylum seekers unlawful and arbitrary [1], but it is also the basis of current infringement proceedings launched against Greece this January by the European Commission.

Even when people on the move are not *de facto* detained in the CCAC, they are subjected to intense surveillance and control, including: 24/7 CCTV, police, private security, airport-style security, multiple layers of barbed wire fences, check-points throughout the structure and a strict curfew. Human rights defenders have detailed how the control and surveillance infrastructure of the CCAC has the potential to re-traumatise people seeking international protection. For example, in 2022, 93% of people supported by the International Rescue Committee in Lesvos and Samos reported experiencing anxiety or depression-related symptoms, while a worrying 50% showed symptoms of suicidal behaviour or ideation. Moreover, MSF's patients on Samos have described the CCAC as "mental punishment," with the detention-like conditions of the CCAC adding to pre-existing physical and mental distress.

### Deteriorating CCAC conditions

Living conditions in the CCAC have been described by residents as prison-like and degrading. Local actors have received multiple reports from residents of severe cockroach infestations over the past nine months, with living conditions in the containers being described as crowded and unsanitary.

The non-provision of hygiene products, including essential baby items like diapers and suitable milk for infants, is continuously reported. Camp residents report seeing a storage of hygiene items available inside the CCAC, with stock packed past the windows of the storage containers. However, none of these items are provided to the general population. The CCAC management provides a small starter pack upon arrival, in addition to a limited clothing supply for some women and children only. Men rely entirely on the support of external organisations to receive clothing. The absence of sufficient provision of clothing or hygiene items to cover basic needs leaves the population at a higher risk of illness and disease. These deteriorating conditions have been exacerbated by the recent instability in access to working laundry facilities. Since January 2023, NGOs who had been running the laundry service and providing medical support within the facility have been denied access to the structure, residents of the CCAC have increasingly reported to Just Action an increase in skin and hygiene conditions, including outbreaks of scabies.

[1] This is for a variety of reasons, including: i) the fact that people are provided with an order for "restriction of freedom" for "identification purposes" at the same time that they are provided with an identification document and as such the detention is not for a legitimate purpose as the person is already identified. ii) In the written order that claims to provide a legal basis to prevent a person from leaving the CCAC, the authorities refuse to call this restriction "detention" and instead call it a "restriction of freedom" which is a legal fiction, and is an attempt to circumvent legal safeguards for persons who are detained. iii) Human rights law clearly stipulates that detention of asylum seekers should always be a matter of last resort, yet in the Samos CCAC it is applied to every person, including children. iv) Routine and blanket detention of asylum seekers upon arrival to the EU is in contravention with EU law.

Meals are provided only twice a day, with people reporting that the food is insufficient in portion size. It is common that residents only receive a small bread roll with jam for breakfast and a small portion of rice and chicken for their final meal of the day. People increasingly report the poor quality of the food to organisations on the island, including I Have Rights and Just Action, which since the CCACs opening has been described as inedible or to have gone bad upon distribution. Additionally, throughout the last months, camp residents increasingly report that the quality of the food has deteriorated further. It is also common that labelling of the food is insufficient, without any product name, nutritional content or marked expiry date, and its nutritional value is at odds with international standards. [2]

Further, as of March 2023, asylum seekers must present themselves before the CCAC authorities for each meal time to receive food, and cannot send a friend or family member on their behalf. As a result, if they have an appointment in another part of the CCAC (for example, their asylum interview) or are visiting the essential services of NGOs in the local town of Vathy, they will not receive food that day. This denial of essential meals can occur despite the fact that asylum seekers residing in the CCAC **have a reduced cash assistance because of their accommodation in a state reception centre that provides food**. This is not only an infringement on their right to food, but is another factor that contributes to the restriction of liberty experienced by residents of the CCAC, [3] with people often feeling unable to leave the CCAC at particular hours of the day as doing so will mean they go hungry.

The lack of provision of necessities such as clothing, hygiene items and food is of particular concern as asylum seekers often do not receive the financial assistance they are legally entitled to due to delays in the cash assistance programme. Applicants can wait up to 3 months to receive a first instalment of 75 euro on average, during which time they are entirely dependent on the camp management and support provided by NGOs.

There are also recurring and significant infrastructural deficiencies, including problems with access to running water, that impact the quality of life and dignity in the CCAC. This includes lack of access to sufficient water and temperature control in both the winter and summer. Additionally, in the CCAC's first year of operation, residents had their access to water severely limited or completely cut off for two extended periods, one of which continues until the time of writing where water cuts take place between 2:30pm - 5:30pm and 11pm - 5am, restricting CCAC residents access to sanitation facilities. This is a stark illustration of the many problems linked to selecting a remote, barren area for the CCAC's construction, but also the failure to prioritise the provision of consistent access to running water as a basic right of residents.

Finally, as of the beginning of March 2023, due to the non-renewal of a contract with a private interpretation company, the entirety of the CCAC, including the Reception and Identification Service and the Greek Asylum Service, has been in operation with only two in-person interpreters. This has resulted in the postponement of asylum interviews and created a significant barrier to accessing services and essential information for camp residents. At the time of publication, no additional interpretation contract has been secured despite the allocation of over a quarter of a billion euros of EU funds towards CCACs in Greece.

[2] Sphere. 2018. 'Food Security and Nutrition' in Sphere Handbook, Standards 6.1, 6.2 and 6.3 Available at: [here](#).

[3] The requirement that persons present themselves before the authorities twice a day to receive food is one of multiple factors that cumulate to restrict persons of their liberty and freedom of movement. Other factors include *inter alia*: being subject to curfew 8pm to 8am, the use of checkpoints throughout the CCAC, the requirement to undergo airport style security when entering the structure, the CCAC's isolated location, the lack of residents' financial means to pay for transport to the nearest town, the 24/7 presence of state and private security forces and the requirement to present for the weekly census. Moreover, the fact this occurs within a context where people are already immobilised to the island of Samos itself through the hotspot approach perhaps means that such measures could amount to a deprivation of liberty.

We, the undersigned organisations call for:

1. The closure of the Samos CCAC and for people to be accommodated within communities and in housing that prioritises the dignity of asylum seekers.
2. The end of construction of further CCACs in Greece.
3. The abandonment of the new EU approach of CCAC, which is far from a humane and dignified response to people seeking safety.

Avocats sans Frontières France  
I Have Rights  
Just Action  
Samos Volunteers  
Human Rights Legal Project