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PRESS RELEASE: Greece suspends deportation following European Court of Human Rights' grant of interim measures

[[Ελληνικά](#)]

On 30 August 2021, the European Court of Human Rights (ECtHR) ordered interim measures for Legal Centre Lesvos client [MH](#), a Syrian man with disabilities and chronic health issues, and ordered the Greek authorities to guarantee him living conditions and medical care appropriate to his state of health, in order to prevent imminent irreparable harm.

Following this decision, on 9 September 2021, the Regional Police of the Northern Aegean **suspended MH's deportation for six months**. MH's application for asylum had been rejected on appeal, on the [legally untenable grounds](#) that Turkey is a safe third country for him. He was therefore considered, by Greek authorities, to be outside of the asylum procedure (and therefore denied medical care, and at risk of deportation).

Furthermore, following the ECtHR's decision, the police department lifted MH's geographic restrictions, which had prevented him from leaving the island of Lesvos since his arrival to the island over a year ago, and on 20 September 2021, he was finally transferred to Athens together with his primary caregiver, another Syrian man who had previously prevented from leaving the island, both due to [the containment policy](#) in place since the 2016 EU-Turkey Statement, and because he also had his asylum application rejected on the grounds that Turkey was safe.

Over the past year, in a damning indictment of the inhumane conditions for migrants in Lesvos, the ECtHR has [granted interim measures in thirteen cases](#) submitted by the Legal Centre Lesvos on behalf of vulnerable individuals living in Lesvos' "Temporary" Reception and Identification Centre ([TRIC](#)) in Kara Tepe (otherwise known as Moria 2.0 or Mavrovouni). **In each case, the ECtHR has ordered Greek authorities to guarantee appropriate living conditions and medical care in order to prevent a proven imminent risk of torture or inhuman or degrading treatment or punishment.**

Despite these firm Court orders, the Greek authorities have repeatedly failed to ensure their timely compliance. In March 2021, [the ECtHR's grant of interim measures](#) in AM's case prompted her transfer - within 48 hours - to Athens, where specialist medical care should have been available to her. Upon arrival, however, she was denied access to hospitals - and therefore to the medical care that she so urgently needed - for more than four months. Public health authorities justified this on the grounds that she did not have a social security number, despite the fact that the ECtHR's order had emphasised her right to medical care.

The fact that MH's deportation has been (temporarily) suspended, and that he, his caregiver, and AM have been transferred to Athens are small victories in an otherwise hostile and violent border regime. However, **success in an interim measures case - even when it is followed by**

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existing legal obligations. That the Legal Centre Lesvos is forced to take recourse to the ECtHR on a repeated basis, to obtain urgent treatment for vulnerable persons, is indicative of the exceptionalism that must be proven to European authorities before migrants' entitlement to basic care or safety is recognised.



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