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CONSTITUTIONAL AND  
HUMAN RIGHTS



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## PRESS INFORMATION

### Unfair asylum procedures in Greek Hotspots

## European Ombudsperson refuses to hold EASO to account

**Berlin/Lesvos, 25 April 2019** – The European Asylum Support Office (EASO) can continue to act without accountability regarding interviews with asylum seekers in the so-called Greek Hotspots. This is the final response of the [European Ombudsperson](#) to a complaint against EASO filed in April 2017 by the European Center for Constitutional and Human Rights ([ECCHR](#)). The [complaint](#) challenged the lawfulness and fairness of interviews conducted by the EU agency. With her latest response, the Ombudsperson confirmed her previous [decision](#) in which she acknowledged serious concerns, but nevertheless decided to close the inquiry into EASO.

In the complaint, ECCHR challenged EASO's broadened role following the EU-Turkey Statement. First, the agency's influence on the decision-making process within the Greek asylum procedure exceeds its mandate under EU law. Second, EASO disregards core standards of fairness when conducting interviews, in which asylum seekers need to justify why Turkey is not a safe country for them. This deprives applicants of the right to a fair hearing and bars access to international protection. In response to this complaint, the European Ombudsperson, whose task is to review maladministration by EU institutions, opened an inquiry into EASO. Lawyers of the NGO [HIAS Greece](#) on Lesvos submitted an [expert opinion](#) further criticizing EASO-conducted interviews.

However, the Ombudsperson refuses to use her mandate to address EASO's blatant failures. In her first [decision](#) of July 2018, she acknowledged the serious and genuine concerns as to both the fairness of interviews and the extent of EASO's involvement. Nevertheless she closed the inquiry without taking further steps, arguing that the shortcomings are best addressed with Greek authorities and that the EASO Regulation will be revised in the future. Following ECCHR's request for review, she now repeats her concerns and also recognizes the practical obstacles to remedying EASO's failures through individual appeals in national proceeding under Greek law. While invoking her wide discretion in handling complaints for maladministration, she confirmed her previous conclusions. Instead of using the options at her disposal to address the ongoing violations of fundamental rights in the Greek Hotspots, with this final decision the Ombudsperson perpetuates the lack of accountability when it comes to the activities of EU agencies.

*More information on the complaint against EASO can be found [here](#).*

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