

EN

P-000604/2021

Answer given by Ms Johansson
on behalf of the European Commission
(1.6.2021)

The Commission has been informed of the growing number of Syrian nationals in the Greek islands who have been notified by the Greek Asylum Service of final negative decisions, after their asylum applications were considered inadmissible on the basis of the fact that Turkey is considered a safe third country in accordance with the EU-Turkey Statement¹.

Turkey suspended returns from Greece in March 2020, in the context of COVID-19 related restrictions and albeit repeated calls from Greece and the Commission to resume returns pursuant to the EU-Turkey Statement, Turkey has not so far resumed operations.

Article 38(4) of the Asylum Procedures Directive² provides that ‘where the third country does not permit the applicant to enter its territory, Member States shall ensure that access to [an asylum] procedure is given’. In line with that provision, applicants whose application has been declared inadmissible are therefore able to apply again³. In re-examining and deciding on those applications, Greece will need to take into account the circumstances at the time of the (re-) examination of the individual applications, including with regard to the prospect of return in line with the EU-Turkey Statement. In the meantime, applicants shall have access to material reception conditions under the conditions set out under the EU Charter of Fundamental Rights, EU and national law⁴.

The Commission is in close contact with the Greek authorities about the issue raised by the Honourable Member. The EU remains committed to the full implementation of the EU-Turkey Statement as the main framework for cooperation on migration matters between the EU and Turkey. This is an engagement of mutual trust and delivery that requires commitment and continuous efforts from all sides.

¹ See <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>

² See Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection, OJ L 180, 29.6.2013, p. 60–95.

³ See Joined Cases C-924/19 PPU and C-925/19 PPU, paras 175 and following.

⁴ See Directive 2013/33/EU.