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The EU's lopsided 'solidarity'

By denying human rights to refugees, the EU has outscored both Greece and Turkey in a competition of anti-humanitarianism

On 2 March, the Greek government announced a one-month suspension of new asylum applications. This measure was taken in response to the exceptional circumstances created after the arrival of thousands of refugees on the Greek-Turkish border in Thrace and the decision of Greece to seal its borders with Turkey.

From this point onwards, we marched into the theater of the absurd. Turkey's Minister of Interior claimed that the Greek decision was 'unlawful and shameful'. Yet, at the same time, Turkey has ratified the Geneva Convention with a declaration of geographical limitation that only allows European citizens to apply for asylum. This is why, with no exceptions, the world of human rights had opposed the EU-Turkey Common Statement of March 2016. Turkey is not, by definition, a substantial 'safe third state' for non-European asylum seekers.

Following recent events, the European Union stands by the Greek decision to suspend the Geneva Convention. Or at least, remains silent and apathetic. The future student of European affairs and international relations will be facing a paradox: the EU, self-proclaimed cornerstone of human rights protection in the world, expressed its solidarity to a member-state for suspending the 1951 Geneva Convention. Moreover, Turkey, a country that does not comply in practice with the provisions of the Geneva Convention argues that this is a 'shameful' act.

International law out of the window

To make things even more complicated, this same country – Turkey – is hosting more than 4 million refugees and migrants. In this complicated reality, there are no innocent players. Turkey's President Erdogan has been consistently instrumentalising migration flows as a retaliation measure that exerts pressure on the EU and destabilises Greece. He has been pursuing this policy without misgivings to the extent of

transforming Turkey into a rogue state.

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Yet, the undeniable fact that Erdogan plays a Machiavellian game by guiding people to the Greek borders should not lead to a state in which these individuals are to be deprived of any kind of international protection. People have the undeniable right to 'knock the door' of a state to seek protection, regardless of whether they are assisted or not to arrive at said doorstep. This is the fundamental cornerstone of the 'non-refoulment' principle.

On the other hand, the Greek government's response led to a serious human rights' abuse: the suspension of the Geneva Convention through the suspension of the right to apply for asylum. The underlying assumption here is the differentiation between what was perceived as a humanitarian crisis in 2015 and what is now perceived as a well-orchestrated Turkish attempt to blackmail Greece by pushing thousands of refugees and migrants to the EU border. It is interesting to notice that even Alexis Tsipras, head of left-wing SYRIZA, supports this differentiation.

What is Europe then?

In this bleak situation, it is the UNCHR that defends the fundamentals of international human right's customary norms. According to the Greek Government, the legal basis of its decision is grounded on Article 78(3) of the Treaty on the Functioning of the European Union, referring to emergency situations at the external borders. However, as the UNCHR points out, the internationally recognised right to seek asylum and the principle of non-refoulment can simply not be suspended.

The European Union has managed to outscore both Greece and Turkey in this competition of cynicism and anti-humanitarianism. 'The situation at our border is not only an issue for Greece to manage it is the responsibility of Europe as a whole,' stated Ursula von der Leyen, head of the European Commission, on 3 March following her visit to the Greek-Turkish Borders. The EU is ready to stop illegal crossing at all costs.

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The scholars of Europeanisation, who tend to unconditionally beautify whatever carries the 'European' signifier, will have to confront a reality in which the EU is rewarding a member state not for guaranteeing but for explicitly

division within Greek society.

violating a customary international norm of human rights.

The filthy repurposing of 'solidarity'

The very term 'solidarity' here acquires a rather novel, filthy connotation. It is not 'solidarity' for the noble cause of protecting individuals against persecution, but 'solidarity' for protecting states against individuals who are persecuted under the pretext of the unlawful behaviour of a third state. Greece is rewarded – symbolically and financially – to act as a watchdog for the protection of the European courtyard.

Needless to say, the main culprit here is neither Greece, nor Turkey – despite their respective responsibilities for the demolition of rule of law. The chief instigator is the EU. A union of states with a total population of half a billion that in 2015 baptised an obvious reception crisis as a 'refugee crisis' to masquerade its unwillingness to receive more than a million newcomers (with the exception of Germany and Sweden at least for 2015-2016). More than ever, it is now crystal clear that the EU does not seek to protect refugees. Its sole aim is to protect itself, by any means necessary, from refugees. This is a shameful page in contemporary European history.

And the worst is yet to come. Vigilantism, racism and xenophobia are reappearing in Greece. Hatred is dividing Greek society and challenges the hard-earned social cohesion of a country that is just recovering from a prolonged and multifaceted crisis. A local authority in Lesvos has already established check-points at the administrative boundaries with the municipality where migrants and refugees arrive. This is the same island that only four years ago excelled as an example of solidarity towards the arriving refugees. Now, it's being divided in two.

More than ever before in Greece, human rights activists are either seen as naive victims of the unscrupulous Turkish blackmail, or, in the worst of cases, as enemies within the gates. We have reached the point where the division between insiders and outsiders is transforming into a division within Greek society. In this context, if we don't react, the boundaries of exclusion will be redrawn and it will not only be human rights norms that will be threatened.



Dimitris Christopoulos

Athens

Dimitris Christopoulos is a Professor at the Department of Political Science and History of Panteion University, Athens, and former president of the International Federation for Human Rights.