

Contribution to the European Ombudsman’s strategic inquiry into how the European Commission ensures respect for fundamental rights in EU-funded migration management facilities in Greece

Submission by the International Rescue Committee and I Have Rights, January 2023

This submission draws on the programming, data and observations of two organisations, which have come together to share their analysis and recommendations in relation to the EU-funded Closed Controlled Access Centres (CCACs), or Multi-Purpose Reception and Identification Centres (MPRICs)¹ in Greece: the International Rescue Committee (IRC), an international humanitarian aid, relief and development NGO, and I Have Rights (IHR), a legal aid NGO that provides legal information and support to asylum seekers on Samos.

The content and recommendations are informed by **both organisations’ respective work supporting people on Samos island**, where the IRC and IHR have cooperated between 2019-2022 to provide essential mental health and legal support to asylum seekers and refugees, both through direct programming and referrals. This submission is further informed by discussions with other organisations active in refugee protection on the island.

- The IRC has been working in Greece since 2015 and today runs programmes in Athens and Lesbos - providing child protection services, mental health and psychosocial support (MHPSS) services, and economic recovery and development programming. On Samos, between October 2019 to June 2022, the IRC provided MHPSS services to approximately 200 asylum seekers and refugees to help them cope with past violence/persecution, displacement, and the serious and complex challenges they faced upon arrival in Europe.
- IHR provides individualised, free legal information and representation to people seeking asylum on Samos. In 2022, IHR provided one-to-one support for over 300 people, including preparing over 200 people for their asylum interviews and supporting around 70 people for appeal and later stages of the procedure. Last year, IHR responded to just under 17,000 messages on their information hotline. In addition, IHR engages in strategic litigation at regional and international courts, monitors human rights on Samos and advocates for greater protections of asylum seekers and refugees in Greece.

This submission draws on data from both organisations’ programmes as well as interviews with residents of the CCAC in Samos, collected between September 2021 to December 2022. It focuses on (1) the impacts on the rights of migrants as a result of their stays in the CCACs, as identified by our organisations and (2) the level of access to legal assistance available to migrants staying in the CCAC. We consider conditions in these centres to be inconsistent with [Directive 2013/33/EU](#), the 2020 [EU Action Plan on Integration and Inclusion](#) and the 12 guiding principles of the [Fundamental Rights Agency](#) (FRA) for protection-sensitive and fundamental rights-compliant reception at the EU external borders.

¹ CCACs/Closed Controlled Access Centres are also often referred to as Multi-Purpose Reception and Identification Centres (MPRICs). However, as L 4636/2019 International Protection Act, Article 14 defines these centres as Closed Controlled Access Centres, for the purposes of this submission we will apply the legal term set under Greek law, which we also believe more accurately represents the situation in the camps.

It also includes **information on conditions inside the CCAC in Lesvos**, collected through the IRC's MHPSS programme on the island. Since July 2015, the IRC has provided MHPSS, Child Protection, Environmental Health, as well as Economic Recovery and Development services to asylum seekers and refugees that have been residing in various sites on Lesvos island.

The structure of this joint IRC and IHR submission follows the 12 guiding principles of the FRA, placing them into seven relevant and interconnected thematic groupings.

1. Consider protection risks when selecting the location (FRA Recommendation 2)

Approximately €43 million EU funds were allocated to the construction of the Samos CCAC, including the infrastructural planning and development of the facilities. Yet, sufficient precautions, protection and mitigative measures to ensure people's safety, well-being, and access to rights and services have not been implemented.

Firstly, the **remote location of the Samos CCAC, 8km away from Vathy, the closest town, has direct negative implications on asylum seekers' access to services and basic necessities**, as well as their interactions with local communities. Bus tickets cost 1,60€/person one way, with no alternative transportation provided. This presents a **significant financial burden**, given that cash assistance per month for those accommodated in the CCAC is 75€ a month for a single person, 160€ for a family of three people and 210€ for a family of four or more.² On average, it may take approximately 2 to 2.5 months from registration to receive cash assistance, with those who have received decisions on their asylum claim (whether positive or negative) no longer deemed eligible. In this way, it is common for asylum seekers on Samos to never receive cash assistance, leaving them unable to pay for the bus ticket, which contributes to their isolation and their inability to access essential services that are unavailable within the camp.

As residents of the CCAC have reported to IHR, this has systematically **prevented asylum seekers from attending medical appointments**, which are critical to their asylum procedure, health and well-being. Considering there is no permanent state-appointed EODY (national public health agency) doctor inside the camp, as required by law, from 6 April 2022 medical humanitarian aid agency Médecins Sans Frontières (MSF) mounted an emergency response to fill the gap for primary medical care with a mobile clinic three days a week until the end of 2022.³ However, at the time of writing, and since the beginning of 2023, MSF has been denied access to the CCAC. Their employees' registration status on the National Migration Registry was the reason cited for the denial of access, which has now left those who are unable to leave the CCAC, including those detained there, without on-site access to a doctor.

The CCAC's isolated location has also prevented residents from organising **simple though essential elements of everyday life, including getting groceries, or being able to procure sanitary hygiene items and clothes**. The lacking provision of non-food items (NFIs) in particular inside the CCAC is a great challenge for people. As a result, men report having insufficient or no underwear as such essentials are

² These amounts correspond to cash assistance for people whose meals are provided in the place of accommodation, such as CCACs. Where meals are not provided, amounts range from 150€ for one individual to 420€ for a family of four or more. See <https://help.unhcr.org/greece/living-in-greece/access-to-cash-assistance/>.

³ L. 4939/2022 and Article 19 of Directive 2013/33/EU, Article 30, 59, and 129.

not provided inside the camp. They have explained that this then forces them into humiliating situations of needing to borrow or steal from one another. New arrivals to the CCAC face particular difficulties. IHR is in frequent communication with these people, who have explained that they are forced to stay in the same clothes they were wearing when they were first placed in the CCAC. This situation can last for weeks, until such a time as they are finally allowed, and then able, to leave the CCAC and find a way to travel to Vathy, the closest town, to obtain clothes from NGOs there.

Moreover, there are **recurring and significant infrastructural shortcomings in the CCAC that also severely impact quality of life, wellbeing and dignity for residents**. This includes lack of access to sufficient water and of temperature control in both the winter and summer. During the intense heat waves of summer 2022, many of the CCAC's air-conditioning units were out of service and not repaired, leaving residents in distress. As winter temperatures have plummeted, the heating systems also repeatedly fail to properly function. On top of this, in this CCAC's first year of operation, residents have had their **access to water severely** limited or completely cut off for two extended periods. This is due to unresolved issues with the only water pump that reaches the camp. Firstly, in May 2022, people were left without access to running water for 17 days. They had to use water bottles for drinking, cooking, washing, and flushing the lavatory. However, not enough water bottles were distributed [to meet people's daily needs](#). Secondly, from October 2022 until the time of writing, water cuts are taking place between 2:30pm - 5:30pm each day and between 11pm - 5am each night. The result is that CCAC residents cannot use the sanitation facilities during these times. Yet, this seems set to continue. Located 300m underground, the problems with the water pump remain unresolved, creating serious repercussions for residents. This is a stark illustration of the many problems of not only selecting such a remote, barren area for the camp's construction, but also the failure to prioritise the provision of consistent access to running water as a basic right of residents.

Lastly, the **WiFi connection in the CCAC is constantly unstable and extremely limited**, with multiple bureaucratic barriers to accessing it having significant consequences. Legal actors on the island have witnessed the **impacts of unstable internet on asylum interviews** that are conducted online in the CCAC by remote case workers and/or interpreters. The poor internet connectivity exacerbates the risk of confusion or misunderstandings in these calls, and can prevent asylum applicants from substantiating their asylum claim in a comprehensive manner. At the end of 2022, IHR learnt that a **new system to grant access to WiFi** was due to be implemented on the site from January 2023 - one that raises **serious exclusion and protection concerns**. To gain access to WiFi, people are instructed to install a "Migration Greece Info" application on their phones, available only in English or Greek, and to provide an email account, a valid international protection applicant's card to authenticate their application, and a temporary tax number to be able to register on the application.

However, many newly-arrived asylum seekers to the CCAC do not have SIM cards that work on the Greek cellular system, lack an email address, and may have to wait up to 25 days before receiving an applicant's card and even longer before receiving a tax number. As a result, they risk being cut off from communication with the outside world, including the ability to inform their families of their arrival and to seek essential legal assistance and information. The same applies for people with negative decisions on their asylum claims, as they will not have a valid card until they submit an appeal, creating barriers for their access to legal services, at the very moment that they most need legal support. Without access to reliable WiFi, people will be cut off from essential information, unable to access even online search engines such as Google or pages like [Refugee.info](#), which provide general information and assistance to asylum seekers. While this new system controlling WiFi access had not yet been put in place at time of

writing, the threat still looms and the CCAC's Reception and Identification Service (RIS) has not provided further updates about when exactly it will be implemented.

2. Avoid prison-like environments (FRA Recommendation 3); Involve and empower refugees (FRA Recommendation 6)

“Living in the camp [CCAC] on Samos is a very difficult experience. They shouldn't even give it the name 'camp'. In my opinion it is a prison – there is no difference... You can only enter or exit between 8AM and 8PM. Then when you arrive at the camp doors, one-by-one they let the refugees inside. There is the checkpoint and they check even your phone, wallet, pockets, even the small pockets of your clothes they search. Then when you want to go inside you have to pass three or four doors with fingerprints.” - Mehdi,⁴ from Afghanistan, Samos 2022.

The [FRA guidelines](#) emphasise that ‘CCACs’ for newly-arrived refugees at EU external borders “should not resemble a prison”. However, not only does the CCAC resemble a prison but measures of de jure and de facto detention are also implemented. CCAC residents supported by the IRC and IHR **often describe the facility as a prison**. This is unsurprising, given several factors, including its remote location; , the layers of NATO grade barbed wire surrounding it; 24/7 CCTV surveillance; the presence of multiple police and private security forces; the multiple security checks, including airport style checks of people, their clothes and belongings on arrival to the centre; as well as detention measures and limitations on freedom of movement.

Such conditions have severe impacts on the wellbeing of asylum seekers hosted within the centre, creating feelings of [imprisonment and criminalisation, and gravely harming their mental health](#). This was already the case for people trapped on the Greek islands even before the restrictive CCACs were implemented, as detailed in a [previous IRC report](#) that revealed the detrimental impacts on asylum seekers of policies of containment and limitations on movement, including during the COVID-19 pandemic lockdowns. However, the conditions in the CCACs magnify these feelings of containment and detention. In 2022, **93% of people supported by the IRC's MHPSS programmes in Lesbos and in Samos experienced anxiety or depression-related symptoms**, while a worrying 50% showed symptoms of suicidality. Containment-centred accommodation models have devastating impacts on the mental health of asylum seekers and refugees, who already have to cope with trauma endured in their country of origin and on their journey.

“You don't feel you are a refugee, you feel you are a criminal...” - Nadaar,⁵ from Somalia, Samos 2022.

The conditions in the CCAC also contradict the principles outlined in the [2020 EU Action Plan on Integration and Inclusion](#), which stresses the importance of implementing **integration measures from the reception stage**. Despite the EU's aim for member states to prioritise education and training, employment and skills recognition, access to health, and adequate and affordable housing, integration programmes for asylum seekers within the centre only recently commenced, when METAdrasi launched two programmes - language education and job counselling - in November 2022, over a year after the CCAC first opened in September 2021. The establishment of integration programmes from first reception,

⁴ Name changed to preserve anonymity.

⁵ Name changed to preserve anonymity.

covering housing, health, and employment, and linking national integration support programmes with the EU Action Plan on Integration and Inclusion is highly needed.

3. Define applicable reception standards and responsibilities in national legislation (FRA Recommendation 1); Facilitate the right asylum (FRA Recommendation 4); Respect the right to liberty (FRA Recommendation 5); Pay attention to child-protection issues (FRA Recommendation 11); Ensure safety for all people in the facility (FRA Recommendation 12)

According to the Reception Conditions Directive 2013/33, detention of asylum seekers should be a matter of last resort and decided on a case-by-case basis. Despite this, asylum seekers are systematically detained in the Samos CCAC. From their arrival in Samos, they are subjected to **various forms of detention** including: a discriminatory mandatory detention in the COVID-19 quarantine zones of the CCAC (in place from March 2020 to November 2022),⁶ arbitrary detention in the main sections of the CCAC for new arrivals, and detention awaiting appeal. These measures of detention, alongside the serious limitations on services and infrastructure, **run counter to the facilitation of asylum by structurally limiting people's ability to receive legal assistance and information**, forcing them into fast-tracked procedures without any preparation or necessary exams including medical assessments.

Quarantine detention and reports of police brutality

From March 2020 to 25 November 2022, asylum seekers arriving on the Greek hotspots were required to undergo a mandatory quarantine period of five to fifteen days, which could be extended for all in quarantine if any individual member of the quarantined group presented any symptoms of COVID-19.⁷ IHR's client data reveals that as a result asylum seekers were detained in the quarantine zones for an average of 12 days, and some up to three weeks.

While in the main section of the CCAC, unaccompanied children are separated from the general population. However, this was not the case in the quarantine zones. **Unaccompanied children were not identified prior to quarantine**, which resulted in them being placed in shared dormitories with adults, in breach of multiple safeguards enshrined in European and Greek law.⁸

As reported by the [Press Project](#), multiple asylum seekers have stated that they were subjected to violence at the hands of the police, both in the main section and quarantine zones of the CCAC. In a joint submission to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and to the Greek Ombudsman, IHR, together with the Human Rights Legal Project, a human rights organisation based on Samos, detailed claims from eight asylum seekers who report being subjected to violence in the CCAC, including forced stripping and beating, beatings in the dark, kicks, punches, slaps, stampings, multiple police officers beating one person at a time and/or in quick

⁶ Discriminatory mandatory detention in quarantine zones of CCAC took place from September 2021 - November 2022. Prior to this, between March 2020 - August 2021 people were held in quarantine zones in Vathy RIC.

⁷ Information provided by the Reception and Identification Service, 26 February 2021 quoted in European Council of Refugees and Exiles Asylum Information Database 'Reception and Identification Procedure: Greece', https://asylumineurope.org/reports/country/greece/asylum-procedure/access-procedure-and-registration/reception-and-identification-procedure/#_ftn45, 30 May 2022.

⁸ Directive 2013/33/EU (26 June 2013) Articles 11,21, 22 and 23.

succession, insults, taunting and laughing at people while they are being beaten and psychological violence. While the quarantine zone has now closed, reports of violence are of grave concern, particularly as IHR has reason to believe that the same officers involved in the incidents may continue to work in and outside the camp. This not only poses further risk of violence but also instils fear in victims who may continue to see the perpetrators.

Detention for those without applicants' cards

Since November 2021, **only residents with a valid asylum applicant card may enter and leave the CCAC.** Restrictions apply to newly arrived applicants who have not yet received their applicant's card and to those with a negative decision or who have not yet lodged an appeal or a subsequent application.

For new arrivals, the Reception and Identification Service (RIS) of the Ministry of Migration and Asylum automatically detains every asylum seeker in the main sections of the CCAC "for up to 25 days"⁹ or until they are provided with an applicant's card. **Despite not being provided for in law**, the RIS maintains that people are not 'identified' until such a stage as they are provided with an applicant's card. However, the notion that identification is not confirmed until an asylum applicant receives their card is highly questionable, particularly as every asylum seeker has three interviews with authorities before they are provided with a card, while many even have their fourth full asylum interview, without the card. In each of these interviews, the authorities are aware of the identity of the applicants, yet they remain detained. This contradicts Article 40 of Law 4939/2022, which provides for the detention of third country nationals or stateless persons who have entered the CCAC for five days for identification purposes, which can be extended to up to 25 days, only if factual and legal justifications are given.

As an example, on the day that asylum seekers first enter the CCAC (or, from March 2020 to 25 November 2022, the day they were released from the quarantine zone), they are interviewed by the RIS and the police. Immediately following the interview, they are provided with an identification document called "the Police Note", which acts as a secondary identification document if an applicant's card is later revoked. Despite the Police Note including the essential identifying information of every asylum seeker, such as name, nationality, date of birth, language, parents' names and children, the order for detention for "identification purposes" is provided to asylum seekers at the same time that they received the Police Note identification document.

There are also contradicting views between the Greek Asylum Service (GAS) and the RIS as to when the identification procedures are completed, with the RIS taking a more restrictive interpretation of when someone is identified, permitting them to detain applicants for longer. The practice of the GAS conducting full asylum interviews without applicants being issued a card raises serious concern as to the RIS's justification that they may detain every asylum applicant for "identification purposes" until they receive their card. If such a claim is accepted, then the GAS is frequently interviewing asylum seekers before they have been properly identified.

In 2022, IHR, with Avocats Sans Frontières, another legal organisation based on Samos, complained to the Greek Ombudsman about the detention of asylum seekers without an ID card in the CCAC. At the end of 2022, the Ombudsman responded that "the interested party [those without an ID card] must notify the

⁹ Law 4939/2022, Article 40.

Governor's office in advance of the reasons why the exit is requested (e.g. meeting with a lawyer) and then the exit is approved". Following this response, and after months of IHR raising arguments to the RIS on the legality of detaining people until they receive their ID, at the time of writing the RIS *may* allow newly arrived asylum seekers without an ID card to leave the CCAC upon completion of their full registration interview, and on the condition that they ask for permission the day before.

Despite this development, IHR continues to observe that applicants are denied the right to leave the CCAC until they receive their applicant's card. Such detention is of great concern due to its arbitrary nature, and further prevents asylum seekers from accessing legal information and support before their asylum interview and other essential services to facilitate their right to asylum.

4. Enable civil society to help migrants and refugees (FRA Recommendation 7)

Despite civil society actors playing an important role in mitigating the hardships faced by Samos CCAC residents, **NGOs and aid actors face several challenges in providing support**, including the distance and limited transport options to the centre, insufficient or unstable WiFi access within the centres, the prison-like environment and measures of detention, and the stringent security environment, as detailed above. IHR has experienced critical obstacles in providing legal information and support, and is often unable to provide basic information and prepare people for their asylum interviews due to a combination of the above factors and their impact on beneficiaries.

In addition, **the closed nature of the CCAC and reports of various human rights abuses mean that some civil society actors can be reluctant to operate within the facility**. Added to this, IHR often receives feedback from clients that asylum seekers find it difficult to differentiate between CCAC staff from Greek authorities within the centre versus NGOs working in or visiting the centre. As a result, people feel safer and freer to talk when outside the CCAC structure, so that they can be assured that they are sharing their concerns or sensitive details privately and safely.

Furthermore, in early January 2023, all organisations that had been previously working in the Samos CCAC were prevented from accessing the structure as a result of their status on the new NGO Registry of the Greek Ministry of Migration and Asylum being classified as pending, for either an individual staff member or the whole organisation. By the end of January, half of the organisations were still unable to enter the CCAC, including MSF, which had been providing essential medical support to residents. At the same time, the legality of the NGO Registry is currently being [challenged](#) at the Council of State and has been repeatedly [called into question](#), including by the [UN Rapporteur on Human Rights Defenders](#).

Meanwhile, in the Lesbos CCAC, some NGOs and INGOs operating there were informed by the Asylum Service in December 2022 that in order to receive new individual entrance cards they would need to share updated information on staffing, including staff photographs, fingerprints, as well as Greek tax and social security numbers. Further control mechanisms also appear imminent: while the provision of fingerprinting is still optional, this may become mandatory when turnstiles are installed at the CCAC's entry/exit point.

Moreover, lawyers' access to the CCAC facilities has repeatedly been undermined, further compromising people's access to legal assistance. While the current legal framework provides for lawyers' access to all types of reception facilities under the Reception and Identification Service of the Ministry of Migration

and Asylum, this is undermined in practice. One challenge relates to regulations of the Asylum Service, such as the prohibition of entry of non-registered NGO staff or the requirement for prior approval of their request by the RIS, which contradict the specific and predominant special regulations on lawyer's access to any facility based on their identity. The facility staff's lack of relevant knowledge and information further complicates this. In **Lesvos**, individuals visiting the CCAC to provide legal services to residents have been prevented entry on several occasions. The external guard of the facility claimed that, in order to enter, they would have had to send a request 48 hours earlier, to be approved by the administration. Some of these lawyers had been invited by the Administration of the Lesvos CCAC, by email, to come and receive the file of their clients, in some cases with less than 48 hours' notice. This practice constitutes obstruction of the practice of law and restriction of the right of CCAC residents to legal representation and assistance.

5. Allocate sufficient space and resources to identify vulnerabilities (FRA Recommendation 9)

In accordance with rules laid down in the Directive 2013/33/EU, Member States are obliged to assess whether an applicant for international protection has special protection needs. 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. From February 2022 to the time of writing, there is **no permanent state-appointed doctor from EODY in the CCAC**. Vulnerability assessments, including medical assessments, are required to be conducted during the reception and identification procedure in accordance with Article 62 L. 4939/2022, and can only be done by a state-appointed doctor. A resident doctor from the Samos hospital visits the camp 'occasionally' in an inconsistent manner during upticks in arrivals to identify vulnerable people among the residents, yet this **does not meet the needs of the identification procedures of residents**. It is critical to ensure that all persons undergo vulnerability assessments within the set time frame.¹⁰ However, the reality is that the visiting doctor often has to see so many people in one day, which raises questions and concerns the quality of the vulnerability assessments being conducted.

Data collected by IHR suggests that the RIS often fails to identify vulnerable asylum seekers, with many of IHR's beneficiaries not having a vulnerability assessment before their interview. For example, in 2022, 42% of IHR beneficiaries met the legal category of vulnerability in Greece,¹¹ with 26% being survivors of torture and 12% being survivors of human trafficking. Only 33% of those who were identified as vulnerable by IHR were in contact with the CCAC psychologist before their full asylum interview. As the psychologist plays an integral role in assessing the vulnerability of torture and human trafficking survivors, IHR's data suggest that the other 77% of IHR's vulnerable beneficiaries were not identified before their interview. Failure to identify vulnerable asylum seekers places the RIS in violation of EU and national laws.¹² In

¹⁰ L 4939/2022, Article 62.

¹¹ L 4636/2019 International Protection Act, Articles 39(5)(d) and 58(1). More information here: <https://asylumineurope.org/reports/country/greece/asylum-procedure/guarantees-vulnerable-groups/identification/>

¹² EU laws: Directive (2013/32/EU) Art. 8 and 24 requires that each asylum seeker undergo an assessment to determine possible vulnerabilities and Art. 24 (3) requires that where such vulnerabilities are identified, applicants are entitled to "special procedural guarantees". National law: L 4636/2019 International Protection Act, Articles 39(5)(d) and 58(1). More information here: <https://asylumineurope.org/reports/country/greece/asylum-procedure/guarantees-vulnerable-groups/identification/>

particular, by not providing sufficient vulnerability assessments in the CCAC, the RIS deprive those who meet the legal vulnerability criteria of the [special procedural guarantees](#) to which they would be entitled, such as the possibility to leave Samos for necessary medical treatment via a lift of their geographical restriction.¹³

6. Reduce the risk of sexual and gender-based violence and trafficking in human beings (FRA Recommendation 10); Ensure safety for all people in the facility (FRA Recommendation 12)

Following more than one year of operation, **single women and families with children are still not hosted in designated areas that are physically separated** from the rest of the camp population on Samos. There is a designated area for single women and single parent families, Section B, but it is not operational (see image below). Instead, people are divided by nationality. Section B opened at the start of November 2022, hosting single-parent families and Palestinian asylum seekers, while section A mainly hosts asylum seekers from African countries. Moreover, containers do not have locks, which is a general privacy and safety concern, as well as putting people with vulnerabilities at increased risk.

In addition, there are **no designated SGBV (sexual and gender-based violence) focal points inside the CCAC**, and Diotima, the GBV (gender-based violence) protection and care actor, stopped operations in Samos in March 2022. This puts specific groups like women and the LGBTQIA+ community at increased risk as there is little access to protection, including options to accommodate people outside the camp. Based on the IRC's experience, to ensure the full protection of LGBTQIA+ residents, they should be housed in safe accommodation outside of CCAC facilities, as a distinguished separated area inside the facility could result in increased stigma from their communities and other camp residents.



The **lack of safe accommodation and protection resources for women and the LGBTQIA+ community** puts them at heightened risk of SGBV - as there are no safe routes for reporting SGBV and no urban accommodation schemes people can be relocated to if they have experienced violence within the centre where their perpetrators may also reside.

In the **Lesvos CCAC**, there is no separated living area for single women, many of whom have raised concerns that they do not feel safe using the toilet at night, resorting to the use of plastic bottles instead. As in Samos, there is no safe 'emergency accommodation' for people who have survived or are at risk of GBV. Following the December 2022 closure of the ESTIA alternative accommodation scheme outside the camp, which was previously used to house especially vulnerable people, there is now only one container

¹³ Geographical restrictions are given to every asylum seeker entering Samos. Imposed by the [Greek Asylum Law 4375/2016](#), geographical restrictions are used to keep asylum seekers on the Aegean islands for the duration of their asylum procedure, with the aim of facilitating swift returns from the islands to Turkey.

inside the camp for emergency accommodation. The container does not have a lock, and there has already been an incident where the perpetrator of GBV accessed the container where his victim was housed.

7. Pay attention to child-protection issues (FRA Recommendation 11); Ensure safety for all people in the facility (FRA Recommendation 12)

Unaccompanied children, although in a designated area, are **not provided with separate sections for girls and boys**. NGOs on Samos, including IHR, [have consistently raised their concerns](#) regarding *de facto* detention, inhuman living conditions, deficiencies in the age and vulnerability assessment procedures, lack of access to asylum including access to a lawyer and lack of access to basic services for unaccompanied minors in the CCAC. From March 2022 to mid-summer there was **no child protection actor in the CCAC**. Through discussions with stakeholders the IRC has learned that, despite a child protection actor, PRAKSIS, now being present in the camp, other humanitarian actors continue to have difficulty accessing the designated area and providing necessary support to unaccompanied children, including medical assistance and distributing NFIs.

Other Samos-based organisations, such as [Samos Volunteers and Just Action](#), have highlighted that unaccompanied children often have only one set of clothing, which is frequently not winter-appropriate, making the distribution of appropriate and sufficient clothing particularly urgent. Whereas official figures cite that [15 unaccompanied children](#) live in the Samos CCAC as of 24 January, actors operating in the centre report there are much higher numbers in reality. For instance, in the week of January 16, they were reporting up to 69 children were unaccompanied. Official figures also present an [increasing number \(168\)](#) of unaccompanied children kept on the five islands, which raises major concerns over their protection as there is a lack of appropriate accommodation places. Considering the extensive funding involved in establishing this structure, the rights of the child appear to be worryingly deprioritised.

Conclusion

The IRC and IHR conclude that conditions in the CCAC in Samos have consistently fallen short of the FRA guidelines, are inconsistent with the obligations under Directive 2013/33/EU, and are in contradiction to the 2020 EU Action Plan on Integration and Inclusion, with similar concerns also being reported in the Mavrovouni CCAC in Lesbos. We have detailed our concerns related to the lack of consideration of protection risks when selecting the location (FRA Recommendation 2), the prison-like environment (FRA Recommendation 3), the lack of involvement and empowerment of refugees (FRA Recommendation 6), unclear reception standards and practices in contradiction to or not laid down in national legislation (FRA Recommendation 1), practices which contradict the facilitation to the right to asylum (FRA Recommendation 4), practices and policies which violate the right to liberty (FRA Recommendation 5), the lack of access to information to mitigate tensions (FRA Recommendation 8), access of civil society to help (FRA Recommendation 7), identification of vulnerabilities (FRA Recommendation 9), risks of sexual and gender-based violence (FRA Recommendation 10), child-protection issues (FRA Recommendation 11), and the general safety for all people in the facility (FRA Recommendation 12).