

**Question for written answer E-000902/2019
to the Commission**
Rule 130
Jörg Meuthen (EFDD)

Subject: Returns to Greece in the light of the of ECHR and ECtHR requirements

A German court has (again) decided (Administrative Court of Regensburg judgment of 3.1.2019 — RN 11 K 18.31292) that the return of Syrian refugees from Germany to Greece does not comply with the provisions of the ECHR and the ECtHR, because ‘access provided to social benefits, to the housing and the labour market is shaped by the individual’s autonomous actions’. In addition, the beneficiaries of protection must in each case ‘in principle be able to face the difficult conditions and provide for their own accommodation and subsistence by means of a high degree of initiative’. In the case of vulnerable people, the denial of state aid might become a life-threatening danger.

1. Is Greece in compliance with EU law if people in need of protection are having to provide for their own subsistence because Greek laws and authorities require them to act on their own initiative?
2. Which other Member States require people in need of protection to possess this unreasonably high level of initiative in providing for their subsistence, leading the Commission to conclude that returns should cease?
3. Given the Member States’ failure to implement the ECHR, is it advisable to continue working towards the EU’s accession to the ECHR, since the Commission would in that case also be forced to enforce the standards of the ECHR vis-à-vis the Member States?