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# Greece Plans to Fast Track Asylum Claims to Save E.U.-Turkey Deal

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Amid a low number of returns under the E.U.-Turkey deal, Apostolis Fotiadis reports that European officials are increasing pressure on Greece to expedite

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returns to Turkey in the form of a new action plan.

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The Elaionas refugee camp in Athens, Greece, on January 17, 2017.  
Nikos Libertas/SOOC

**EUROPEAN OFFICIALS ARE** becoming increasingly worried that the E.U.-Turkey deal could fall apart. With few returns and thousands of people trapped on the Greek islands, the E.U. is encouraging stronger measures – such as opening more detention centers on the islands to speed up asylum proceedings and facilitate deportations – to rescue the deal.

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In December, Greek migration minister Ioannis Mouzalas and the E.U.'s Maarten Verwey, the deal's coordinator, outlined a road map to expedite returns in an informal action plan seen by Refugees Deeply. The plan aims "to safeguard the benefits of the E.U.-Turkey statement for the E.U.," Verwey writes in an introductory note. Its implementation will "eliminate the bulk of pending [asylum] requests in the Greek islands by April 2017," he writes.

Since the E.U. deal with Turkey went into effect last March, 865 migrants and refugees have been returned to Turkey, among them Syrians who withdrew their request for protection. Recently, a leaked document showed that the U.N. refugee agency is unable to monitor whether most returned Syrians have reacquired protection status in Turkey. Some 1,183 others were returned to Turkey since the beginning of 2016 under an older bilateral Greece-Turkey agreement.

Yet, officially, not one Syrian has been forcibly returned under the terms of the E.U.-Turkey deal. Meanwhile, arrivals from



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Turkey, although few in number compared to the period before the deal, continue on a weekly basis. In the first 25 days of 2017, 1,053 persons crossed the Aegean Sea to Greece.

This is hardly how the E.U. envisioned the deal, which aimed to return the vast majority of those who have arrived on the Greek islands since March 20, 2016. Under the agreement, officials from the E.U.'s European Asylum Support Office (EASO) were sent to the Greek islands to help the government in the processing and quick return of Syrians and other migrants who entered the country by boat. But the protections afforded by Greece's asylum legislation as well as the slow pace of the Greek asylum system have hindered the E.U. ambitions.

The new informal action plan envisages boosting the capacity of the EASO and Greek Asylum Service on the islands to process more asylum applications. It also aims to expand the criteria of which asylum seekers are eligible for returns, including vulnerable individuals eligible

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for family reunification in the E.U., who are currently excluded. This provision could even allow the return of unaccompanied minors to Turkey.

The plan also lays out new restrictive measures for asylum seekers in Greece, including the possible detention of noncooperative persons, the swift interruption of procedure, as well as limiting the legal provisions available to asylum seekers who want to appeal rejected claims.

It also recommends that Greek asylum case-workers should accept “legal assistance in drawing up decision texts” to expedite returns. While it doesn’t specify who will give the assistance, it echoes a proposal made by Gerald Knaus, head of the European Stability Initiative and one of the architects of the E.U.-Turkey deal, at an Athens conference in December. Knaus said that Greece should invite an E.U. asylum mission to partly take over the asylum proceedings, transferring authority to its members. This would give

E.U. officials a major role in affecting decisions on asylum claims in Greece.

An asylum law expert who requested anonymity told Refugees Deeply that European Commission officials arrived in the Greek islands earlier in January to prepare for the implementation of a pilot project related to the Verwey-Mouzalas action plan. “The priority is to speed up asylum procedures. They will apply it first in Chios, then the project will be implemented in Lesbos,” the expert said.

The director of the Greek Asylum Service also confirmed to Refugees Deeply that authorities are examining proposals for expediting proceedings and that “any amendments to the law will be made in full respect of international and E.U. norms.”

To implement some of the plan’s provisions, Greece will need to amend its asylum legislation for a second time to meet Europe’s demands. Last June, legislators voted to change the composition of the country’s asylum

appeals board, sidelining members of the committee who objected on legal grounds to the expulsion of Syrians listed for deportation.

## **Emulating Germany**

The Verwey-Mouzalas plan widely echoes a legislative amendment introduced by Berlin last March called Asylum Package 2, which accelerated asylum procedures in Germany and resulted in a record number of fast-tracked rejections of asylum applications. German refugee advocacy organization Pro Asyl claims that the new procedures flout both the European Convention on Human Rights and the 1951 Refugee Convention.

In December 2016, the Greek government started working with the U.S.-headquartered management consultancy McKinsey to structure and implement a coherent plan to expedite asylum procedures. A representative of the Greek ministry of migration said the consultancy was “recommended by the E.U.”

Since the end of 2015 McKinsey has also advised the German government on how to streamline the asylum process and says this has already yielded good results in the country. In December 2016, a McKinsey report cited the German policy of “integrated refugee management” as an example of “good practice.”

“Administrative processes have become more transparent to asylum seekers, and the average wait time for an asylum decision has been cut from five months to three; in specific cases, decisions can be made within 48 hours,” the report says.

Yet some experts are concerned that in the process of trying to make the asylum process faster, asylum seekers’ rights to a fair asylum procedure and access to legal support to appeal rejections could be compromised. Fast track systems applied in Australia and the U.K. have been criticized as unfair to people who ask for protection. In 2015, a similar system to the one envisioned by Verwey-Mouzelas action plan was considered “unlawful” by the British High Court and was suspended.

The real imperative of the Verwey-Mouzalas plan is to increase the number of rejected claims and deportations in Greece, warned the asylum expert, who spoke to Refugees Deeply on condition of anonymity. “Without those, the E.U.-Turkey deal will sooner or later lose its deterrence capacity, and the [European] Commission, as well as Germany, don’t have an alternative plan for what happens next,” the expert said. “So they will exert enormous pressure to keep it viable.”

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### About the Author

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Apostolis Fotiadis is a journalist and writer focused on issues related to ethnic conflict, human rights, population movements and politics of the European financial crisis.

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