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Three days in Greece with Anwar Nilufary

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[Raluca Bejan \(/category/bios/raluca-bejan\)](/category/bios/raluca-bejan) July 24, 2018

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So, you don't accept the accusation? We cannot move forward since the witnesses are not present. They were not summoned, and I need the witnesses to testify. They must testify. Do not talk. Just listen for two minutes. Just listen! The prosecutor recommends postponing the case, so the police and the witnesses can be summoned. This is what the Court is deciding now. And the policeman must testify as well. The policeman was an eye witness there. Don't! Don't talk! Just listen. Don't be erratic here because you know your situation. It is better for you just to listen for the time being. Listen, for the day of 20th of September at 9 a.m. in the morning. We write it down for you here; they are not going to give you a summons, they are not going to give you a paper. This is for you to remember it. That is all. You come on the 20th of September. You will have to make an application for that one...for the lawyer. Listen, the Court will not appoint a lawyer. Listen! Listen, Shh! Quiet! Quiet! No, no, no, no. You listen! No, you listen! The Court is talking to you. And you are a defendant. SHUT UP! (yelling and thumping the table). Συγγώμη [Signomi] (i.e. "Excuse Me" in Greek).

Do what you want! Do what you want!

*

Quoted above is a verbatim account of the conversation between a defendant and an interpreter at the Greek Court in Athens. It was noted down on July 12, 2018. The courtroom was small. Wood benches were forward-facing an orthodox icon centrally placed on the wall. Three prosecutors were sitting down in the front, on a podium. Two armed police officers were standing on the right. Four women, presumably lawyers, were sited to both sides of the podium. Two on the left and two on the right.

Anwar was summoned for breaching a 10-metre restraining order that prohibits him from approaching the United Nations Refugee Agency (UNHCR) on Michalakopoulou Street in Athens.

The interpreter yelled, thumped the table, and left the room in a storm.

I met Anwar a year ago, **in June 2017** (<https://rabble.ca/blogs/bloggers/raluca-bejan/2017/07/hunger-strike-steps-unhcr-office-athens>), on a sizzling hot Athenian summer day. I met him on the very same Michalakopoulou Street in front of the UNHCR office. He was finishing a two-month hunger strike and continued his protest for months to come. His tent was set up on the nearby sidewalk.

Anwar is a Kurdish refugee born in Iran. He settled in Iraq for a few years, he later transited through Turkey and arrived on Greek shores in the fall of 2014. He received asylum in Greece, yet, as many others seeking refuge, his intention was not to settle in the country but rather to reach the northern European States. He entered Sweden in 2015 but was deported back to Greece. At a time when the Dublin agreement was deferred, the borders were open, and accountability for asylum processing was swayed away from Greece. The Dublin regulation determines the responsible Member State for processing asylum applications within the European Union. It binds **asylum claims to the state of entry** (https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/examination-of-applicants_en), hence taking geographical location as the main criterion in allocating **inter-state responsibility for asylum claims** (<https://onlinelibrary.wiley.com/doi/abs/10.1111/eulj.12185>). In 2011, the European Court of Human Rights **temporarily retracted Greece from the Dublin agreement** (https://www.researchgate.net/publication/326200964_Problematizing_the_Norms_of_Fairness_Grounding_the_EU%27s_Relocation_System_of_Shared_Responsibility) due to the country's backlogged asylum system and derisory living conditions confronting the claimants.

Following his deportation from Sweden, Anwar requested resettlement to another country, specifically Canada or the U.S. The UNHCR is the sole agency that could officially refer refugees for resettlement to other nations. Despite repeated requests, what Anwar received from the UNHCR throughout the year were sporadic and repetitive messages explaining the agency's inability to transition him through a resettlement program. Resettlement plans are unavailable for refugees in Greece, since Greece, as a participating Member State in the Common European Asylum System, is considered a safe and protective country.

Anwar's tent was removed from the UNHCR premises several times. He is now camping in a sleeping bag. The UNHCR is located in a securitized office building. The security guards call the police every time they see Anwar on the steps. Anwar spent the month of May in the Amygdaleza detention camp. He was



three-year residence permit. The permit, however, needs to be renewed by request after the provisional three-year time frame. Failure to do so **may lead to protection withdrawal** (<http://www.asylumineurope.org/reports/country/greece/asylum-procedure/procedures/regular-procedure>).

The UNHCR seems unwilling to address asylum cases that do not fit predetermined prototypes. That the Dublin regulation was suspended when Anwar was in Sweden makes his deportation illegal. That a refugee gets arrested for approaching an organization mandated to serve refugees, raises, at minimum, ethical concerns. That someone is kept in a country he did not choose, nor wants to call home, where one cannot access integration services and where availability of such services is limited, goes contrary to respecting refugees' needs.

I conducted more than a few interviews with Anwar in June 2018. Excerpts of our conversations are presented below. The interviews are truncated for brevity reasons. The texts were edited down and abridged to include the most significant fragments.

Day One. June 11, 2018, 20:30. On the steps of the UNHCR building.

Anwar Nilufary (AN): It has been a very difficult, very tough year for me. I was on protest for most of 2017. I was in detention and in prison. The UNHCR destroyed the shelter that I set up under the tree. Now I am basically sleeping on the steps. I feel so unsecure and afraid. Afraid of the security guards, of the police, and even of the UNHCR employees. I have been attacked by the building security guards a few times. And still there is no positive answer for my resettlement in another country or for my safe transit to another UNHCR office inside or outside Europe. I have no access to shelter, to electricity, to food. I have been in detention countless times, and I still do not receive any answers; no attention from the Greek media nor the Greek authorities, despite my many attempts to reach out to them by email, by Twitter, etc. Slowly I am getting rotten into a person who does not count at all. This is the summary for this year. No progress. I just lost one year of my life waiting for a resettlement referral. The lawyers, the NGOs, nobody is helping me. Why? It is a lot of time. A lot of time that my life is being wasted in this country. I am almost a prisoner. Four years is enough for you to enter college, to graduate, to study, but here I am just struggling to get a piece of paper for my resettlement and to get admitted into a country that could offer me sufficient protection to address my integration needs. It is a tragedy. It is a trauma. It is catastrophic for my life.

Raluca Bejan (RB): Could you describe the interactions with the police and the UNHCR staff?

me verbally, physically. Most recently I was taken to the Amygdaleza detention centre. I was there for 30 days. It is a very unsafe place. And it affects you. Like a torture chamber. Mentally, physically, in every way, since you are not going to have good hygiene, good diet, etc. Although compared to my situation on the steps on UNHCR, Amygdaleza is a hotel. The only thing is the freedom deprivation. You cannot go outside but you have a shelter and you have access to food; not good food but at least you eat something; and you shower, unlike me, having problems finding a place to shower. There are security concerns, but generally, if people respect each other and do not cause problems for each other, then it is better than staying at the UNHCR.

RB: What led to your detention in Amygdaleza?

AN: About three weeks ago, on April 27, I was imprisoned due to the 10-metre restraining order. After my release I came back to this building trying to get a response from the UNHCR regarding my resettlement or my safe transit back to Turkey. On April 27 I was attacked two times by the security guard and then I was taken to the police station. They told me I have no papers in Greece. Ampelokipi Police sent me to the Central Police department. I was at that place two times. The second time, they arrested me and placed me in Amygdaleza. I was not expecting to be released anytime soon but I think it happened because the press request made by you. They took me to Amygdaleza because, according to the police, I do not have papers. But I do have papers. I am a recognized refugee.

RB: What about the restraining order? How and why did you get it?

AN: The restraining order was issued shortly after our first meeting in July last year. It was made by the owner of the building. Tomorrow I have court. It would be my ninth court appearance for breaching this restraining order. The main problem is that I cannot get a lawyer. I called all the NGOs and they told me to present my own arguments in Court. I contacted Advocates Abroad, the Greek Council for Refugees (this is the main partner of UNHCR) and many others. But whatever I present in Court, documents and other evidence, they are dismissing it. And they just say they find me guilty because I breached the restraining order and they send me to jail.

I have no protection in this country and UNHCR has no right to push me to remain in this country. Their main argument for not helping me is that other people are in similar situations and they will set a precedent for the others to request the same letter. But this is the wrong mindset because they are already setting the precedent of allowing a recognized refugee to carry on a hunger strike and to protest for one year without having access to basic needs. They are already setting a precedent for this, the only difference being that they do not want to set a precedent serving the interest of the refugee, but they are happy to set a precedent that serves their own interest.



AN: Today I attended the Greek Court for breaching the 10-metre restraining order imposed by the UNHCR. The situation was unbelievable. The interpreter was not translating my words. He started an argument for nothing and he also insulted me. Actually, this was a tactic. He wanted to push me to overreact. He was shouting at me in front of the Court. Police was there but they were not saying anything. The interpreter was not doing his job, to translate what I was saying to the Court, and to translate what the Court was communicating back to me. When I told him that he is the interpreter and that he should do the translation, he told me to shut up. This is humiliation and discrimination. Now the trial was postponed because the witness from UNHCR was not present. I do not understand. This is the second time they postpone this hearing. On April 20 they postponed it for April 25 and then again for June 12, which is today. I do not understand if they do not have the power to summon this person but anyway, the court was postponed until September and no decision was made today. The Court pays no attention to what I say. I do not have a lawyer and the Court refuses to accept anything they hear from me. They only hear one side, what is in the police reports and they decide on it. This is not justice. It is like this everywhere in Greece. As a refugee you do not count in this country. Wherever you go, you face discrimination. You saw it for yourself today in the Court. I need to live in a country where I can be part of the society, where I can have rights and have my rights respected by everyone, by all the institutions. How can I feel safe in this society?

Day Three. June 13, 2018. At a Kurdish restaurant on Acharnon Street, Athens.



AN: In Greece you cannot trust anybody. Governments, no; asylum officers, no; refugee agencies, no; smugglers, no. Greece is a swamp. It is going to swallow you.

Here on this street [Acharnon], there are many refugees. Look behind you. They are all waiting. Waiting for a way to get out of this country. Because truly, no one wants to stay here. Greece cannot protect refugees. And the people who are coming, they want to be in a country where they can settle. In every way, through employment, community, connecting with society. We are deprived here. There is no way to integrate. Because everywhere you go, you need friends, you need partners. I am speaking about Greece. It is different in other [European] countries, but in Greece there is nowhere to integrate. And if you are not connected with the people from the hosting society, you are isolated, and you need to rely on the people from your own community. It is xenophobia. People are afraid of foreigners. Why? How many Greek people do I know here? Nobody. Now, after four years, my asylum expired. They say you have 10 days. I have 10 days to reclaim the refugee status and this will expire next week on Monday. I rather be deported than having to reclaim asylum in Greece. Although I am at the risk of deportation to a country I fled from. Now, according to the Greek government, I have no protection and no asylum in this country. I will stay here protesting even if this paper expires. As a recognized refugee, in any advanced country, after three years you should have the possibility to apply for citizenship, to fully become a member of society. Now, after many years of pain and suffering, I am again at risk of deportation.

Everything that happened was at the expense of my life. When are they going to help refugees? If they do not help you with a safe page to another country of asylum, if they do not help you with resettlement, what is the role of this organization, the UNHCR? They just buy tents. They are very quick in buying tents and collecting people in camps. They are masters at building tent cities. And they leave people there to perish, this is what they are doing. Legally, according to the 1951 Geneva Convention, I am entitled to receive help. The help that suits my best interest.



was arrested for breaching the 10-metre restraining order from the UNHCR building.

Photos by Raluca Bejan

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