

# EUROPEAN LAWYERS IN LESVOS

## 2018 Activity Overview



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# Background

European Lawyers in Lesvos (“ELIL”) is a charity registered in Germany and Greece. It was founded by the Council of Bars and Law Societies of Europe (CCBE) and the German Bar Association (DAV) in 2016.<sup>1</sup>

ELIL’s Supervisory Board is chaired by Professor Vassilios Skouris, who is an eminent Greek judge and former President of the European Court of Justice. Former Presidents of the CCBE and DAV are also members of ELIL’s Supervisory Board.

ELIL was inspired by belief in the fundamental importance of upholding the rule of law, protecting human rights and ensuring meaningful access to legal assistance. We believe that every asylum seeker should be able to receive free legal assistance, from an independent lawyer experienced in asylum law, before their asylum interview.

ELIL’s activities from 1 January – 31 December 2018 took place solely on the Greek island of Lesvos and are explained in more detail below.



## The Context

During 2018, there were thousands of asylum seekers on the Greek island of Lesvos (the lowest number was 6,000 asylum seekers, the highest was 10,000), the vast majority of whom had fled Syria, Afghanistan or Iraq. They had come to Lesvos in search of safety and protection from war and persecution.

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<sup>1</sup> These organisations represent the bars and law societies of 45 European member, associate and observer countries, and through them more than 1 million European lawyers.



The asylum process they were going through was a complex, ever-changing and difficult to navigate legal procedure. Despite this, there was no state-provided legal aid available for asylum seekers before their asylum interviews (this interview determined whether or not they would be granted asylum) and so most of them attended their interview without having spoken to a lawyer. The only way an asylum seeker could receive legal assistance in relation to their asylum interview was through one of the few NGOs, like ELIL, on the island.

Without access to legal assistance, asylum seekers often do not know their rights and obligations or understand the process and the criteria applied when their asylum applications are assessed. They are therefore significantly disadvantaged when they attend their asylum interview. It can also often cause problems and delays in the processing of their asylum applications – meaning that it can frequently take two years or more for an asylum seeker’s application to be determined. This absence of legal information and legal assistance can often therefore lead to a further deterioration of the physical and mental health of individuals and puts human rights at risk and undermines the rule of law.

Almost all the asylum seekers on Lesbos during 2018 lived in Moria Camp, where the conditions were extremely challenging.<sup>2</sup> During 2018, there were, on average, 8,000 asylum seekers residing in Moria (which has capacity for only 3,100), more than half of whom were women or children, including, on average, over 600 unaccompanied minors. The numbers continued to grow throughout 2018, with over 15,000 asylum seekers arriving from Turkey during the course of the year. The need for free legal assistance on Lesbos was therefore greater than ever.



<sup>2</sup> <https://www.bbc.com/news/world-europe-45271194>; <https://www.msf.org/child-refugees-lesbos-are-increasingly-self-harming-and-attempting-suicide>; <https://www.nytimes.com/2018/10/02/world/europe/greece-lesbos-moria-refugees.html>

# Our work

Throughout 2018, ELIL's team of Greek asylum lawyers and volunteer European asylum lawyers provided free, independent legal assistance to asylum seekers on Lesbos. We were the largest provider of legal assistance to asylum seekers on Lesbos. During the period, we welcomed 38 European asylum lawyers from 10 countries as volunteers and – alongside our two full-time, permanent Greek asylum lawyers – provided free legal assistance to 3,140 people (1,527 cases).

During this period we supported over 2,000 people with their first instance interview cases and helped over 250 people be recognised as eligible to be reunited with their family members in other European countries.

We were also the primary provider of legal assistance to unaccompanied minors incorrectly registered as adults (over 140 cases in total) and asylum seekers in detention (over 80 cases in total).

Through our work, we helped uphold the rule of law, protected human rights and ensured the asylum procedure was fair, efficient and robust. We provided legal information and legal assistance to asylum seekers, in order to help them understand the asylum process and criteria, understand their rights and be fully prepared for their interview. By doing this, we helped asylum seekers to go through the asylum process quickly and efficiently and ensured they were able to present their application in a way that fully reflected their need for asylum. We also cooperate daily with the Greek Asylum Service and European Asylum Support Office (EASO) in order to resolve mistakes and misunderstandings that can cause delays in asylum seekers' procedures.

We cooperated closely with other organisations, particularly UNHCR, Oxfam, the International Rescue Committee (IRC), Médecins Sans Frontières (MSF) and Médecins du Monde (MdM), who often referred vulnerable individuals to us for legal assistance.

We were one of the very few providers of legal assistance on Lesbos. We were also one of only two legal assistance organisations working in Moria, which enabled asylum seekers to freely access our services. All assistance was provided in our three dedicated consultation rooms in Moria to ensure that privacy and confidentiality were preserved. We also operated in the detention centre within Moria. We had unrestricted access to the camp and the detention centre within the camp, guaranteed by a Memorandum of Understanding with the Greek Ministry of Migration Policy, which ensured we had direct access to those we assisted.

Our work had real impact and demonstrated the importance of asylum seekers having access to legal assistance: overall, of those we assisted, 74.5% were granted asylum, compared to an average of 46.5% in Greece.

# Our team

Our team was a mix between permanent staff and shorter-term volunteers. Our core staff comprised of two full-time Greek asylum lawyers (one of whom was also the legal coordinator), a legally-trained coordinator, Arabic and Farsi interpreters and a finance manager. In addition, our team during this period included 38 volunteer European asylum lawyers and 19 volunteer legal assistants. Each volunteer asylum lawyer stayed for a minimum of three weeks and our volunteer legal assistants were present throughout the period.

All of our volunteer lawyers were practising and experienced European asylum lawyers who were members of a European Bar Association or Law Society and were identified through a rigorous application and selection process.

In total, our volunteers contributed over 13,000 hours of voluntary work.



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# Activities

Our main activity was the provision of one-on-one legal consultations to prepare asylum seekers for their asylum interview. We were the only organisation on Lesvos that focused on providing legal information, practical support and tailored advice to asylum seekers at this crucial stage of the asylum process.

We also helped reunite families by assisting with family reunification applications under the Dublin Regulation.



We provided legal assistance, through one-on-one consultations, to minors (particularly unaccompanied minors and unaccompanied minors registered as adults). This included, where relevant, assisting with age assessment issues, preparing the minor for interview, representing the minor at their interview and assisting with family reunification applications.

In addition, we conducted outreach and provided two group legal information sessions each month – each of which was usually attended by approximately 25 people. These outreach activities and group legal information sessions focused on marginalised and vulnerable groups who faced obstacles in accessing legal information and legal assistance, primarily unaccompanied women and unaccompanied minors.

First instance preparations: **2,263 people** (1,029 cases)

Family reunification: **647 people** (268 cases)

Age assessment: **147 people** (147 cases)

Detention: **83 people** (83 cases)



# Monitoring and Evaluation, Training

During this period, we adhered to a robust monitoring and evaluation framework, in order to ensure accountability to those we assisted and to facilitate learning and the improvement of our activities. In summary, the monitoring and evaluation mechanisms in place during 2018 were as follows:

1. Sample satisfaction surveys – these were completed by those who received legal assistance (anonymity was ensured – forms were submitted confidentially to a locked postbox)
2. Anonymous feedback and complaint telephone number (including WhatsApp)
3. Implementation of internal quality standards and measuring compliance with these standards.
4. Gathering comprehensive statistics on those assisted (e.g. age, sex, country of origin), including the number of those assisted who were granted asylum.
5. Feedback sessions following group legal information sessions.
6. Feedback forms completed by volunteers at the end of their period volunteering

Through these mechanisms – particularly the gathering of comprehensive statistics – we were able to monitor our work on a daily, weekly, monthly and annual basis. This information was used to identify and address under-representation, particularly in relation to age, gender and disability and, based on this data, we sought to address barriers to accessing our activities.

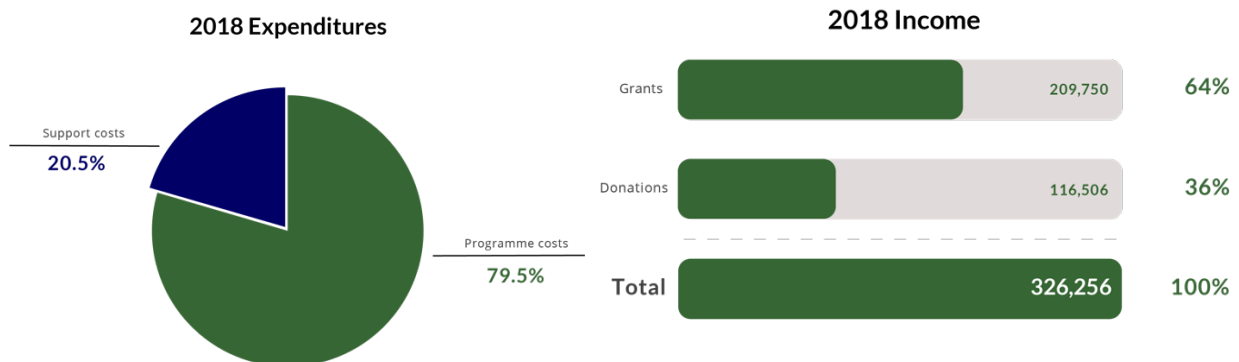
We also implemented comprehensive training, coordination and handover procedures. These ensured the assistance we provided was consistently of high quality and there was continuity in case management. In summary, these procedures were as follows:

- Each new volunteer received a detailed training before they arrived (including training materials), which was followed by in-person training with our Greek legal coordinator when they arrived in Lesvos (this also included two days shadowing an existing volunteer/one of our Greek lawyers)
- As part of this training, the legal coordinator went through with the new volunteer all of the cases that the new volunteer would be assisting with (this included the previous actions on the case and the next steps, all of which were described and recorded in our case management system)
- Each volunteer reported daily (in writing) on the work they had done on their cases and had a one-on-one meeting with the legal coordinator each week to go through all of their cases
- At the end of their time volunteering, each volunteer had a full handover with the legal coordinator, so the legal coordinator had complete oversight of the cases and the work done (this information was then transmitted to the new volunteer who took over the cases).

# Safeguarding, Code of Conduct and the Prevention of Sexual Exploitation and Abuse

Throughout 2018, ELIL had in place a Code of Conduct, which all staff and volunteers were required to sign and comply with. This set out the requirements and obligations that all staff and volunteers had to comply with, including relating to the prevention of sexual exploitation and abuse. ELIL also had a Child Safeguarding Policy, which set out specific requirements and obligations regarding working with children. Failure to comply with either of these documents was grounds for immediate dismissal.

## Finance



The total expenditure for 2018 was 366,388.83 EUR

The difference between income and expenditure is covered through the use of ELIL reserves. These are kept with a view to ensure the organisation's sustainability and are to be used for the implementation of our programmes.

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 Mytilene, Lesvos, 25 May 2020





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