

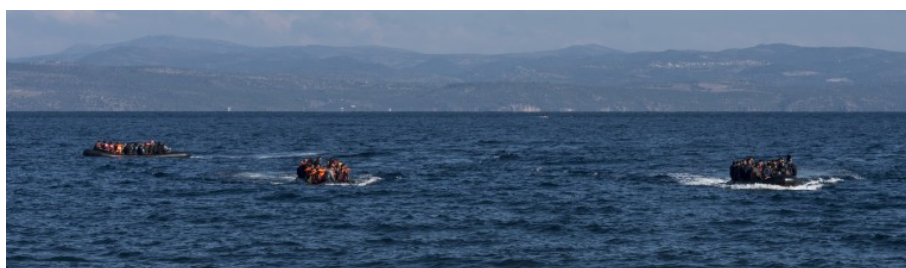
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## A Call for Safe Passage: End Avoidable Risk and Death in the Aegean Crossing

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*This post is the final of four articles to be published as part of this week's intensive series on refugee and migration rights.*

By Phil Bracey\*



*Asylum seeker boats crossing the Aegean Sea, headed for Lesbos. Creative Commons.*

*Phil recently returned from Lesbos where he volunteered with VCA, a small NGO whose team provided food and clothing distribution at Kara Tepe camp and served as an emergency response team for boats arriving along the coast near Kara Tepe. This piece is informed by his experience there.*

The humanitarian response effort in Lesbos is not perfect. However, for the individuals and organizations operating there, this imperfection is no secret—ways to improve the conditions of camps and the quality of assistance being offered are constantly being re-evaluated and acted upon. From the shores to the camps, the response effort has come a long way since the number of arrivals skyrocketed towards the end of 2015. This is not to say that the island is paradise by any means—there is still suffering, tragedy, frustration, and inefficiency; yet, as of now, asylum seekers that arrive on Lesbos are greeted by a humanitarian response effort that is focused on constant improvement and does what it can to ease the difficulties faced by those passing through.

The Aegean Sea, however, offers no such support or comfort to those moving through its waters on the way to Greece. Many people reading this will likely have read or heard about the sorts of boats people are coming across this water in [small, low-lying, overcrowded rubber dinghies](#) – a far cry from the ferries that go back and forth across the same water for less than €50 while the ride that has continued to claim lives demands that refugee passengers pay [closer to €900](#) for the privilege.

The distance between the two coastlines is in the realm of 10km if you're around Molyvos in northern Lesbos, and nearer to 20km in the southeastern part near Mytilene (these are the two areas that have seen the most boats coming in). In other words, Turkey is not some far-off land, barely visible through the mist as it clings to the horizon. No; you can see buildings on the other side, even car headlights moving slowly along if you watch closely. The island of Manhattan measures longer than the distance separating Lesbos and Turkey. Yet estimates from 2015 put the number that drowned during this crossing at [over 800](#) for the year, and even for those whose journey over the water carries on with relative seamlessness, the experience is nonetheless a wet, cold, and terrifying one.

The question that of course arises out of all of this is—why? If the international community has created a legal framework<sup>[1]</sup> within which protection is to be offered to those individuals fleeing persecution in their home countries, should not a continuous effort be made to ensure the safety of their lives from the earliest moment that such a move becomes within its grasp?

In explaining the absence of a safe passage for those that have been, and still are, crossing in dinghies, one might point to the fact that the actual method of travel being used by them involves an illegal exit from Turkey and an illegal entry into Greece. True enough, but that explanation is lacking in significant ways. Here, it is important to note that while the crossing itself is an illegal exit from Turkey and entrance into Greece, once a refugee steps ashore, and providing that they present themselves to the appropriate authorities in a timely manner, their presence is legal and they are not subject to any form of prosecution with regard to their method of entry<sup>[2]</sup>. Boat arrivals on Lesbos are taken from the shore, by bus, to a detention center at which they are given police documents<sup>[3]</sup> that allow families and individuals to then move freely. This practically always equates to the purchase of a ferry ticket to Athens and a departure from Lesbos as soon as possible. Given the effect of this aspect of international law, then, why not simply take steps to regularize and provide for safety during the passage itself?

It might be said that safe passage is not an appropriate solution on its own, and that the proper answer is helping ensure that Turkey can host the millions of refugees currently within its territory while securing to them their rights as refugees. Setting aside, then, the opinions one might have regarding the moral character of the political dealings between the EU and Turkey, the issue that they are ostensibly aimed at solving is an important and understandable one—the responsibility to offer protection to those seeking it after leaving their homes in countries like Syria and Iraq is not one that can be upheld by a just handful of countries. And if a country is going to host large numbers of asylum seekers, that country should receive support from other states to assist on the logistical end of that responsibility. Most people, I think, would agree on the fairness behind that general idea.

However, this point still fails to explain the absence of safe passage now and in previous months. If a deal is being worked on, fine—but while the details of such a pact are being hammered out or the issues with implementation are being dealt with, asylum seekers in large numbers continue to put their lives at risk to make this crossing. Measures should be taken to ensure that asylum seekers need not continue to put themselves in danger as they seek to enter Greece. The fact that governments have not yet done something to ensure safe passage for those they *know* are making the crossing this way—and sometimes dying in the process—should be looked at as a conscious decision, an active inaction, on the part of both European and Turkish authorities.

Indeed, for all the uncertainty and confusion that can characterize different elements of a humanitarian crisis, there are several aspects regarding this crossing that are clear, among them being that it is not safe—especially relative to the level of safety on a ferry performing a similar crossing—and that it is not stopping. If this route to Europe was one rarely used, then establishing safe passage may not be a priority in the same way. But this is not the case. Hundreds of thousands have come this way, continue to come this way, and the human smugglers that facilitate it have raked in [billions of dollars](#).

Instead of establishing a system through which unsafe crossings need no longer occur, it seems as if states have paused to realize that the women and men who are stepping with their families into those flimsy rubber boats are worth more in their political capital than their humanity. As such, there remains no safe crossing, but no time lost at the negotiating table, [with money to exchange hands in return for promises](#) of reductions in the activities of human smugglers and the numbers of crowded boats shoving off from Turkish beaches. The boats are still coming.

At the absolute least, would it not make sense to establish a temporary safe passage, to prevent unnecessary deaths until governments are able to agree upon a deal that works for them and for those seeking safety within their territories? Why should the price of political bickering and stalemate be paid for with the very lives of those to whom the international community has bound itself to protect? Safe passage must be guaranteed.

[1] Created as a universal, binding instrument for the protection refugees, the 1951 Convention Relating to the Status of Refugees has been ratified by [145 countries](#). There are [146 States Party](#) to the Convention's important 1967 Protocol.

[2] See Article 31 of the 1951 Convention and interpretations/applications thereof.

[3] This registration process is currently dependent upon the nationality of the individual, a point which gives rise to an entirely different, though important, argument. The great majority arrivals are of a nationality that allows them to be registered by Greek police.

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