

## **Trapped in Greece: A Report about Experiences of Migrants, Asylum Seekers and Border Policemen during the Early Weeks of the Operation Xenios Zeus**

*By Nele Weßels and Janna Weßels*

### **Abstract**

The harbour city of Patras exemplifies the quintessential problematic of the current situation of asylum seekers and undocumented migrants in Greece. In daily confrontations, migrants and asylum seekers, who seek shelter in an abandoned factory that overlooks the port, try to find a way onto a ferry to leave for northern European countries. At the same time the task of the border police is to prevent them from doing so. This article attempts to capture this tension and the way it represents the current situation of asylum seekers and undocumented migrants in Greece, in particular under the impression of the newly launched operation *Xenios Zeus*, intended to ‘crack down on illegal immigration’.

### **Introduction**

The old factory Peiraiki Petraiki looks shabby and abandoned, and stands in stark contrast to the newly built, accurately enclosed harbour on the other side of the coastal road of Patras in Greece. One can easily see the factory from the street, its old towers and broken fences. It does not look like a place human beings would live in. Yet many undocumented migrants use it as quarters.



The old factory Peiraiki Petraiki in Patras, home for many undocumented migrants.

This article aims at giving an impression of the situation of asylum seekers and migrants in Greece during the early weeks of the operation ‘*Xenios Zeus*’, an operation to crack down on illegal immigration. It takes into account the viewpoints on both sides of the coastal road in Patras, the ones of asylum seekers and migrants on the one hand,

and the border police on the other. It is mainly based on interviews which the authors conducted in Berlin and Greece within the framework of a student project in September 2012.<sup>5</sup>

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<sup>5</sup>The project was entitled ‘Sur-Place Dialogue Greece: Migration and Crisis’ and was conducted as part of the project series ‘Migration at Europe’s External Border – Fortress Europe?’ of the Student Forum within the Toennissteiner Kreis with financial support from the German Academic Exchange Service (DAAD). It was designed as a Dialogue between German and Greek students and took place between 30 August and 8 September 2012. The participants were: Janna Weßels (Project leader), Klaas Eller, Lena Kampf, Julia Lemke, and Nele

The project group conducted a number of unstructured interviews in Berlin in Germany, and in Athens, Patras and the Evros region in Greece between 30 August and 8 September 2012.<sup>6</sup> The group members visited the old factory Peiraiki Petraiki on 4 September 2012 and spoke with a total of 15 asylum seekers and undocumented migrants with different backgrounds. In addition, the project group visited the Fylakio Migrant Centre close to Orestiada on 7 September 2012 and the Temporary Migrant Centre in Komotini on 8 September 2012. Interviews were also conducted with Greek border police and Frontex officials. The interviews were conducted in English, French and Greek. The names of migrants and asylum seekers as well as the border policemen have been changed in order to protect the interviewees' anonymity.

### The Port of Patras – A Front in the Middle of Europe

Fethi looks over the port of Patras, with a longing expression on his face. From the first storey of the old factory there is an excellent view of all the ferries that leave Greece towards Italy every day. Fethi and his friends know every



The view over the port of Patras from the first storey of Peiraiki Petraiki



Simplified visualization of the migrants' movements: after crossing the Greek-Turkish border they travel to the South of Greece

single one of them; they can list their names, their departure and arrival times. The ferries look very close, almost within reach. To the migrants, they represent the gate to central Europe, the gate to a better life, yet, as they explain – it is almost impossible for them to go aboard: the new port that was only recently opened in July 2011 is well-protected. Every car, every truck at the new port is searched for illegal passengers before it is given access to one of the ferries. Nevertheless, several migrants try to find a way onto the ships

Weßels on the German side and Maria Giannoula, Sotiris Mitralaxis, Persefoni Myrtsou, Georgia Toitsiou, Nikolas Vagdoutis, and Ino Varvariti on the Greek side. The authors would like to thank the whole team and all others involved in the project for their valuable contributions and in particular Eleni Baltatzi for her active support to the project. For further information refer to: <http://www.toennissteiner-studentenforum.de/projekte/fortress-europe>.

<sup>6</sup> In Germany, interviews were conducted with Matthias Monroy, Research Assistant of Andrej Hunko, MP of German Parliament; Isabelle Olma and Tobias Brenner, German Department for Foreign Affairs; Dr. Roland Bank, UNHCR Berlin and Nele Allenberg, EKD; In Greece: Haralambos Pendelidis and Panagiotis Charelas, members of the Greek Border Police Union; Grigorios Apostolou, Head of Frontex Operational Office Piraeus, and Klaus Hudernigg, Head of Intelligence Component at Frontex Operational Office Piraeus; Alexander Roggenkamp, Director of German Academic Exchange Service Athens; Klemens Semtner, German Deputy Ambassador to Greece; Evie Trepas, Asylum Service Athens; Vassiliki Kanellou, Social Worker, and Ioanna Alexia, Psychologist at Amygdaleza Migrant Detention Centre; Georgia Nikolaou-Mavranezouli, Prefect of Evros; Christos Katsioulis, Director of Friedrich Ebert Foundation Athens; Stella Nanou, Deputy Director of Public Relations, and Daphne Kapetanaki, Protection Officer at UNHCR Greece; Alex Anastasiou, Director of Social Services, and Spyros Koulocheris, Director of Legal Unit at Greek Council for Refugees; Vassiliki Katrivanou, MP of Greek Parliament; Evangelos Maraslis, Vice Mayor of Orestiada,

every single day. Emad, for example, has been in Patras for three months. He knows all the tricks: where the truck drivers live in order to sneak onto their trucks at night time before they head off to the ferries, or where to jump into the ocean in order to swim to the ferries and avoid the strict controls on the trucks. Already twice he was able to get through the Greek controls unnoticed and to make it onto a ferry in a truck on a two-day ride without any food, water, or the possibility to move; only to be caught at the controls at the Italian border police in Venice and sent back to Greece. This account is representative of many other asylum seekers' experiences: a recent Human Rights Watch (2013) report harshly criticizes the Italian practice of sending migrants arriving from Greece back to Greece under Dublin II without the opportunity to talk to a lawyer or an NGO to explain their story and claim asylum.

The Dublin II Regulation,<sup>7</sup> adopted in 2003, is the key law of the European Union to determine the responsibility of the Member States for the examination of asylum claims in the EU. It provides that the EU Member State that admitted an asylum seeker or at least did not prevent his or her entry is responsible for examining the asylum claim of that individual (EU Publications Office 2003). Hence, other Member States can send all undocumented migrants who enter the Schengen zone via the Greek-Turkish border back to Greece. Greece, however, is unable to cope with the increasing number of migrants and the Greek asylum system has been openly and severely criticised for the violation of human rights. The case went before the European Court of Human Rights, which decided in January 2011 that returning asylum seekers to Greece violates the European Convention on Human Rights (*M.S.S. v. Belgium and Greece*). Since that decision, most European Member States – with a few exceptions, such as Italy – temporarily suspended transfers of asylum seekers under the Dublin II Regulation (EU Publications Office 2003).

At the same time, the EU enhances its efforts to ensure that migrants and asylum seekers remain in Greece: the EU border agency Frontex established an Operational Office in Piraeus, the port of Athens. This is meant as an act of solidarity and support, as Grigorios Apostolou, Head of Office, explained in an interview. The Greek border policeman Pantelidis, however, provides a different perspective: Instead of helping to 'protect' the border, and stopping migrants from entering Greece, Frontex acts as an 'observer'. In his view, the purpose of Frontex is merely the meticulous identification of migrants crossing the border so that Greece will be registered as their country of entry. This allows other European countries to return them under the Dublin II regulation. Thus, Frontex is not helping Greece. In effect, in the words of the Vice Mayor of the Evros border town Orestiada, it is 'contrary to the work of the Greek border police in every respect' (Int. Maraslis2012).<sup>8</sup> Eleni Baltatzi, a

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<sup>7</sup>Note that the Dublin II Regulation has been recast, though at the time of writing the revised regulation was not yet adopted. The recast Dublin regulation does not change the principles underlying the Dublin System such that the EU Member State of entry generally remains responsible for examining the asylum claim. The first recast proposal from 3 December 2008 included the possibility to temporarily suspend transfers where a Member State's asylum system faces particular pressures or based on concerns that a Member State provides a level of protection that falls below Community standards (Art. 31), but during the codecision procedure this was subsequently replaced by an Early Warning Mechanism provision. See: Council of the European Union (2012). See also: Peers (2012) and Pollet (2013)

<sup>8</sup>Note that former Civil Protection Minister Christos Papoutsis has accused the European Commission of being inconsistent by simultaneously refusing to revise the Dublin Regulation and threatening to punish Greece for not controlling its external borders, instead of supporting them in doing so (see Zoomnews 2012).

Greek student, states: ‘It is extremely easy for immigrants to enter Greece, but extremely difficult to get out. I would say that nobody wants to stay in Greece, particularly now that we have got the crisis. But somehow migrants seem to be trapped once they entered Greece. I find this European regulation very unfair. What kind of united Europe is that?’ (int. Baltatzi 2012).

*‘It is extremely easy for immigrants to enter Greece, but extremely difficult to get out’,  
Eleni Baltatzi, Greek Student*



A clothes line in Peiraiki Petraiki. Migrants living under provisional conditions.

### ***Xenios Zeus* - The ‘Hospitable Sweep Policy’ and the Dublin II Regulation**

Since early August 2012, the number of asylum seekers and migrants seeking shelter in the factory has decreased significantly (int. Papaleonidopoulos 2012). Interviews with the different stakeholders in Athens, Patras and the Evros region quickly reveal the reason: In the first week of August 2012, the Greek government has launched the operation ‘*Xenios Zeus*’, sometimes also referred to as ‘*sweep policy*’ (int. Katsioui and Newsbomb 2012). This operation to crack down on illegal immigration is named after the Greek God of hospitality, which can only be understood as irony: the operation is, according to the Hellenic Police, aimed at sealing the borders, returning undocumented migrants to their countries of origin and ‘reinstating the rule of law’ in the centre of Athens (Elliniki Astyomia 2012). It is designed as a response to the ‘immigration problem’ which Public Order and Citizen Protection Minister Nikos Dendias deems to be ‘maybe even bigger than the financial one’ (Papachlimintzos 2012).

Initially envisaged as a temporary measure for the duration of two months, it continues to date in spite of being heavily criticised as discriminatory (for example see GCR 2012, ECRE August 2012; Amnesty International 2012; Human Rights Watch 2012). From one day to another, 4500 members of the Border Police were mobilised, most of whom patrol Athens and other cities to check anyone who looks like a migrant. By mid-January 2013, almost six months after the operation was launched, a total of 71,398 migrants had been briefly detained and questioned by police, while 4,335 had been arrested on charges of unlawful residence

(see Ekathimerini 2013a).<sup>9</sup> Several hundred officers were deployed as guards in newly created ad hoc detention centres that were ‘maybe set up a bit quickly’, as the President of the Border Police Union Haralambos Pantelidis explains (int. Pantelidis 2012). Up to 30 new detention centres are planned in the course of the operation (see ECRE March 2012),<sup>10</sup> four of which had already been installed in Northern Greece by mid-September 2012. The asylum seekers and migrants, most of whom are picked up in Athens, are sent to the detention centres to await repatriation to their countries of origin (see ECRE September 2012). The asylum seekers and migrants are returned to the North of the country, back to the border region where they usually cross the Greek-Turkish border in order to enter the European Schengen zone. ‘*Xenios Zeus* acts as an internal Dublin II regulation’, noted the Vice Mayor Mr. Maraslis (int. Maraslis 2012) in Orestiada, a city in the Evros region that is directly affected by this operation. Indeed, the fact that the new detention centres are located in the North of the country was repeatedly criticised: repatriation is a complicated bureaucratic matter, and the centres are too far away from Athens with its embassies for this logistical challenge (int. Anastasiou and int. Koulocheris 2012).

The ‘internal Dublin II regulation’ also directly affects the migrants at the factory in Patras: Almost every day they are chased away from their quarters in the old factory, and sometimes they are transported to Athens by bus where they are left alone on Omonia Square and



Migrants in front of their ‘kitchen’ at the old factory of Peiraiki Petraiki.

at risk of being rounded up and sent to a detention centre in the north of the country. By foot they return the over 200 kilometres to Patras in order to continue trying to get out of Greece. Mohammed points at a wound on his shinbone: a police dog had attacked him a few days ago during a raid at the factory. According to the migrants, violence amongst border policemen towards migrants is normal. When asked what makes them keep going Mohammed says: the hope for a life with the rule of law.

*“We don’t give up hope to finally reach a country where we will be treated according to the rule of law” Mohammed, Immigrant at Peiraiki Petraiki*

‘It’s like gambling’, Fethi says. ‘It’s a Russian roulette’, border policeman Janis says. Janis stands on the other side of the coastal road, next to the steely gates and fences of the port. He is not allowed to speak about his work, but after a while he starts talking; he wants to make sure that the role of the policemen is understood correctly and one can feel his relief to share

<sup>9</sup>This means that the other 67,063 (94%) brought in for questioning were in fact legal residents and had therefore been subjected to this treatment due to their perceived ethnicity only; see also ECRE Weekly Bulletin September 2012.

<sup>10</sup>Note that ECRE refers to various newspaper articles and numbers vary. Haralambos Pantelidis, the president of the border police union, mentioned a total of 20 new centers to be built (int. Pantelidis).

his burden. Almost every day Janis discovers migrants in cars, trucks and the ocean and brings them back beyond the front. Sometimes, he explains, they ‘obviously’ have to apply force in order to handle the situation. ‘What would you do?’, he asks us, shrugging his shoulders, ‘I am only acting my part’. He looks defenceless at this moment, despite the big weapon around his shoulders. He has seen many of the migrants often, he recognises them, they greet each other, fear each other. He did not choose to be stuck there. Neither did the migrants.

It is an ironic front, being in the middle of Europe, and a desperate one: it is in Patras that the incongruities of the common European asylum system become painfully obvious. EU law, namely the Dublin II regulation makes Greece the responsible Member State for all migrants entering Europe at the Greek-Turkish border, which has recently been the most popular entry point to



A border policeman at the newly built port of Patras looking over to the old factory of Peiraiki Petraiki. Almost every day he discovers immigrants trying to leave Greece by ferry.

the Schengen zone for migrants, the vast majority of whom do not intend to remain in Greece. The presence of the EU agency Frontex as an ‘observer’ and a means to allow for Dublin II by registering migrants further augments the pressure on the Greek government.

Greece, however, does not have a functioning asylum system and international criticism of the Greek asylum system recently grew stronger. At the same time, Greece is fighting with the financial and economic crisis; more precisely a very high and increasing unemployment rate, an instable government, severe cost cuts, increasing xenophobia amongst the population and a growing popularity of the extremist right-wing parties. To establish a functioning asylum system under these conditions is a huge challenge for the Greek government.

In this impasse, instead of tackling the actual sources of the situation and contributing to a holistic solution, *Xenios Zeus* fights the symptoms. By rounding up migrants and transferring those who are unable to provide proof of legal residence to detention centres far away from Athens, the government can demonstrate force and public order. *Xenios Zeus* can thus be understood as a rashly conducted and desperate operation aiming mainly at showing the ability to take action.

In this sense, Patras represents the clash between a unified Europe and national interests, a clash that is played out ‘on the back of 1500 Greek policemen’ (int. Pantelidis 2012) who are

required to close ostensibly open borders, and asylum seekers and migrants fleeing persecution and seeking the rule of law: what the EU stands for is denied to them.

While there is no functioning asylum system that assures fair and efficient asylum procedures to all asylum seekers in Greece and provides for the regularisation of migrants in order to be able to be responsive to the migrants' personal needs, be it asylum, local integration or support for the voluntary return, at the same time the European Union refuses to acknowledge the migration issue in Greece and in other European border countries as a European issue rather than as a national problem by changing the European legal framework, first and foremost the Dublin II regulation (int. Kapetanaki, int. Nanou, int. Baltatzi, int. Koulocheris, int. Anastasiou and int. Pantelidis, all 2012). Meanwhile, migrants and border police are obliged to hold the 'front' in Patras as the Greek government continues with *Xenios Zeus*.<sup>11</sup>

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<sup>11</sup>Just recently a major sweep operation was conducted at the factory of Peraiki Petraiki, detaining 'about 100 migrants as part of the ongoing *Xenios Zeus* operation' (see Ekathimerini 2013b).

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### **Photos**

Photos 1-4 were provided by Lena Kampf, photo 5 was provided by Klaas Eller.

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