

OPEN LETTER

FAO:

Antonio Tajani, President of the
European Parliament

Donald Tusk, President of the
European Council

Joseph Muscat, EU Presidency

Jean-Claude Juncker, President of the
European Commission

Dimitris Avramopoulos, European
Commissioner for Migration, Home
Affairs and Citizenship

Federica Mogherini, High

Representative of the Union for Foreign
Affairs and Security Policy

Fabrice Leggeri, Executive Director,
Frontex

Jose Carreira, Executive Director,
EASO

January 19, 2017

Dear Madam, Dear Sir,

On November 29, the European Court of Justice was presented with an Action for Annulment on behalf of Mr. Shabbir Iqbal, a refugee who, after a perilous journey, is currently in Greece at risk of deportation.

The Action asked the Court to review the legality of the March 18, 2016, EU-Turkey Agreement (the act), including the provisions therein for the "returns" to Turkey of all "irregular migrants or asylum seekers" arriving on the "Greek islands" after March 20, 2016. The action seeks to annul the act in its entirety.

We, the undersigned, believe the ECJ must rule in favour of this Action, not only on the grounds of its solid legal merits and substantial supporting evidence, but also because the members of our Union's highest Court must ensure that all laws and treaties fully comply with European and International Law in both letter and spirit.

With this Action, the Court is being asked a simple question: Does the EU-Turkey Agreement serve its purported aim "to end irregular migration from Turkey to the EU"? Or is it a perverse and surreptitious mechanism for EU member states to neglect their responsibilities toward refugees and asylum seekers reaching our shores, turning their backs on human life and violating both the letter and spirit upon which our common space was founded?

We submit the same question to you, the representatives of the EU's highest institutions, and appeal that you step forward and stop this infamous 'Agreement' at once.

Of the many proceedings the ECJ is asked to hear and determine, this might be one the most critical ever: Its decision will have far-reaching consequences for the future of our Union and the credibility of its institutions.

Thus, we urge you to act immediately to [stop this Agreement](#). We call upon you to restore the EU's humanist roots, its obligation to respect and protect all migrants' human rights, irrespective of their status, and to put an end to unnecessary suffering by acting before the ECJ overrules your regretful pact with Turkey.

Signed:

[Renata Ávila](#), Guatemalan human rights and technology lawyer

[Walter Baier](#), Austrian economist

[Anthony Barnett](#), British writer, founder of openDemocracy

[Franco 'Bifo' Berardi](#), Italian writer, media theorist and media activist

[Boris Buden](#), Croatian philosopher, translator and cultural theorist

[Berardo Carboni](#), Italian director and scriptwriter

[Nessa Childers](#), Irish MEP

[Noam Chomsky](#), American linguist, Professor emeritus of linguistics, MIT

[Cécile Duflot](#), French politician; former Minister of Territorial Equality and Housing

[Brian Eno](#), English musician, visual artist and political activist

[Marcelo Expósito](#), Spanish artist, political activist and MP

[James K. Galbraith](#), American economist and author

[Susan George](#), French-American global justice campaigner

[Srećko Horvat](#), Croatian philosopher and political activist

[Katja Kipping](#), chairperson, German Left Party

[Caroline Lucas](#), co-Leader of the Green Party of England and Wales

[Lorenzo Marsili](#), Italian writer, political activist

[David McWilliams](#), Irish economist, writer, broadcaster and journalist

[Sandro Mezzadra](#), Italian writer and associate professor of political theory

[Rasmus Nordqvist](#), Danish MP

[Gerardo Pisarello](#), First Deputy Mayor of Barcelona

[Saskia Sassen](#), Dutch-American sociologist

[Thomas Seibert](#), German philosopher, author, political activist

[Richard Sennett](#), American sociologist, centennial professor of sociology, LSE

[Elif Shafak](#), Turkish novelist, columnist, speaker and scholar

[Cristina Soler-Savini](#), university research fellow, Paris

[Barbara Spinelli](#), Italian MEP

[Igor Stokfiszewski](#), Polish researcher, journalist and activist

[Danae Stratou](#), Greek visual and installation artist

[Yanis Varoufakis](#), economist and former Greek finance minister

[Marie-Christine Vergiat](#), French MEP

[Vivienne Westwood](#), British fashion designer, environmental activist

[Agnieszka Wiśniewska](#), Polish activist, author

[Slavoj Žižek](#), Slovenian-born philosopher and psychoanalyst