



European Lawyers in Lesvos – Project Description

1. Project Title, Overview

With “European Lawyers in Lesvos” we¹ want to bring Greek and other European lawyers to the Island of Lesvos so that we assist the Greek Bars and in particular the Lesvos Bar to provide migrants requiring international protection with individual advice about their legal options in applying for asylum or subsidiary protection. Most of the advice will probably be preliminary advice from a lawyer the migrants/refugees can trust.

All Project Lawyers recognise that their role is to facilitate the work being carried out by members of the Greek Bars in order to provide the best service possible. The legal advice provided might lead to representation in administrative and court proceedings. The Project Lawyers shall therefore ensure that, given their very temporary presence in Greece, it is appropriate that, where any litigation may be required before a Court or Tribunal in Greece, contact should be made with a Greek Bar or a member of the Greek bars to ensure that the client’s details are provided to a member of the Greek bars.

Another aim of the project is to produce and distribute general legal information to migrants requiring international protection. To achieve this aim we will cooperate with other organisations that are already present in Greece.

2. Purpose and Need

The purpose of this project is to give as many migrants requiring international protection as possible in Lesvos the chance to be provided with individual legal advice from a lawyer. This is more important than ever, especially in the current international climate, as there is great uncertainty amongst the more than 4,000 migrants/refugees on the island about their legal entitlements.

To support the efforts of Greece at this time, EU member countries have announced they will send more than 2,300 police officers and asylum law experts to Greece. Germany and France, for example, will each send 200 police officers and 100 asylum law experts. We strongly believe that in order to ensure due process of law every person needing to make an application for international protection (asylum and subsidiary protection status) should be able to consult a lawyer. This is the only way to ensure the rule of law is preserved.

¹ Initiators of the project: Council of Bars and Law Societies of Europe (CCBE), German Bar Association (Deutscher Anwaltverein, DAV) with the collaboration of the Greek Bars. Supporters: Many bars and law societies in Europe.



It is likely that, despite the efforts to close the Aegean Sea to migrants/refugees crossing from Turkey to the Greek islands, more boats will arrive. The number of migrants/refugees arriving will probably decrease in comparison to 2015 and early 2016, but there will still be people in need of legal advice. Should the majority of people entering Europe arrive via new routes, the project could be moved to another location. The situation is changing from day to day. Lesvos is a good place to locate the project, though, for a number of reasons: First, there is still an influx of migrants/refugees in Lesvos. The Moria registration facility, which has a capacity of 2,000 people, is overcrowded (over 4,300 people in May 2016). Secondly, developments that take place in Lesvos usually take place in other places, as well. So the experience we gain in Lesvos might be used elsewhere later. So it is the best starting point for a project that might develop and be extended to other places conditions permitting. Thirdly, in Lesvos there is an infrastructure of NGOs and volunteer associations keen to welcome Greek and other European lawyers to be part of a structure of refugee support that looks like the perfect place to locate the project for us.

There are NGOs, intergovernmental organisations and humanitarian volunteer organisations that have done and will do a great job in supplying migrants/refugees with more general legal information. This should continue; our project will not interfere, but complement their efforts. There is a good communication infrastructure in Lesvos to ensure cooperation. The CCBE and DAV project taskforce will examine how best to cooperate with third parties in the coming months.

3. Significance

The professional bodies of lawyers in Europe constantly stress the right for everyone to have access to justice. Access to justice means access to a lawyer. In a situation like in Lesvos (or in other places at the external borders of the European Union), there is a chance that we lose our credibility if we do not manage to show that in a crisis situation we can actually provide legal aid. Physicians, nurses, lifeguards, even cooks and many other professions from all over the world have demonstrated how fast they were able to deliver first aid services on Aegean islands. They fill the gaps where urgently needed help is not or cannot be given by overburdened Greek and EU authorities. We as European lawyers want to step in and provide legal advice without a legal aid scheme until legal aid provided by lawyers is guaranteed by all relevant public authorities. That is our overarching aim.

This aim will be complimented and assisted by the project lawyers providing CCBE and DAV with regular reports of conditions on the ground.



4. Benefits, Costs

The project will provide as much help as we can possibly provide to those who need legal advice and it will enhance the European legal profession's reputation.

The project costs should not exceed EUR 150,000 in 2016. CCBE has started to collect donations from European bars and law societies which to date have been very generous in their response.

5. How to implement? First steps

The first aid legal advice by project lawyers will be given on a pro bono basis. Their expenses (travel, accommodation, meals) will be covered. There is a need to have a project co-ordinator(s) on the ground (starting with one junior Greek lawyer, if possible); the project co-ordinator/s should work on a freelance basis and get a moderate remuneration. Furthermore, there will be office expenses. Our financial plan assumes that we can engage up to two junior lawyers plus two German *Referendare* (the latter will be sponsored by third parties) and always have at least two asylum lawyers to be in Lesvos for a minimum of two weeks. The CCBE as well as the DAV have asked many national and regional bars and law societies to contribute to the project. By now we are certain to be able to work on a budget of more than 150,000 EUR. It is anticipated that permission by Greek authorities to establish a legal aid container or tent in the Moria centre shall be received soon. The Lesvos Bar shall be fully informed of all relevant developments and contact details.

Extensive communication with NGOs has already taken place. Collaboration with appropriate third parties (e.g. producing legal fact sheets, setting up communication channels for lawyers participating and for those helping to organise) shall be initiated as soon as a project co-ordinator is found.

Options for room rental (office space, office equipment) shall be finalised by shortly. The CCBE and DAV taskforce to supervise the project will monitor and report to their respective bodies on all aspects of the project including financial aspects.

As a first aid measure, commitments from a few experienced asylum lawyers to come quickly and fill the gap between now and the start of the project will be considered.

6. Timeline

The project should start in June, 2016. Since the situation is fluid, it is not possible yet to set a timeline that goes beyond starting the project. The project shall be kept under constant



review by CCBE and DAV through the taskforce that has been functioning for the past few months. The scope of the project may be amended or extended subject to the consent of both CCBE and DAV having regard to the prevailing circumstances on the ground and in the light of the reports provided to the parties by the volunteer lawyers and the lawyer or lawyers co-ordinating the project on the ground.