



Mitglied des Europäischen Parlaments
Professor Dr. Dietmar Köster

Brussels, 03. March 2020

Dear Vice President Schinas, Dear Commissioner Johansson, Dear President of the European Council Michel,

It has been several days now that we are witnessing a deeply worrying situation at the external borders of the Union, and more precisely at the land and sea borders of Greece. Violence is used against both the local population and the people in search of protection in an unprecedented and unacceptable way, including the imprisonment of asylum-seekers with the sole reason of irregular entry into the EU.

This violence has to stop and Greece needs to comply with all national, EU and international laws also in regards of its obligation to provide legal access to its territory and the asylum procedures. Not only the Schengen Borders Code and all relevant existing legislation foresee this obligation but it is also repeated in the recent decision of the European Court of Human Rights in the case of Spain which „stressed that the problems which States may encounter in managing migratory flows or in the reception of asylum-seekers cannot justify recourse to practices which are not compatible with the Convention or the Protocols thereto“. Regarding situations in which the conduct of persons who cross or attempt cross a land border in an unauthorised manner in large numbers, the Court stated the need for the respondent State to provide „genuine and effective access to means of legal entry, in particular border procedures“. In this regard, the decision by the Greek government to suspend all access to asylum procedures for a month and to immediate return people even without registering them is in breach of national, European and international law, including of the principle of non-refoulement.

However, once more and this time with even more urgency, we are stressing that this is not a national issue to be handled solely by the front-line Member States. Obviously, Greece cannot and should not handle this situation alone. This is a European responsibility also in view of the overall geopolitical tensions in the whole region and the involvement of several actors, including of other countries and some EU Member States. Hence, the responsibility of the disgrace and for the violation of numerous fundamental rights at the external EU borders is a responsibility of all of us and none of us has the right to turn a blind eye.

We, as Members of the European Parliament call upon you to ensure immediate action in such a way that it will ensure that Turkey immediately stops end the use of people fleeing war as political bargaining chip and as a tool for geo-political pressure to Greece and Europe as a whole. We call upon you to ensure effective access to protection in full respect of the Geneva Convention and EU law and to do so based on equal sharing of all challenges and responsibilities among all the EU Member States.

We call upon you to take all necessary and immediate actions, including via an extraordinary EU Summit, in order to ensure the evacuation of seekers of international protection from the Greek islands and the land borders with Turkey, their immediate transfer to all the EU Member States and, in parallel, to enable the functioning of a fair and effective common asylum system and the creation of safe and legal pathways to the EU.

With sincere regards,

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