

# Input by civil society to the 2021 EASO Asylum Report

Fields marked with \* are mandatory.

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C o l l e a g u e s ,

The production of the *EASO Asylum Report 2021* is currently underway. The annual [Asylum Report series](#) present a comprehensive overview of developments in the field of asylum at the regional and national l e v e l s .

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, UNHCR and researchers. To this end, we invite you, our partners from civil society, academia and research institutions, to share with us your reporting on developments in asylum law, policy or practice in 2020 (and early 2021) by topic as presented in the online survey.

Please note that the EASO Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain. Your input can cover practices of a specific EU+ country or the EU as a whole. You can complete all or only s o m e o f t h e s e c t i o n s .

All submissions are publicly accessible. For transparency, 2021 contributions will be published on the EASO webpage. Contributions to the 2020 EASO Asylum Report by civil society organisations can be accessed [here](#), under 'Acknowledgements'. All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases or position papers. If your organisation does not produce any publications, please make reference to other published materials, such as joint statements issued with other organisations. Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the EASO Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EASO's work in multiple ways and inform reports and analyses beyond the Asylum Report.

Your input matters to us and will be much appreciated!

**Nina Gregori** - *EASO Executive Director*

\*Please complete the online survey and submit your contribution to the 2021 EASO Asylum Report by **Thursday, 25 February 2021**.\*

## Instructions

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Before completing the survey, please review the list of topics and types of information that should be included in your submission.

For each response, only include the following type of information:

- New developments and improvements in 2020 and new or remaining challenges; and
- Changes in policies or practices, transposition of legislation or institutional changes during 2020.

Please ensure that your responses remain within the scope of each section.

## Contributions by topic

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**1. Access to territory and access to asylum procedures (including first arrival to territory and registration, arrival at the border, application of the non-refoulement principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)**

To begin with it is important to mention that especially in the borders of Evros there is a number of asylum seekers who enter Greece and it is not identified or traced by any authority. We can call it a shadow number composed of unaccompanied minors and separated children (UASC) and also of the general population. The number cannot be counted because the above mentioned population cannot be identified neither by an NGO nor by police or a State agency.

Moreover, during the strict lockdown which was implemented on March 2020 due to Covid-19 pandemic and was lasted for 2 months all the Regional Asylum Offices were not providing services and they were typically closed. Meaning that no registrations of asylum request or interviews have been held during this period. As a result, UASC who were turning adults and/or had family reunification lost their right to be registered and as a result they have lost their right to be reunified with their family members in other EU Member States

In addition, regarding the access of UASC to the asylum procedure in Attica prefecture we would like to report the following. In every RAO it has been announced from the Asylum Service that UASC who have expressed the request to apply for family reunification with their family members should be prioritized, although still this is not applicable in every case. In the RAO of Piraeus, due to a low number of Bengali interpreters and a big number of requests, a UASC of Bangladeshi national will have to wait for many months, even for more than a year to be registered, after his asylum claim has been send from an NGO to the RAO. It is important to mention that RAO of Piraeus have been transfered to an other place on In the RAO of Alimos, due to the pandemic an average time for the completion of the registration of an UASC is 5 to 6 months.

Furthermore, from the moment that an NGO sends a request to the responsible RAO until the day of the full registration no official document which proves the submission for the request for international protection is issued from the Asylum Service. In that case all there is a violation regarding all the rights of the child.

Additionally, it is important to mention that the law 4636/2019 for international protection which have been implemented since 1.1.2020, predicts many difficulties and obstacles in the procedure of the asylum on most of the articles. On that law in the article 75 paragraph 7 it is mentioned that it is possible for unaccompanied minors above 15 years old to be examined even with fast track procedures if they are not vulnerable. In general the new asylum legal framework predicts much more fast procedures on the asylum claim examination, detention of the applicants, limitation of material host conditions, etc. Even though the new law 4686/2020 provided amendments to the law 4636/2019 this article remained the same.

Finally, as regards the non-refoulement principle, it has been reported that the Greek Coast Guard has been systematically conducting pushbacks (<https://ddp.gr/wp-content/uploads/2020/10/ENG-Joint-Letter-to-Parliament.pdf>) for several months and also the role of Frontex is very controversial (<https://www.spiegel.de/international/europe/missteps-and-mismanagement-at-frontex-scandals-plunge-europe-s-border-agency-into-turmoil-a-d11ae404-5fd4-41a7-b127-eca47a00753f>). For that reason The European Parliament has launched an inquiry into the European Border and Coast Guard Agency, Frontex's "compliance with fundamental rights." (<https://greekcitytimes.com/2021/02/24/eu-parliament-inquiry-frontex/>)

## **2. Access to information and legal assistance (including counselling and representation)**

From our work on the field it has been observed that there is a huge gap as regards the access to information and legal assistance. Many of the unaccompanied minors we support who have passed from a hotspot from a Greek Island, or through the northern borders have not been informed regarding their rights and the asylum procedure properly or sometimes they have not been informed not at all.

In addition, we support UASC, who reside in Greece even more than a year and have never been informed about their rights and the asylum procedure.

### **3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)**

A lack of interpretation has been observed in the languages of Bangla and Tigrinia and other "rare" speaking languages. Also, in some African dialects there is no provision of interpretation. It is important to mention that still there is no national catalog or list with certified and qualified interpreters who are hired by the State and provide interpretation services.

### **4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)**

As regards the Dublin procedures, it is important to highlight that due to the pandemic of Covid-19 many delays have been observed in the procedure of the registration of the family reunification claim, since all the RAOs were closed for the period of March and April, but even after the strict lockdown on May, due to the protection measures and the teleworking of the staff, the provision of services were limited in every RAO. As a consequence a lower number of applicants could submit their family reunification request.

Furthermore, comparing years 2019 and 2020 the number of asylum seekers and UAM who have successfully transferred to other EU Member States has been decreased from 2.542 in 2019 to 1.941. Also, in contrast to the previous years The Asylum Service do not provide clear statistics as regards the Dublin procedures as it was doing the previous years (<https://rsaegean.org/el/statistika-stoicheia-gia-to-systima-asylou-to-2020/>).

In addition, many EU Member States continue to bring more obstacles in the Dublin procedure by demanding more documentation, which is not predicted in the Dublin Regulation Also Germany in 2020, rejected more than 60 % of the requests for family reunification from Greece. Despite the pandemic. Despite the catastrophic conditions for protection seekers in Greece that everyone knows about. This is more than any other European Member State. More than 70 percent of the rejections are, on the other hand, overruled by courts. (<https://www.facebook.com/EqualRightsBB/photos/pb.1040305472751910.-2207520000..3712960148819749/?type=3&theater>). Another important point is that the Spanish Dublin Unit, even in the period when the death rate of Covid-19 especially in Spain was extremely high, was demanding the submission of DNA tests, which was impossible to take place. Additionally, the demand of DNA test in every Dublin case, regardless of the relationship of the UAM and his/her relative has become a mandatory practice Spanish Dublin Unit.

Finally, we would also like to stress out that in the December of 2020 the Greek Dublin Unit has been transferred and changed place, a fact that has created many obstacles in the communication, especially since this period was coincided with the Brexit, when many Take Charge Requests need to be sent to UK Dublin Unit. The communication through landline phones still remains a challenge and it has not been fixed yet. Above all, what is really important to highlight, is the fact that the Greek Ministry of Asylum and Migration and the Asylum Service have not manage to sign the contract with the travel agency, which was selected after the public tender yet. As a result, tickets for the accepted beneficiaries of family reunification cannot be issued and their transfer has exited the 6 month period which is predicted by the Dublin Regulation. As a consequence, many UAM still remain in Greece, with Greek State's responsibility and although they have been accepted to be transferred and reunified with their family members their rights are totally violated.

## **5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)**

The fast-track border procedure as applied on the Greek Islands continues to violate safeguards that are meant to provide additional protections for vulnerable asylum seekers. ([https://rsaegean.org/en/rsa\\_msf\\_proasyl\\_specialproceduralguarantees/](https://rsaegean.org/en/rsa_msf_proasyl_specialproceduralguarantees/)).

## 6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions - housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

To begin with, living conditions at reception centers in most camps in the islands and in the mainland remained substandard despite a significant decrease in arrivals during 2020. The complete destruction of the Moria camp in Lesbos in September 2020 left thousands of applicants for international protection, among them more than 4000 children, including 407 UAMs, (see UNICEF statement: <https://www.unicef.org/press-releases/unicef-statement-fire-moria-camp-lesvos-greece>), homeless with no access to food or medical assistance for several days and until the temporary camp in Kara Tepe (Mavrovouni) was set up (see UNHCR statements: <https://www.unhcr.org/news/briefing/2020/9/5f5b3a774/unhcr-shocked-fires-moria-asylum-center-ramping-support-affected-asylum.html> , <https://www.unhcr.org/news/briefing/2020/10/5f80111c4/month-moria-fires-unhcr-warns-worsening-conditions-ahead-winter.html>. Concerns expressed by NGOs about possible lead contamination in the new temporary camp were addressed in a press conference organized by the Ministry of Migration & Asylum (see announcement: <https://migration.gov.gr/en/syzitisi-mko-meleti-eagme-molyvdos/>). Also, the European Court of Human Rights will examine the living conditions of people residing in the so-called EU hotspots and for that reason has asked the Greek government questions regarding the treatment of a total of eight people, all of whom were living in the so-called EU hotspots of Moria, Pyli and Vial and had pre-existing medical conditions or were particularly vulnerable ([https://www.hias.org/sites/default/files/eng-final\\_hias-equal\\_rights-20-01-2021\\_-\\_european\\_court\\_of\\_human\\_rights\\_examines\\_living\\_conditions.pdf](https://www.hias.org/sites/default/files/eng-final_hias-equal_rights-20-01-2021_-_european_court_of_human_rights_examines_living_conditions.pdf)).

Applicants for international protection who had their geographical restriction lifted and were transferred to the mainland by reception authorities on the islands had access to shelter (in the camps operating in the mainland), to food and to cash assistance. However, an important number of applicants for international protection who received a final rejection of their application and could not be returned to Turkey or deported to their countries of origin were, in many cases, left homeless either inside or around camps or in the squares of major Greek cities, with no access to food or financial support.

Access to medical care remained problematic despite the introduction of the new Foreigner's Temporary Insurance and Health Coverage Number (Προσωρινός Αριθμός Ασφάλισης και Υγειονομικής Περίθαλψης Αλλοδαπού - PAAYPE) number. For a significant period of time and until the new PAAYPE number started being issued, a significant number of applicants for international protection, particularly those who had arrived in the summer of 2019, with the exception of newborns, could not have access to non-emergency medical and healthcare services. These legal and administrative obstacles added up to the already limited capacity of the public healthcare system, a capacity which was further limited following the covid-19 outbreak and the ensuing prioritization of treatment of covid-19 patients and the far-reaching restrictions on movement that followed.

Access to schooling and education was problematic, particularly following the covid-19 related restrictions. The already limited schooling and education services offered to children and adult applicants for international protection were suspended for most of 2020, with remote learning opportunities being almost impossible to access for the vast majority of applicants for international protection, including those living in camps.

The covid-19 related restrictions disproportionately affected applicants for international protection residing in camps across Greece, including thousands of children. More precisely, from March and until the end of 2020 the freedom of movement of applicants for international

protection residing in camps was continuously restricted, even during the periods when such restrictions were lifted for the rest of the residents of Greece.

## **7. Detention of applicants for international protection (including detention capacity – increase /decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)**

It is important to highlight that legislative amendments according to Law 4636/2019 (<https://www.e-nomothesia.gr/kat-allodapoi/prosphuges-politiko-asulo/nomos-4636-2019-phek-169a-1-11-2019.html>) were put into force in the beginning of 2020 that influence detention procedures and time limits. According to article 46 par.2, persons applying for international protection could be put in detention even if they are free at the time of application. The article states it should be an exemption, applied only if necessary, following an individual assessment and provided that alternative measures cannot be used. In practice individual examination does not take place, nor alternative measures are considered. Detention tends to become the default way of handling people seeking asylum in the islands.

The maximum detention period was extended significantly. According to the provisions of the previous law 4375/2016 it could reach 3 months. However according to article 46 par.2 of the new law 4636/2019 it could reach 18 months, after continuous 50 days extensions. Those extensions no longer need a judicial review. It should be noted that the time of immigration detention is calculated separately, meaning that if added, the total detention may reach 36 months. A recommendation to the police regarding the detention from the responsible asylum office is no longer needed, only information is provided.

It has been observed that persons already under administrative detention that wish to apply for asylum, are forced to wait several months before actually lodging an application, especially in the mainland. By the time the full asylum interview takes place, they might be already in detention for more than three months, even six months in some cases.

The medical personnel in certain detention centers is insufficient and unable to handle the treatment of detainees and the prevention of health risks. Even though the mental condition of detained asylum seekers has worsened due to the extended detention times, there is a severe shortage of psychiatrists and psychiatric monitoring. There were incidents of attempts of suicide as well (<https://www.in.gr/2020/11/01/greece/amygdaleza-treis-apopeires-aytoktonias-se-mia-evdomada/>).

The Greek government proceeded with the plans of creating centers for accommodation of asylum seekers characterized as closed/controlled, in the islands of Kos, Samos and Leros, signing the relevant contracts with the contractor. The project is fully funded by the European Commission (<https://migration.gov.gr/ypografi-chrimatodotisis-gia-ko-samo-kai-lero/>). The policy of creating closed centers for asylum seekers has been criticized as establishing jail like conditions and transforming the reception system into a tool of deterrence (<https://www.hellenicparliament.gr/UserFiles/c0d5184d-7550-4265-8e0b-078e1bc7375a/11467253.pdf>).

## **8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decisionmaking, timeframes, case management - including backlog management)**

There was acceleration of procedures at first instance during 2020. This was in part due to shorter deadlines, stricter but also less clear evidentiary standards introduced on the basis of the nationality of the

applicants by Law 4636/2019 and the Ministerial decision no. 1302/2019 (both came into effect on 01/01 /2020) enlisting safe third-countries of origin. In addition, procedures at first instance were, in many cases, conducted remotely and were generally not affected by the far-reaching restrictions on movement. According to the announcements of the competent Ministry of Migration & Asylum there was a significant reduction of case backlog during the first nine months of 2020. However, as noted by NGOs, there was divergence between the data presented by the competent Ministry and Eurostat, regarding case backlog and the percentage of positive decisions issued by the Asylum Service during this period.

Procedural safeguards for UAMs who apply for international protection at RICs on the borders were significantly lowered. Article 90 para. 4 of Law 4636/2019 provides that applications for international protection submitted by UAMs may be examined under the border procedure if the UAM's country of origin is listed as a safe third-country or the UAM has submitted a subsequent application or there are good reasons to believe that a country is a safe third-country taking into account the UAM's individual circumstances and his/her principal interests or the UAM deceived the authorities by submitting false documents or by destroying in bad faith an identification or travel document which could help determine his/her identity or nationality, in order to avoid a negative decision on his/her application, provided that the UAM and his/her legal guardian were given the opportunity to provide sufficient reasons for which the UAM committed this particular act. It should be noted that under the borders procedure, short deadlines are set for issuing a decision, for appealing against a negative decision and for the examination of the appeal. Finally, it has been observed that there are cases of UASC who undergo the procedures at first instance and have their interview conducted without a guardian appointed, as it is predicted in the law, or having received preparation and support by a lawyer.

## **9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management - including backlog management)**

According to Law 4636/2019 art.117 as of the end the year 2019 the Greek Appeals Committee is consisted by three judges of the administrative courts. The judges of the Appeals Committee are largely senior judges . Contrary the court composition of the three-member administrative court to adjudicate applications for annulment against the decisions of the Independent Appeals Committees , is of first instance judges , causing according to critics problem of constitutionality. There were several annulment applications filed based on this reasoning which caused the Council of State to take on the trial of one of them , under the pilot trial process that applies to questions of general interest (<https://www.ddikastes.gr/node/6365>).

In cases Appeals Committee has to conduct an asylum interview, especially when they rule the subsequent application as admissible and they have to examine whether the case is well founded. However the administrative judges lack experience and training in conducting a full interview with an asylum seeker .

Appeals Committees are expected to issue a great number of cases per month (app.40 per month per a single judge), which impacts the quality of the rulings.

Decisions that grant asylum in second instance are only delivered as an excerpt. The full reasoning of the decision is not available not to lawyers with a power of attorney nor to the applicants themselves. There seems to be an effort to obstruct access to case law of positive decisions.

In addition, the presence of the asylum seeker on the day of the examination of his appeal is compulsory even though the examination itself doesn't have an oral procedure . In reality the applicant is expected to appear in the entrance of appeal's committee offices just for a few seconds to provide identification . Failing to do so , results his case to be rejected as unfounded. Only asylum seekers under a state of restriction of movement can provide a certificate for justifying not appearing in front of the committee. All other applicants



have to appear in Athens even if they reside in northern Greece.

According to the provisions of law 4636/2019 the service of negative first instance decisions can be realized by mail. The law also permits the possibility the delivery of the notification of the decision to be handled by the Director of RIC 's Administrative Office. These ways of delivering a decision were applied with questionable consistency to the Law and resulted for many asylum seekers to be left unaware of the decision itself, never having received it.

Consequently they were unable to keep the time limits of filing an appeal to the Appeals Committee, losing their right to an effective remedy.

Moreover, the above mentioned manner for the notification of decisions also influenced in a negative way the access of asylum seekers to the state-funded legal aid. Due to the covid-19 restrictions of public access to the Asylum Offices , the only way that the people could apply for a state lawyer was through an on line platform which had several functioning problems, one of which is not providing an proof of receipt of the application itself. This lack of information causes great insecurity to people seeking legal assistance which is absolutely necessary for filing an admissible appeal. As a general estimate the state funded legal aid programme was available to a limited number of people actually interested in filling an appeal.

Restrictions of movement due to covid-19 government measures enforced in RIC facilities and other accommodation facilities of asylum seekers caused difficulties in accessing legal aid necessary to appeal against negative first instance decisions as well ([https://www.ethnos.gr/ellada/106762\\_lesbos-prostima-se-metanastes-gia-askopi-metakinisi](https://www.ethnos.gr/ellada/106762_lesbos-prostima-se-metanastes-gia-askopi-metakinisi), [https://www.gcr.gr/media/k2/attachments/PR\\_Lesvos\\_20200917.pdf](https://www.gcr.gr/media/k2/attachments/PR_Lesvos_20200917.pdf), <https://www.iefimerida.gr/ellada/koronoios-parateinontai-periorismoi-kykloforias-kyt>).

Finally, at the end of 2020 changes in the organizational structure of the Ministry of Immigration and Asylum (<https://www.e-nomothesia.gr/kat-allodapoi/proedriko-diatagma-106-2020-phek-255a-23-12-2020.html>) effected the provision of free legal aid assistance in second instance cases , an obligation of the Greek state according to 4636/2019 art.71. The lack of state free legal aid for asylum applicants in the second instance in Lesvos caused an official complaint to the Greek Ombudsman by several NGO's and led to his intervention (<https://www.gcr.gr/en/news/press-releases-announcements/item/1591-legal-actors-express-serious-concerns-regarding-the-lack-of-state-free-legal-aid-for-asylum-applicants-in-lesvos>, <https://www.gcr.gr/el/news/press-releases-announcements/item/1604-enimerosi-ekselikseon-sxetika-me-to-deltio-typou-11-01-21-apo-tin-omada-ergasias-legal-aid-working-group-lesvos>).

## **10. Availability and use of country of origin information (including organisation, methodology, products, databases, fact-finding missions, cooperation between stakeholders)**

COI information is available through [ecoi.net](http://ecoi.net), UNCHR and EASO's COI publications, [refworld](http://refworld.org), along with reports of Amnesty International and other International and European Institutions.

## **11. Vulnerable applicants (including definitions, special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)**

Regarding the unaccompanied and separated children (UASC) accommodation provision the statistics provided by EKKA, present that the identified UASC in Greece up to 15.2.2021 are 3.973. Of them 915 UAC

(34 of which pending transfer) have been reported as living in informal/insecure housing conditions such as living temporarily in apartments with others, living in squats, being homeless and moving frequently between different types of accommodation. The above number includes 20 UAC with no location reported by the referral agent. Also, 38 UASC remain in protective custody, 76 in RICs and 156\* children in Open temporary accommodation facilities

([http://www.ekka.org.gr/images/%CE%A3%CE%A4%CE%91%CE%A4%CE%99%CE%A3%CE%A4%CE%99%CE%9A%CE%91\\_2021/EKKA%20Dashboard\\_2021215.pdf](http://www.ekka.org.gr/images/%CE%A3%CE%A4%CE%91%CE%A4%CE%99%CE%A3%CE%A4%CE%99%CE%9A%CE%91_2021/EKKA%20Dashboard_2021215.pdf)). It is important to mention that especially in the borders of Evros there is a number of UASC who enter Greece and are not identified or traced by any authority or NGO. We can call it a shadow number, which cannot be counted because the above mentioned population cannot be identified neither by an NGO nor by police or a State agency.

Furthermore, a lack on provision of information regarding their rights as UASC, the asylum procedures and the procedural standards has been observed from our daily provision of support to them.

As regards the age assessment procedure a new joint ministerial decision has been issued (<https://www.e-nomothesia.gr/kat-allodapoi/prosphuges-politiko-asulo/koine-upourgike-apophase-9889-2020.html>), but its implementation and procedure has not yet been established commonly all over Greece and may questions and obstacles has been raised, although as a procedure is on the right side.

Additionally, regarding the legal guardianship of UASC the law 4554/2018 has not been implemented yet. For many months there were no appointing of professionals of NGOs so called authorized guardians by the Public Prosecutor who act as a temporary guardian to all the UASC of his/her region. Since January 2021 we are in a transitional period, where the guardianship will temporary run by an NGO for a period of 9 months and then the professional guardians under the Ministry of Labor and EKKA will undertake the guardianship of UASC. As a result, only few of the UASC have an authorized guardian appointed.

In addition, the provision of foster care for UAM, although it is predicted in the law 4538/2018, still there are no steps on its implementation, especially as regards the foster care of UAM.

Finally, with the article 43 of the law 4760/2020 the practice of the detention of UASV the so called protective custody has been abolished (<https://www.lawspot.gr/nomikes-plirofories/nomothesia/n-4760-2020/arthro-43-nomos-4760-2020-katargisi-prostateytikis>). Following to this provision, there was the announcement from the Minister of Asylum and Migration and the Special Secretary of the Protection of UAM of the implementation of a National Mechanism for the trace and protection of unaccompanied minors (<https://m.naftemporiki.gr/story/1668229>) with the guidance and support of UNHCR and implementing partners with experience in child protection. Thus we are waiting for the implementation of this mechanism.

## **12. Content of protection (including access to social security, social assistance, healthcare, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)**

Access to medical care remained problematic despite the introduction of the new Foreigner's Temporary Insurance and Health Coverage Number (Προσωρινός Αριθμός Ασφάλισης και Υγειονομικής Περιθαλψης Αλλοδαπού - PAAYPE) number. For a significant period of time and until the new PAAYPE number started being issued, a significant number of applicants for international protection, particularly those who had arrived in the summer of 2019, with the exception of newborns, could not have access to non-emergency medical and healthcare services. These legal and administrative obstacles added up to the already limited capacity of the public healthcare system, a capacity which was further limited following the covid-19 outbreak

and the ensuing prioritization of treatment of covid-19 patients and the far-reaching restrictions on movement that followed. Also the fact that asylum seeker's cards have not been renewed since March 2020 due to the Covid -19 restriction measures, although the validity of them have been postponed until 31/3/2021, have created many issues since the PAAYPA seemed invalid.

Access to schooling and education was problematic, particularly following the covid-19 related restrictions. The already limited schooling and education services offered to children and adult applicants for international protection were suspended for most of 2020, with remote learning opportunities being almost impossible to access for the vast majority of applicants for international protection, including those living in camps. No measures to improve attainment in schooling and/or the education system have been presented by the State.

As regards the integration into labour market or enhancement of language skills, there is no provision of such services by the State to asylum seekers, with the exception of some Municipalities like Athens and also mainly projects provided by NGO. Also cash assistance and housing can be provided by ESTIA program to asylum seekers who have registered their asylum claim, but all the benefits stop one month after they receive a positive decision.

### **13. Return of former applicants for international protection**

### **14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)**

### **15. Relocation (ad hoc, emergency relocation; developments in activities organised under national schemes or on a bilateral basis)**

On 12 May 2020, EASO and the Greek Government agreed to an amendment to the Greek Operating Plan which allows for the Agency to facilitate the relocation of 1,600 UAMs from Greece to participating EU+ Member States in the scheme, together with UNCHR, IOM, UNICEF under the supervision of the Special Secretary for the Protection of Unaccompanied Migrant Children and the General Secretary of Migration Policy. The relocation program is still running with the field support of NGOs like Network for Children's Rights. The relocation scheme could be described as a positive practice by showing solidarity among EU+ States. It is important to highlight that the eligibility criteria are very broad which is something very promising, because it is not excluding a big number of UAM in Greece. From those 1.600 UAM until the end of 2020, 583 UAMs have been transferred to other EU+ States.

From our work on supporting UAM in the procedure of relocation we have observed some issues that have

been identified during the implementation of the procedure. Firstly, the absence of a transit accommodation for eligible registered UAM upon tracing is leading children to a subsequently disappearing and impossible re-tracing. This is exacerbated by:

- o Length of time passed between identification of the UAC and completion of the BIA interview, including time-consuming intermediate steps such as clearance by GAS, filtering by EKKA, operational arrangements (organise space, interpretation, and logistics). During the lengthy process, many homeless UAC simply go missing and cannot be retraced.
- o Difficulties in re-establishing contact with traced UAC due to their mobility within the country.
- o The absence of immediate registration and clearance (Dublin) by GAS for unregistered UAM, upon tracing.

In addition, it is totally unclear if the BIA and the interview which takes place is following the UAM in the State he/she will be transferred to and probably have consequences in his/her asylum examination.

Finally, it is important to mention that the procedure (especially when there are fast track procedures) is putting pressure to the UAM, especially to those who are homeless, since they need to undertake the procedure and then move to a safe accommodation. Also, the issue that in some case the procedure of the matching with the State might take too long, thus this burden the psychological and mental health of UAM.

#### **16. National jurisprudence on international protection in 2020 (please include a link to the relevant case law and/or submit cases to the [EASO Case Law Database](#))**

#### **17. Other important developments in 2020**

The article 43 of the law 4760/2020 for the abolish of protective custody.

The law 4686/2020 as an amendment to law 4636/2019.

Provision of issuance of Tax registry number to all asylum seekers (<https://www.taxheaven.gr/circulars/35071/a-1270-2020>), although still it has not been implemented.

## **References and sources**

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#### **18. Please provide links to references and sources and/or upload the related material in PDF format**

All the links are written in each of the categories as sources.

## 19. Feedback or suggestions about the process or format for submissions to the EASO Asylum Report

A bit more time for submission might be useful.

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**7dbbad45-d8a2-42c0-9771-6d607d274c2b/Joint\_statement\_homelessness\_refugees\_\_ENG\_\_22-12-2020.pdf**  
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**6db03c4b-a2a9-4edb-95bc-28ce256e8092/RRE\_Moria\_Fire\_-\_Renewed\_Call\_for\_Relocation\_FINALforpublication.pdf**

## Contact details

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Network for Children's Rights

Name and title of contact person

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I accept the provisions of the EASO [Legal and Privacy Statements](#)

## Useful links

[EASO Asylum Report 2020 \(https://easo.europa.eu/asylum-report-2020\)](https://easo.europa.eu/asylum-report-2020)

[Executive Summary -EASO Asylum Report 2020 \(https://easo.europa.eu/sites/default/files/EASO-Asylum-Report-2020-Executive-Summary.pdf\)](https://easo.europa.eu/sites/default/files/EASO-Asylum-Report-2020-Executive-Summary.pdf)

[Bibliography for the EASO Asylum Report 2020 \(https://easo.europa.eu/sites/default/files/easo-asylum-report-2020-bibliography.pdf\)](https://easo.europa.eu/sites/default/files/easo-asylum-report-2020-bibliography.pdf)

[Summary of legislative, institutional and policy developments in asylum in EU+ countries in 2019 \(https://easo.europa.eu/sites/default/files/easo-asylum-report-eu-developments.pdf\)](https://easo.europa.eu/sites/default/files/easo-asylum-report-eu-developments.pdf)

[Online database with data and latest asylum trends \(https://easo.europa.eu/asylum-trends-easo-asylum-report-2020\)](https://easo.europa.eu/asylum-trends-easo-asylum-report-2020)

[Online database for EU+ developments \(https://easo.europa.eu/eu-developments\)](https://easo.europa.eu/eu-developments)

## **Contact**

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For immediate re-publication

## "Protect our laws and humanity!"

### Open Letter by 120 Organizations

**To:**

Prime Minister of the Hellenic Republic, Kyriakos Mitsotakis  
President of the European Parliament, David Sassoli  
President of the European Council, Charles Michel  
President of the European Commission, Ursula von der Leyen

**Athens, 6 March 2020** – The undersigned organisations are deeply concerned about recent developments at the Evros border and the Aegean islands where people are stranded at the borders of Europe, instrumentalized for political purposes, and subject to violations of their rights. We are also deeply concerned about the way the authorities of Greece and the European Union are handling new arrivals. Equally alarming are the extreme actions by security forces against refugees and by civilians against staff of human rights and humanitarian organizations. We would also like to point out that the climate of panic and rhetoric of 'asymmetric threat' –also promoted by the authorities– does not reflect reality and seriously affects not only vulnerable refugees- but also our society and the rule of law as a whole.

**Specifically:**

**We firmly express our opposition to the recent decisions** of the Greek Governmental Council on Foreign Affairs and Defense (KYSEA), and in particular the adoption of the Emergency Legislative Decree, which stipulates the suspension of the right to seek asylum for all people entering the country and their return without registration, to their countries of origin or transit. Applying such a regulatory provision is inhumane and illegal as it violates the fundamental principle of *non-refoulement*, incurs international responsibilities for Greece and endangers human lives. It is beyond dispute that Greece has the sovereign competence to control its borders and to manage any crossings there. Nevertheless, the right to seek asylum is a fundamental human right enshrined in the Universal Declaration of Human Rights and the EU Charter of Fundamental Rights.

**We also denounce** the attacks on organizations that defend human rights and humanitarian organizations, noting that without the support of these organizations, the refugee management system in Greece would collapse. In addition, solidarity has been stigmatized and become the target of suspicion, which has been also exacerbated by members of the Government, fomenting violence and lawlessness in society in general. We denounce any statements, actions or policies that foment or tolerate bigotry.

**We call upon the Greek Government to:**

- **Withdraw the illegal and unconstitutional Emergency Legislative Decree** and to respect the obligations of the Greek State concerning the protection of human life and rescue at sea and at the land borders.

- Immediately stop returning people to states where their lives and freedom are at risk, or where they are at risk of being subjected to torture or other inhuman or degrading treatment or punishment.

- **Immediately alleviate overcrowding on the islands by relocating asylum seekers to the mainland, protecting their well-being and health.** Priority should be given to the most vulnerable, unaccompanied minors and families with children.

- Take the necessary measures to protect every person from acts of violence, victimization and racism.

**We recall that the EU should assume substantial responsibilities for the protection of people on the move** in a manner that demonstrates respect for human dignity and lawfulness and as a matter of shared responsibility among EU member states in the context of managing what is, first and foremost, a European issue. The right to asylum and the respect for the principle of non-refoulement are fundamental elements of international and EU law and therefore the authorities of the European Union must take the necessary measures for their protection.

Therefore:

- **The European Commission, as the guardian of the Treaties,** should protect the right to asylum as enshrined in EU law. Therefore, it should reverse the “aspida (shield)” rhetoric used by Greece and urge it to assume its legal obligations.

- EU Member States should re-establish immediately the **mechanisms for the relocation of refugees and asylum seekers from Greece** to other Member States, in a fair and rational manner, with priority given to unaccompanied children. EU Member States should increase resettlement of refugees directly from Turkey.

- EU Member States and institutions should revise the EU-Turkey Statement, which –in addition to legal lacunae– has now proven to be an unpredictable and unsustainable political tool for border management.

In closing, we call on all sides to respect the law and safeguard European democratic values. Any further backsliding will have major consequences on European societies, European democracy and the rule of law.



## List of Signatories

ACCIÓN POLITEIA (Spain)  
ACTIONAID HELLAS  
ACTIONAID INTERNATIONAL  
ACTIONAID ITALIA  
ADDART (Greece)  
AED EUROPEAN DEMOCRATIC LAWYERS (Germany)  
AIDOS - ASSOCIAZIONE ITALIANA DONNE PER LO SVILUPPO  
AITIMA (Greece)  
ALLIANCE FOR AFRICAN ASSISTANCE (Italy)  
AMNESTY INTERNATIONAL  
ANASA CULTURAL CENTER (Greece)  
ANTIGONE (Greece)  
AOI, ASSOCIATION OF ITALIAN NGO'S FOR COOPERATION AND SOLIDARITY  
ARSIS – ASSOCIATION FOR THE SUPPORT OF YOUTH (Greece)  
ASGI *ASSOCIAZIONE PER GLI STUDI GIURIDICI SULL'IMMIGRAZIONE*  
ASINITAS, ROMA (INTERCULTURAL CENTERS) (Italy)  
ASSOCIATION DE SOUTIEN AUX TRAVAILLEURS IMMIGRES - ASTI ASBL (Luxembourg)  
ASSOCIATION FOR INTEGRATION AND MIGRATION (Czech Republic)  
ASSOCIATION FOR LEGAL INTERVENTION (Poland)  
ASOCIACIÓN POR TI MUJER (Spain)  
BABEL DAY CENTER (Greece)  
BAOBAB EXPERIENCE (Italy)  
BORDER CRIMINOLOGIES-OXFORD UNIVERSITY (UK)  
BORDERLINE-EUROPE HUMAN RIGHTS WITHOUT BORDERS (Germany)  
CARITAS HELLAS  
CENTRE DIOTIMA (Greece)  
CENTRE FOR TRAUMA, ASYLUM AND REFUGEES, UNIVERSITY OF ESSEX (UK)  
CHANGE MAKERS LAB (Greece)  
CHILD AND YOUTH CARE ASSOCIATION (SMAN) (Greece)  
CIRÉ (COORDINATION ET INITIATIVES POUR REFUGIES ET ÉTRANGERS) (Belgium)  
DANISH REFUGEE COUNCIL (DRC)  
DEFENCE FOR CHILDREN INTERNATIONAL GREECE  
DUTCH COUNCIL FOR REFUGEES (DCR)  
DUTCH LEAGUE FOR HUMAN RIGHTS (Netherlands)  
ECOLOGICAL MOVEMENT OF THESSALONIKI (Greece)  
ECHO100PLUS (Greece)  
EDUCATIONAL INNOVATION (Greece)  
ELIX (Greece)  
END FGM EUROPEAN NETWORK  
EPAPSY (Greece)  
EQUAL RIGHTS BEYOND BORDERS (Greece)  
EQUAL SOCIETY (Greece)  
EUROPEAN ANTIPOVERTY NETWORK (EAPN)  
EUROPEAN COUNCIL ON REFUGEES AND EXILES (ECRE)  
FIX IN ART (Greece)  
FORENSIC ARCHITECTURE (Greece)  
FUNDACION CEPAIM (Spain)  
GAASBEEK EN GAASBEEK ADVOCATEN (Netherlands)  
GENERATION 2.0 RED (Greece)

GHENT UNIVERSITY – CESSMIR (Belgium)  
GREEK COUNCIL FOR REFUGEES (GCR)  
GREEK FORUM OF MIGRANTS  
GREEK FORUM OF REFUGEES  
GREEK NETWORK FOR THE RIGHT TO SHELTER AND HOUSING  
HELLENIC ANTIPOVERTY NETWORK  
HELLENIC LEAGUE FOR HUMAN RIGHTS (HLHR)  
HELP REFUGEES / CHOOSE LOVE  
HIAS GREECE  
HIGGS (Greece)  
HUMANRIGHTS360 (Greece)  
HUMAN RIGHTS WATCH  
IMMIGRANT COUNCIL OF IRELAND  
INITIATIVE FOR THE DETAINEES' RIGHTS (Greece)  
INTER ALIA (Greece)  
INTERNATIONAL RESCUE COMMITTEE (IRC)  
INTERSOS HELLAS  
INTERSOS ORGANIZZAZIONE UMANITARIA ONLUS (Italy)  
IRISH ANTIPOVERTY NETWORK  
ITALIAN COUNCIL FOR REFUGEES  
JRS PORTUGAL  
LEGAL CENTRE LESVOS (Greece)  
LEROS SOLIDARITY NETWORK (Greece)  
LESVOS SOLIDARITY (Greece)  
MED.IN MEDICAL INTERVENTION (Greece)  
MEDECINS DU MONDE – GREECE (MDM - GREECE)  
MEDECINS SANS FRONTIERES – GREECE (MSF – GREECE)  
MELISSA NETWORK (Greece)  
METADRASI (Greece)  
METHORIA LAST RIGHTS (Greece)  
NETWORK FOR CHILDREN'S RIGHTS (Greece)  
ODYSSEA (Greece)  
OMANIAE VZW ORGANISATIE (Belgium)  
OMNES (Greece)  
ORGANIZATION EARTH (Greece)  
OXFAM  
PAX CHRISTI INTERNATIONAL (Belgium)  
PHYSICIANS FOR SOCIAL RESPONSIBILITY (Finland)  
PLATFORM FOR INTERNATIONAL CO-OPERATION ON UNDOCUMENTED MIGRANTS (PICUM)  
PRAKSIS (Greece)  
RAV REPUBLICAN LAWYERS ASSOCIATION (Germany)  
RED ACOGE (Spain)  
REFUGEE LEGAL SUPPORT (RLS) (Greece)  
REFUGEE RIGHTS EUROPE (RRE)  
REFUGEE SUPPORT AEGEAN (RSA) (Greece)  
REFUGEE TRAUMA INITIATIVE (Greece)  
SAFE PASSAGE INTERNATIONAL  
SCHEDIA STIN POLI –ARTISTIC PEDAGOGIC YOUTH ORGANIZATION (Greece)  
SERVICE CIVIL INTERNATIONAL-HELLAS  
SOCIETY FOR INTERNATIONAL DEVELOPMENT (SID)  
SOLIDARITYNOW (Greece)

SOS RACISMO (Spain)  
STATE OF CONCEPT (Greece)  
STATEWATCH (UK)  
STIL-UTRECHT (Netherlands)  
SYMBIOSIS-SCHOOL OF POLITICAL STUDIES (Greece)  
SYMBOLO - ROMA NORDOVEST PER LA SINISTRA (Italy)  
SYNDICAT INTERPROFESSIONNEL DE TRAVAILLEUSES ET TRAVAILLEURS (SIT) (Switzerland)  
TEXNODROMO (Greece)  
TERRE DES HOMMES HELLAS  
THALASSA OF SOLIDARITY (Greece)  
THE DAY OF THE ENDANGERED LAWYER FOUNDATION (Netherlands)  
THE HOME PROJECT (Greece)  
THE INTERNATIONAL REFUGEE ASSISTANCE PROJECT (IRAP) (USA)  
THE ROUTES OF THE OLIVE TREE (Greece)  
THESSALONIKI PRIDE (Greece)  
THESS DICTIO – VOLUNTARY ORGANIZATIONS’ NETWORK OF THESSALONIKI (Greece)  
TRANSGENDER SUPPORT ASSOCIATION (Greece)  
VICTORIA SQUARE PROJECT (Greece)  
VLUCHTELINGEN ONDERSTEUNING SINT-NIKLAAS (Belgium)  
WORLD WITHOUT WARS AND VIOLENCE (Greece)

**PUBLIC STATEMENT – for immediate release**

**SAVE DIGNITY, SAVE PIKPA AND KARA TEPE**

**More than 160 Greek and international organizations, academics and other actors from all over Europe urge the Greek authorities to revoke decision to close dignified alternatives in accommodating refugees on Lesbos**

Athens, 30 September 2020 - We, the undersigned, call on the Minister of Migration and Asylum, Notis Mitarakis, and the local authorities of Lesbos to repeal their decision to terminate the operations of PIKPA and Kara Tepe facilities for vulnerable asylum seekers on the island of Lesbos. The authorities **should not only revoke the decision to shut down these facilities, but in this time of great need, they should further strengthen and protect all dignified alternative solutions for asylum seekers' housing and protection.**

In the last five years, PIKPA and Kara Tepe have sheltered vulnerable people escaping from the deplorable living conditions in the Reception and Identification Center (RIC) of Moria, a dangerous place where residents' health and safety was continuously in jeopardy. The decision to shut down these facilities comes only a few days after a devastating series of blazes burned camp Moria to the ground, leaving more than 12.000 women, men and children with no access to shelter, food and water.

While a new "emergency" camp has been set up on the island, which is currently hosting former residents of Moria camp, many of the signatories present on the ground report significant gaps in protection, access to electricity, water supply and sanitation, safety and security. For as long as the conditions in the RICs are undignified for human beings, alternative responses will be needed, to protect the most vulnerable. PIKPA and Kara Tepe should now by all means continue to offer accommodation and protection solutions that are appropriate, especially for the most vulnerable, including unaccompanied and separated children, single mothers, victims of torture and ill treatment, male and female survivors of gender-based and sexual violence, and people with disabilities.

PIKPA, an open, self-organised solidarity space, has provided essential services and assistance to refugees on Lesbos since 2012. In 2016, the United Nations High Commissioner for Refugees (UNHCR), awarded the Nansen Refugee Award to one of the co-founders of PIKPA, in recognition of their work saving lives and providing a safe haven for the most vulnerable during the refugee 'crisis' in 2015. Today, PIKPA hosts unaccompanied children, single mothers and persons that have suffered torture or ill treatment, as well as many people with heightened vulnerabilities. Survivors of torture and ill treatment suffer from chronic physical pain for years after their abuse, and psychological symptoms such as anxiety, depression, withdrawal and self-isolation, post traumatic stress, known as PTSD etc. PIKPA offers a dignified and safe space for the survivors who would otherwise be continuously re-traumatized in an unsafe environment.

Kara Tepe has been run by the municipality with a capacity of more than 1,000 people. It has offered humane living conditions to vulnerable asylum seekers and families that were transferred there from Moria, including single parents, people with disabilities, and many families with health problems. It has been lauded for its infrastructure and community-like atmosphere.

While it is unclear where current residents of PIKPA and Kara Tepe will be transferred, the undersigned are convinced that going to the new "emergency" camp would endanger their physical and mental health and should be avoided at all costs. In addition, PIKPA and Kara Tepe could actually take in and

better provide for the individuals who are more “at-risk” currently residing in the new Lesvos RIC. This would be especially important for people with disabilities, for example, as there are no accessible latrines in the new RIC at this time.

**We urge Greece’s national and local authorities:**

**To immediately halt the closure of PIKPA and Kara Tepe and to support and further enhance their outstanding contributions.** At the same time the authorities should seek solutions in line with human rights standards for the operation of the new temporary camp in Lesvos, pursuing the ultimate goal of its steady decongestion, and providing adequate standards in terms of safety, water, sanitation and medical assistance to all residents, until all are moved to safer and dignified accommodation conditions”.

**The signatories:**

A Buon Diritto Onlus

ActionAid Hellas

Agir pour la paix

Aid Brigade

AITIMA

Amnesty International

Anders Wachsen

ANTIGONE - Information and Documentation Centre on Racism, Ecology, Peace and Non Violence

Are You Syrious (AYS)

ARSIS - Association for the Social Support of Youth

Asociacion Pro Derechos Humanos de Andalucia (APDHA)

Asociación SINGA España

Association européenne de défense des droits de l'Homme (AEDH)

Babel Day Centre

Basta Violenza alle Frontiere

Be a Robin

Better Days

borderline-europe e.V.

Calais Action Brighton

Casetta Rossa

Catch a Smile asbl

Centre Avec asbl

Centre de formation Bienenberg  
Changemakers Lab  
Choosehumanity  
Chorleywood4Refugees  
Christian Peacemaker Teams  
Christian Peacemaker Teams Netherlands  
Church and Peace  
Coexistence and Communication in the Aegean  
Collectif de soutien de l'EHESS aux sans-papiers et aux migrant-es  
Collectif pour une terre plus humaine  
Collective Aid  
Comité de Solidarité avec le Peuple Grèce de Lyon  
Coordindora de Barrios  
CPT - Aegean Migrant Solidarity  
CRIBS International  
CRID - Centre de recherche et d'information pour le développement  
Diotima  
Danish Refugee Council (DRC)  
Defence for Children International  
Defence for Children International - Italy  
Defence for Children International - Netherlands  
Defence for Children International Greece  
Defensa de Niñas y Niños - Internacional , DNI España  
Défense des enfants International Belgique  
Député Wallon (Belgique)  
Destination Unknown campaign  
Distribute Aid  
Doctors Worldwide  
Donate4Refugees  
ECHO for Refugees  
ECHO100PLUS  
Ecological Movement of Thessaloniki  
European Institute for Progressive Cultural Policies  
ELIX - Conservation Volunteers Greece

ENAR – European Network Against Racism  
ENOUGH IS ENOUGH - rehabilitate Human Dignity  
European Women's Lobby  
Everyday, just a smile  
Fenix - Humanitarian Legal Aid  
Firetree Philanthropy  
Firetree Trust  
Fondation Danielle Mitterrand  
foodKIND  
FORGE for humanity  
Fresh Response  
Friends Of Refugees  
German Mennonite Peace Committee  
Glocal Roots  
Greek Council for Refugees  
Greek Helsinki Monitor  
Griechenland Solidaritätskomitee Köln  
Heimatstern e.V.  
Hello My Friend  
Help Refugees / Choose Love  
Herts for Refugees  
HIAS Greece  
HIGGS  
Hoffnung leben e.V., Bonn, Deutschland  
Hope and Aid Direct  
HuBB - Humans Before Borders  
Human Rights Watch  
Humanitas, Centre for Global Education and Cooperation  
Humanity Now  
HumanRights360  
Initiative for an alternative mental health  
Initiative for the Detainees' Rights  
InterEuropean Human Aid Association  
International Centre for Refugees ICERAS

International Federation of Social Workers, European Region (IFSW Europe)  
International Rescue Committee  
INTERSOS  
InterVolve  
Iride  
Jelscha Dietrich  
Jesuit Refugee Service Greece  
Khora Community Centre  
La Luna Di Vasilika ONLUS  
Latitude Adjustment Podcast  
Le Paria  
Legal Centre Lesvos  
Lesvos Solidarity  
Love Welcomes  
Make Mothers Matter  
MAMbrella  
Medecins du Monde/ Greece  
Medecins Sans Frontieres -Doctors Without Borders -MSF  
Medico International  
Melissa: Network of Migrant Women in Greece  
Mennonite Mission Network  
Mennonitisches Friedenszentrum Berlin/Mennonite Peace Center Berlin  
Migrant Voice  
Migrations Libres  
MiGreat  
Μαζί/Together/معاً  
Network for Children's Rights  
One Family-No Borders  
One Happy Family  
ONGD CEPAC-IB  
Open Cultural Center  
Organization Earth  
Owl's Watch  
Pampiraiki Support Initiative for Refugees & Migrants



Parroquia San Carlos Borromeo  
Peaceful Borders  
People in motion  
Pluspunt Netherlands  
Project Armonia  
Protestant Association for Conscientious Objectors and Peace (EAK), Germany  
Rechtsanwältin  
Refugee Aid Network Uk  
Refugee Compassion  
Refugee Education And Learning International  
Refugee Law Clinic Berlin e.V.  
Refugee Rescue  
Refugee Support Aegean ( R.S.A.)  
Refugee Support Europe  
Refugee Trauma Initiative  
Refugee Youth Service  
Refugees International  
REFUGYM  
RefuNet  
Reseau Foi & Justice Afrique Europe Antenne France  
Respekt für Griechenland e.V.  
Rethinking Refugees - Knowledge and Action  
Safe Passage UK  
SAO Association for displaced women  
Seebruecke Wuppertal  
ShowerPower Foundation  
Side by Side Refugees  
SolidarityNow  
Still I Rise  
Stop Precarite  
Support Art Workers (Greece)  
Symbiosis-School of Political Studies in Greece  
Terre des hommes Hellas  
Thalassa of Solidarity

Vasilika Moon  
Velos Youth  
Verein FAIR  
Voice Of Ezidis  
Wiltshire For Refugees  
Yoga and Sport For Refugees  
Youth for Refugees  
Youth organization "Protests"

**Also endorsed by:**

- Prof. dr. Ilse Derluyn, Centre for the Social Study of Migration and Refugees (CESSMIR), Department of Social Work and Social Pedagogy
- Vassilis Pavlopoulos , Associate Professor of Cross-Cultural Psychology - National and Kapodistrian University of Athens
- Dr. Antonello D'Elia, Presidente di Società Italiana di Psichiatria Democratica Onlus
- Hellen Gerolymatos McDonald, Licensed Clinical Social Worker, MSW, Clinical Associate Professor, University of Illinois, Urbana-Champaign, School of Social Work, U.S.A (The opinions are Hellen McDonald's and not those of the University of Illinois)
- Luciano Rondine, Settore immigrazione e inclusione sociale, Centro di prevenzione psicosociale Nodo Sankara
- Joanna Kato, chair of Human Rights & Social Responsibility Committee of the European Association for Gestalt Therapy (EAGT)
- Athina Fragkouli, President of the Board of the Society of Social Psychiatry P. Sakellaropoulos

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**Refugees in Greece: risk of homelessness and destitution for thousands during winter.**

22 December 2020

As winter closes in, thousands of refugees in Greece still face homelessness and destitution. While winter always poses a challenge, this year is likely to become one of the most challenging yet due to the ongoing pandemic, a deliberate decrease in the length of support for refugees, and the lack of a comprehensive integration strategy and strategy against homelessness from authorities.

Around 11,000 people who were granted asylum were notified amidst a global pandemic that they were going to face forced exits from apartments for vulnerable people (ESTIA), hotel rooms under the Temporary Shelter and Protection program (FILOXENIA), accommodation in camps on the islands and on the mainland. These forced exits follow a government policy where refugees are forced to 'stand on their own feet and fend for themselves' within one month after protection status is granted, resulting in an end to accommodation, access to food support, and EU funded cash assistance.

The EU-funded HELIOS Integration Support program has enrolled 22,980 refugees, but so far only 9,203 people have been able to access rental subsidies. For a great number of people it will not be possible or feasible to receive HELIOS support. Many refugees have been unable to access social rights such as a social security number (PAAYPA), a tax number (AFM) or a bank account, necessary to get a job or rent an apartment, because of bureaucratic obstacles, language barriers and discrimination. The HELIOS program provides a good start but cannot substitute a comprehensive integration strategy that takes into account that integration efforts need to start from the reception stage.

Civil society organisations are especially concerned about the many vulnerable refugees who have been forced to exit or are facing forced exits, including survivors of gender-based violence or torture, people with health issues, including mental health, or disabilities, single women and single-parent families, young adults, and people from the LGBTQ+ community. Many refugees have difficulties or are unable to become self-sufficient because of vulnerabilities or problems accessing essential services and the labour market. In the past, refugees who were asked to exit state-provided accommodation ended up sleeping rough in urban areas or did not leave accommodation out of fear of becoming homeless.

Problems with access to support and services are exacerbated for refugees in camps because of ongoing Covid-19 restrictions and the often remote locations of these sites, making it nearly impossible to search for housing, access services or find work. For many refugees in camps, food insecurity is a constant risk as cash assistance is halted within one month while those not enrolled in the HELIOS programme stop receiving food assistance. The announced transit sites for those forced to exit their accommodation only provide a band-aid solution for some refugees and only ever for a maximum of two months. This period is simply not enough for people to become independent and without proper support, the number of homeless people in cities will increase.

## **Under embargo until 22nd of December 2020 (7 am EET)**

Ultimately, there is a critical absence of a long-term sustainable strategy for integration and inclusion in Greece that results in increased homelessness and destitution for many people—of whom many are refugees. Civil society organisations call on the Greek government to:

- Urgently take pragmatic measures to ensure that refugees are not evicted during winter and an ongoing pandemic. Focussing on prevention and early intervention and equal access to public services, regarded as essential steps by the European Parliament to end homelessness.
- Present a lasting strategy for social security and integration which includes access to adequate and affordable housing, including social housing, to ensure the full and effective enjoyment of human rights, in line with the EU Action plan on Integration and Inclusion.
- Engage in regular consultation and dialogue with civil society about integration as the EU Action plan on Integration and Inclusion emphasised its necessity to achieve integration and inclusion.

Signatories:

1. Aachener Netzwerk für humanitäre Hilfe und interkulturelle Friedensarbeit e.V.
2. AASIA
3. Action for Education
4. Action for Women
5. ActionAid Hellas
6. ANTIGONE - Information and Documentation Centre on Racism, Ecology, Peace and Non Violence
7. ARSIS – Association for the Social Support of Youth
8. Better Days
9. Centre Diotima
10. Changemakers Lab
11. Choose Love
12. CRIBS International
13. Dirty Girls of Lesbos
14. DRC GREECE
15. ECHO100PLUS
16. Ecological Movement of Thessaloniki
17. Enough is Enough movement
18. Equal Rights Beyond Borders
19. Europe Must Act
20. European Federation of National Organisations Working with the Homeless (FEANTSA)
21. Faros
22. Fenix Humanitarian Legal Aid
23. foodKIND
24. Gablitz hilft- Flüchtlingshilfe

**Under embargo until 22nd of December 2020 (7 am EET)**

25. Greek Council for Refugees (GCR)
26. Greek Forum of Migrants
27. Greek Forum of Refugees
28. HERMINE e.V.
29. HIAS Greece
30. Humanity Now: Direct Refugee Relief
31. HumanRights360
32. Humans before Borders
33. Indigo Volunteers
34. Intereuropean Human Aid Association
35. International Rescue Committee (IRC)
36. INTERSOS
37. INTERSOS Hellas
38. InterVolve
39. Jesuit Refugee Service Greece
40. Lighthouse Relief (LHR)
41. Love Welcomes
42. Mare Liberum
43. Mobile Info Team
44. Network for Children's Rights
45. Odyssea
46. One Family - No Borders
47. One Happy Family
48. Project Armonia
49. ReFOCUS Media Labs
50. Refugee Education and Learning International
51. Refugee Legal Support (RLS)
52. Refugee Rights Europe (RRE)
53. Refugee Trauma Initiative
54. Refugee Youth Service
55. RefugeeEd
56. Refugees International
57. Samos Volunteers
58. SAO Association for displaced women
59. Second Tree
60. ShowerPower Foundation
61. SolidarityNow
62. Soup & Socks e.V.
63. Still I Rise
64. Symbiosis - School of Political Studies in Greece, Council of Europe Network of Schools
65. Terre des hommes Hellas
66. Thalassa of Solidarity
67. The Lava Project
68. Three Peas

**Under embargo until 22nd of December 2020 (7 am EET)**

69. UK Must Act
70. Velos Youth
71. Verein FAIR.
72. We Are Here
73. Willkommen in Nippes
74. Yoga and Sport For Refugees

## **The Pact on Migration and Asylum: to provide a fresh start and avoid past mistakes, risky elements need to be addressed and positive aspects need to be expanded**

The commitment to a more human approach to protection and the emphasis on the fact that migration is needed and positive for Europe with which the European Commission launched the Pact on Migration and Asylum is welcome. However, this rhetoric is reflected only sparsely in the related proposals. Instead of breaking with the fallacies of the EU's previous approach and offering a fresh start, the Pact risks exacerbating the focus on externalisation, deterrence, containment and return.

This initial assessment by civil society of the legislative and non-legislative proposals is guided by the following questions:

- 1) Are the proposals able to guarantee in law and in practice compliance with international and EU legal standards?
- 2) Will they contribute to a fairer sharing of responsibility for asylum in Europe and globally?
- 3) Will they work in practice?

### **Rather than automatic sharing of responsibility, the Pact introduces a more complex Dublin system (by another name) and 'return sponsorship'**

The Pact on Migration and Asylum missed the opportunity to fundamentally reform the Dublin system and the default responsibility for assessing asylum claims remains, in practice, with the first country of arrival. In addition, a complex system in which some form of solidarity is triggered has been proposed.

There are some positive additions to the criteria used to determine which Member State is responsible for examining an asylum application. For example, an expanded definition of family to include siblings, a broad range of family members in the case of unaccompanied children and the receipt of a diploma or other qualification from a Member State. However, judging by current Member State practice, it will be a challenge to overcome the first country of entry principle as the go-to option in favour of the new priority considerations, notably family reunification.

Solidarity is required of Member States in the case of a high number of people arriving ("migratory pressure") or disembarkations from search and rescue operations. The ensuing processes include a series of assessment and reports being drafted and pledges by individual Member States. If the aggregate response falls short, the European Commission can take corrective action. This looks less like a mechanism that supports predictable sharing of responsibility and more like the kind of negotiations among Member States with which we have all become too familiar. The complexity of what has been proposed raises doubts as to whether it is actually workable in practice.

Member States are allowed to provide "return sponsorship" instead of relocating people to their own territories, which suggests an equal focus on return to the focus on protection. Instead of supporting individual Member States managing a higher number of asylum applications, this proposal raises numerous human rights and legal concerns, especially should transfer to the so-called sponsor state take place after the deadline of 8 months has passed. Who will monitor the treatment of rejected asylum-seekers when they arrive in countries whose governments do not accept relocation?



## **The Pact proposes expanded use of border procedures, including increased detention**

Instead of recalibrating responsibility among EU Member States, the procedural reform proposals exacerbate the pressure on Member States at the EU's external border and countries in the Western Balkans. The Commission proposes mandatory asylum and return border procedures in certain cases, including for nationals of, or stateless residents in, countries where the average EU protection rate is below 20%. It is optional when Member States are applying Safe Third Country or Safe Country of Origin concepts. However, the Commission has previously proposed that these concepts become mandatory for Member States. NGOs reiterate the concerns about the use of Safe Third Country and First Country of Asylum concepts, which were discussed extensively between 2016 and 2019. In particular, mandatory use should not be proposed again.

The proposed border procedure is predicated on two flawed assumptions - that the majority of people arriving in Europe do not have protection needs and that assessing asylum claims can be done easily and quickly. Neither are correct. A [consideration of first and appeal decisions](#) across the EU indicates that most people claiming asylum in Europe in the last three years have received a form of protection status. In addition, the Pact should not persist with the wrongheaded approach that fast asylum procedures can be achieved by reducing safeguards and introducing a system of triage. The average length of the [asylum procedure in the Netherlands](#), often referred to as the poster child for this practice, exceeds a year and can last up to two years until a decision has been taken.

The proposal will effectively result in two standards of asylum procedures, largely determined by the country of origin of the individual concerned. This undermines the individual right to asylum and will mean that more people are subject to a second-rate procedure. Proposing that Member States should issue an asylum and return decision simultaneously without clearly specifying the requirement that important safeguards related to *non-refoulement*, best interests of the child and protection of family and private life are assessed, undermines international legal obligations. The proposal also removes the automatic suspensive effect of an appeal, i.e. the right to remain pending a decision for cases decided in the border procedure.

The suggestion that people undergoing border procedures are not considered to have formally entered the territory of the Member State is misleading, contradicts recent EU jurisprudence but does not change the individual's rights under EU and international law.

The proposal also deprives people of the possibility to access residence permits for grounds other than asylum and will likely involve detention for up to 6 months at the EU's borders, a maximum of 12 weeks for the asylum border procedure and another 12 weeks in case of a return border procedure. In addition, the reforms remove the principle that detention should only be applied as a measure of last resort in the context of border procedures. By relying on more systematic restrictions of movement in border procedures, the proposal will restrict the individual's access to basic services provided by actors who may not operate at the border, including for legal assistance and representation. The similarities in outcomes to the failed 'hotspot approach' implemented on the Greek islands are notable.

The recognition that the best interest of the child shall be a primary consideration for Member states with respect to all procedures is positive. However, the Commission lowers the protection standards for children, only exempting those who are unaccompanied or under the age of twelve from border procedures. This is in contradiction with the internationally recognised

definition of children as every person until the age of eighteen, included in the Convention on the Rights of a Child, ratified by all EU Member States.

### **In situations of crisis, Member States are allowed to derogate from important safeguards which will subject more people to substandard asylum procedures**

The concern about procedural unfairness becomes even more acute in situations where a Member State can claim that they are facing an 'exceptional situation of mass influx' or even the risk of such a situation.

When this occurs, the scope of the border procedure is significantly expanded and can be applied to all people arriving from countries where the average EU protection rate of the nationality concerned is below 75%. Both the asylum border procedure and the return border procedure can be extended for an additional eight weeks so five months each, prolonging the maximum amount of time spent in border detention to 10 months. In addition, Member States can suspend registration of asylum applications for four weeks and up to a maximum of three months. With no claim registered for weeks, people may be at risk of detention, *refoulement* and their rights to adequate reception and basic services can be severely affected.

This enables Member States to derogate from their responsibility to provide access to asylum and ensure that peoples' asylum requests are treated efficiently and fairly, and thus increases the risk of *refoulement*. From the perspective of the most extreme case of Member States acting in flagrant and persistent violation of EU law obligations, this process of requesting permission from the European Commission could be considered an improvement because currently the law is ignored without consultation of and despite criticism by the European Commission. However, this cannot be the starting point to assess proposed EU legislation. The broader impact of this will be that it opens up the possibility that the vast majority of people arriving in Europe will be subject to a second-rate procedure.

### **Screening at the border: risks and opportunities**

The Commission proposes a "pre-entry screening" process for all people who arrive at EU borders irregularly, including following disembarkation after search and rescue. The screening process includes security, health and vulnerability checks, and registration of biometric data but it also leads to decisions which relate to access to asylum including whether to apply the accelerated border procedure, relocation and return. This process can take up to 10 days, and should be carried out as close as possible to the border. Where people will be accommodated and how reception standards will be met during that time is not clear. The screening can also be applied to people inside the territory of a Member State, which could lead to an increase in discriminatory policing. Questions arise regarding access to information, the rights of people undergoing the screening, including access to a lawyer and the right to challenge the decision; the grounds for refusal of entry; and the privacy and protection of the data collected. As Member States can easily discharge their responsibilities regarding medical and vulnerability screenings, it is not clear whether related needs will be detected and acted upon.

A welcome initiative is the proposed independent monitoring of fundamental rights at the border. To ensure that this mechanism results in accountability for rights violations at the border, including the persistent use of summary removals and push-backs across a large number of Member States, it needs to be expanded beyond the screening procedure, be independent of national authorities, and involve independent organisations such as NGOs.

## **The priority of return and deportation dominates the proposal**

The overriding objective of the Pact is clear: an increase in the number of people who are returned or deported from Europe. The creation of the role of a Return Coordinator within the Commission and of a Frontex Deputy Executive Director on Returns without similar appointments on protection standards or relocation illustrate this point. Return is an accepted part of migration policy and support for dignified returns, with a preference for voluntary returns, access to return counselling, and reintegration support is important. However, investment in return is not the answer to the systematic non-compliance with asylum standards in EU Member States.

## **Nothing new on external action: unrealistic proposals which risk undermining human rights continue**

The tension between the rhetorical commitment to mutually beneficial international partnerships and the insistence on migration being at the core of the EU's relationships with third countries continues. Attempts to externalise responsibility for asylum, and to mis-use development assistance, visa schemes and other tools to pressure third countries to cooperate on migration control and readmission agreements will continue. This not only risks contradicting the EU's own commitment to development principles, but also undermining its international standing by generating mistrust and hostility from and among third countries. Furthermore, using informal agreements and security cooperation for migration control with countries such as Libya or Turkey risks enabling human rights abuses, emboldening repressive governments and creating greater instability.

## **Lack of ambition on safe and regular pathways to Europe**

An opportunity to signal that the EU is ready to contribute to responsibility sharing for protection on the international stage in the spirit of partnership with countries who are hosting the large majority of refugees was missed. Instead of proposing an ambitious refugee resettlement target, the European Commission has only invited Member States to do more and has converted Member State pledges for 2020 into a two-year scheme, resulting in a lost year for EU resettlement.

The recognition of the need to facilitate more labour migration across skills levels is welcome but the significance of labour migration for European economies and societies is not reflected in the related resources, proposals or actions.

## **Support to search and rescue and actions of solidarity need to be reinforced**

The humanitarian tragedy in the Mediterranean Sea still needs to be addressed, including for example through EU-funded and run search and rescue capacity. Search and rescue and disembarkation are included in all relevant proposals, acknowledging that there is an ongoing humanitarian crisis. However, instead of addressing the behaviour and regulations of governments to obstruct sea rescues and enabling the work of human rights defenders, the European Commission suggests that safety standards on ships and communication levels with private actors need to be monitored. It also appears to require private actors to adhere not just to laws, but also policies and practices regarding "migration management" which can potentially interfere with search and rescue obligations.

While the issuance of guidance to prevent criminalisation of humanitarian action is welcome, this is limited to acts mandated by law with a specific focus on search and rescue. This risks

leaving out humanitarian activities such as the provision of food, shelter or information conducted on land or carried out by organisations not mandated by law which are also subject to criminalisation and restrictions.

### **Promising signs for inclusion**

Proposed changes that would enable refugees to gain long-term residence after three years and strengthen the right to move and work in other Member States are positive. In addition, the revision of the Action Plan on Inclusion and Integration and the establishment of an expert group to collect views of migrants to inform EU policy is welcome.

### **The way ahead**

The presentation of the proposals is a start to what promises to be another long and conflictual period of negotiations on the EU's asylum and migration rules. While those negotiations are ongoing, it is important to recall that there is an EU asylum framework in place and that Member States have obligations under existing international and EU law.

This requires immediate action by EU policy makers, including Member States, to:

- Implement existing standards in relation to reception and asylum processes, investigate non-compliance and take necessary disciplinary measures;
- Save lives at sea, ensuring search and rescue capacity, allowing timely disembarkation and swift relocation;
- Continue to seek ad-hoc solidarity arrangements to alleviate pressure on Member States at the EU's external border and support Member States to agree to relocation.

For the upcoming negotiations on the Pact, we recommend that co-legislators:

- Reject the mandatory application of asylum or return border procedures: they are substandard procedures which reduce safeguards for applicants and increase detention. They will exacerbate the current lack of solidarity for asylum in Europe by placing more responsibility on Member States at the external border. Experience from the hotspots and similar initiatives shows that adding extra asylum procedures or tracks can create significant administrative burden and costs, and generate more inefficiency;
- Work towards the end of migration-related detention, prohibit migration-related detention of children as per the Convention on the Rights of the Child and dedicate sufficient resources to appropriate non-custodial solutions for children and their families;
- Recalibrate reform proposals to focus on maintaining and raising asylum and human rights standards in Europe, rather than return;
- Work towards proposals that fundamentally reform the way in which responsibility for people seeking asylum in Europe is organised, addressing the first country of entry principle, in order to create meaningful and predictable mechanisms for solidarity;
- Limit possibilities for Member States to derogate from responsibilities to register asylum applications or process asylum claims in order to avoid creating incentives for operating in crisis mode and for lowering asylum standards;
- Increase the safeguards during the screening procedure to ensure information is provided; access to a lawyer is ensured; health needs and vulnerabilities are detected and swiftly acted upon; and address concerns regarding registration and sharing of biometric data;

- Ensure that the monitoring mechanism for fundamental rights at borders is broad in scope to cover all fundamental rights violations at the border, truly independent from national authorities, well-resourced and that it contributes to accountability;
- Resist attempts to use development assistance, trade, investment, visa schemes, security cooperation and other policies and funding to pressure third countries into cooperation on narrowly defined EU migration control objectives;
- Evaluate the long-term impact of externalised migration policies on peace, rights and sustainable development and ensure that external migration policy is not contributing to human rights violations and is conflict sensitive;
- Significantly expand safe and regular routes to Europe by swiftly implementing current resettlement commitments, proposing ambitious new targets and increasing opportunities for protection pathways as well as for regular migration to work and study in Europe;
- Strengthen the exemptions of humanitarian action and other independent civil society activities from criminalisation and remove obstacles to civil society actors providing life-saving and other humanitarian assistance on land and at sea;
- Establish an EU-funded and run Search and Rescue Operation in the Mediterranean Sea;
- Build on the promising proposals to support inclusion through access to long-term residence and related rights and by implementing the upcoming Action Plan on Integration and Inclusion at the EU, national and local level.

## Signatories

11.11.11

AASIA

ActionAid Denmark

ActionAid Hellas

ActionAid International

ActionAid Italy

aditus foundation

Afghan Association in Sweden

Alianza por la Solidaridad-ActionAid Spain

Amnesty International

ASGI

Association for Legal Intervention (Stowarzyszenie Interwencji Prawnej), Poland

AsyLex

Asylrättscentrum/ Swedish Refugee Law Center

AWO Bundesverband

Bhutan Watch

Bulgarian Helsinki Committee

Caritas Europa

Centre for Peace Studies Zagreb

COMPASS for Refugee Youth

Conselho Português para os Refugiados – CPR (Portuguese Refugee Council)

Cyprus Refugee Council  
Danish Refugee Council (DRC)  
Der Paritätische Gesamtverband  
Deutscher Caritasverband  
Diakonie Austria  
Diakonie Deutschland  
Dutch Council for Refugees  
ECRE  
Estonian Refugee Council  
Europe Must Act  
European Evangelical Alliance  
FARR, the Swedish Network of Refugee Support Groups  
FOCSIV, Italian Federation Christian organisations international volunteering service  
Forum réfugiés-COSI  
Foundation Our Choice, Poland  
Fundacja Polskie Forum Migracyjne/ Polish Migration Forum Foundation  
Group 484  
Help Refugees/ Choose Love  
Helsinki Foundation for Human Rights  
HIAS Greece  
Homo Faber Association  
Hrvatski pravni centar/Croatian Law Centre  
Hungarian Helsinki Committee  
International Centre for Eritrean Refugees and Asylum Seekers -ICERAS  
International Rescue Committee (IRC)  
INTERSOS  
Irish Refugee Council  
Issues Without Borders  
Italian Council for Refugees/Consiglio Italiano per i Rifugiati-onlus  
JRS Europe  
Legal - Informational Centre for NGOs - PIC, Slovenia  
Lesvos Solidarity  
Mosaico azioni per i rifugiati  
Network for Children's Rights (Greece)  
NOMADA Association for Multicultural Society Integration  
Norwegian Organisation for Asylum Seekers (NOAS)  
Norwegian Refugee Council (NRC)  
Pro Asyl  
Quaker Council for European Affairs  
Refugee Party  
Refugee Rights Europe (RRE)  
Refugees International  
Saferworld  
SB Overseas

SCI Hellas

SOS Children's Villages International

Symbiosis-School of Political Studies in Greece

The International Rehabilitation Council for Torture Victims

The Swedish Syrian Association

United Against Inhumanity (UAI)

vzw NANSEN asbl

Προς  
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**Την Ευρωπαϊά Επίτροπο Μετανάστευσης και Εσωτερικών Υποθέσεων, Ylva Johansson**  
**Τον Ευρωπαϊό Αντιπρόεδρο για την προώθηση του ευρωπαϊκού τρόπου ζωής μας, Μαργαρίτη Σχοινά**  
**Την Γενική Διευθύντρια της ΓΔ Μετανάστευσης και Εσωτερικών Υποθέσεων, Monique Pariat**

CC:  
**Επικεφαλής ΔΟΜ Ελλάδας, Gianluca Rocco**  
**Διευθύντρια Ταμείων Μετανάστευσης και Ασφάλειας, DG HOME, Beate Gminder**

**03 Ιουλίου 2020**

Αγαπητέ Υπουργέ Μηταράκη,  
Αγαπητή Επίτροπε Johansson,  
Αγαπητέ Επίτροπε Σχοινά,  
Αγαπητή Γενική Διευθύντρια Pariat,

Με αυτήν την επιστολή, οι 27 υπογράφουσες οργανώσεις θα θέλαμε να συνεισφέρουμε με εποικοδομητικές προτάσεις στο ζήτημα των επερχόμενων εξόδων προσφύγων από προγράμματα στέγασης και παροχής οικονομικής βοήθειας στην Ελλάδα.

Τους τελευταίους μήνες, η ανακοίνωση του Υπουργείου Μετανάστευσης και Ασύλου για όσους εξέρχονται από χώρους διαμονής του προγράμματος ESTIA, των ξενοδοχείων του προγράμματος FILOXENIA, από τα Κέντρα Υποδοχής και Αναγνώρισης (ΚΥΤ) και από τις ανοιχτές δομές φιλοξενίας της ηπειρωτικής Ελλάδας μέχρι την 1η Ιουνίου, έχει δημιουργήσει σημαντικές ανησυχίες σχετικά με την ευημερία των προσφύγων. Επιπλέον, η κοινή υπουργική απόφαση των Υπουργείων Ανάπτυξης και Επενδύσεων και Μετανάστευσης και Ασύλου, που εκδόθηκε εν μέσω περιορισμών κυκλοφορίας λόγω του COVID-19 (ΦΕΚ 1199/7 Απριλίου 2020), προβλέπει ότι όσοι έχουν λάβει διεθνή προστασία, πρέπει να εγκαταλείψουν τη διαμονή τους μέσα σε ένα μήνα.

Αυτά τα μέτρα επηρεάζουν ήδη την επιβίωση περισσότερων από 11.000 προσφύγων που πρέπει να εγκαταλείψουν τις εγκαταστάσεις φιλοξενίας και να βρεθούν χωρίς στέγη, φαγητό ή σχολική εκπαίδευση. Από αυτούς περίπου το 30%<sup>1</sup> είναι ευάλωτοι άνδρες, γυναίκες και παιδιά, με σοβαρές ασθένειες, προχωρημένες ή επισφαλείς εγκυμοσύνες, επιζώντες βίας με βάση το φύλο ή άτομα με αιτούντες άσυλο στην οικογένειά τους που δεν μπορούν να επιτύχουν αυτάρκεια. Τα μέτρα επηρεάζουν επίσης εκείνους που ζουν σε δικό τους κατάλυμα και λαμβάνουν οικονομική βοήθεια.

Ο αριθμός αυτών που αποχωρούν είναι αρκετά χαμηλός<sup>2</sup> μέχρι στιγμής, ενώ οι πρόσφυγες αναφέρουν πως φοβούνται την πιθανότητα να επιστρέψουν σε κακές συνθήκες διαβίωσης ή να έρθουν αντιμέτωποι με την έλλειψη στέγης και φαγητού, δεδομένου ότι δεν είναι έτοιμοι να κάνουν τα επόμενα βήματα μόνοι τους. Ενώ οι επιπτώσεις αποχώρησης από τις δομές φιλοξενίας δεν είναι ακόμη γνωστές, για πολλούς που έχουν εγκαταλείψει τα ΚΥΤ για την ηπειρωτική χώρα,

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<sup>1</sup> Περίπου 30% από τους 678 πρόσφυγες που ανήκουν στην κατηγορία όσων πρέπει να αφήσουν τις εννέα δομές όπου δραστηριοποιείται η DRC.

<sup>2</sup> Οργανώσεις που εργάζονται στο πρόγραμμα ESTIA και σε δομές φιλοξενίας αναφέρουν ότι μόλις το 10-20% των υποψήφιων προς έξοδο, έχουν φύγει από τα καταλύματα.



έγινε σύντομα σαφές ότι η ανεύρεση σταθερού καταλύματος ή ακόμη και τροφής και νερού με δικά τους μέσα, δεν μπορεί να γίνει άμεσα<sup>3</sup>.

Οι περισσότεροι πρόσφυγες δεν έχουν καταφέρει μέχρι σήμερα να λάβουν αριθμό φορολογικού μητρώου ή τραπεζικό λογαριασμό, απαραίτητα και τα δύο για να βρουν δουλειά ή να νοικιάσουν ένα διαμέρισμα. Αυτό οφείλεται σε δυσκολίες γραφειοκρατικής φύσης, όπως η πιστοποίηση διεύθυνσης κατοικία τους, μια πολύ απαιτητική προϋπόθεση για τους πρόσφυγες που διαμένουν σε ανοιχτές δομές φιλοξενίας. Τα περίπλοκα διοικητικά εμπόδια μειώνουν, επίσης, τις πιθανότητες των προσφύγων για πρόσβαση σε κρατικές παροχές, όπως το Ελάχιστο Εγγυημένο Εισόδημα ή να επωφεληθούν από δημοτικά προγράμματα για άστεγους.

Δεδομένης της μεγάλης ανάγκης για υποστήριξη των προσφύγων, καλωσορίσαμε το πρόγραμμα HELIOS το 2019. Στο πρόγραμμα, το οποίο παρέχει μαθήματα γλώσσας, συμβάλλει στο κόστος ενοικίασης σπιτιού έως και δώδεκα μήνες και υποστηρίζει τις προσπάθειες των προσφύγων να βρουν ένα νέο σπίτι όταν έχουν όλα τα απαραίτητα έγγραφα, έχουν εγγραφεί μέχρι και σήμερα 9.831 άτομα<sup>4</sup>. Ωστόσο, παρά τις σημαντικές προσπάθειες του προσωπικού του HELIOS, οι περισσότεροι πρόσφυγες δεν μπόρεσαν να βρουν νέο κατάλυμα λόγω διοικητικών και κοινωνικών φραγμών, συμπεριλαμβανομένης της έλλειψης επαρκούς γνώσης της ελληνικής γλώσσας και των δημόσιων υπηρεσιών, του τεχνολογικού αναλφαριθμητισμού, της απροθυμίας των ιδιοκτητών ή ακόμη και της ξενοφοβίας, δυσκολίες που επιδείνωσε η πανδημία COVID-19. Ταυτόχρονα, εκτός από το HELIOS, υπάρχουν λίγα εναλλακτικά προγράμματα κοινωνικής υποστήριξης ή ένταξης για τους πρόσφυγες, ενώ το στάδιο υποδοχής για τους αιτούντες άσυλο μπορεί να διαρκέσει έως και τρία χρόνια.

Εξαιτίας των παραπάνω δυσκολιών, στις 29 Μαΐου<sup>5</sup> το Υπουργείο Μετανάστευσης και Ασύλου αναγνώρισε την ανάγκη επανεξέτασης του HELIOS και σύνδεσης των προσφύγων με αρμόδιες αρχές, όπως αυτές για την απασχόληση (ΟΑΕΔ) και την κοινωνική βοήθεια (ΟΠΕΚΑ). Ωστόσο, δεν έχει υπάρξει καμία ανακοίνωση για επείγοντα και μακροπρόθεσμα μέτρα για την διασφάλιση της ευημερίας και την ένταξη των αιτούντων άσυλο και προσφύγων μέχρι σήμερα.

Πιστεύουμε ότι η κατάσταση μπορεί να βελτιωθεί παρά τις πολυάριθμες δυσκολίες και ότι εστιάζοντας έγκαιρα σε βασικές πτυχές της στήριξης που χρειάζονται οι πρόσφυγες, οι κίνδυνοι για την επιβίωσή τους μπορούν να εξαλειφθούν. Στο πλαίσιο αυτό και με την ελπίδα να συνεισφέρουμε με τον πιο εποικοδομητικό τρόπο, καλούμε τις αρμόδιες αρχές να εργαστούν πάνω στα εξής:

#### **Άμεσες λύσεις για ευάλωτους πρόσφυγες που δεν μπορούν να γίνουν αυτάρκεις**

- Προτρέπει τις **ελληνικές αρχές να επεκτείνουν τη διαμονή ευάλωτων προσφύγων στις δομές φιλοξενίας**, συμπεριλαμβανομένων των ηλικιωμένων, των ατόμων με σοβαρά ιατρικά προβλήματα και των μονογονεϊκών οικογενειών, έως ότου επιτευχθεί η μετάβασή τους σε ένα βιώσιμο σχήμα.
- Προτρέπει την **Ευρωπαϊκή Επιτροπή να υποστηρίξει τους ευάλωτους πρόσφυγες με την επέκταση της οικονομικής βοήθειας και την πρόσβασή τους σε τρόφιμα**, ώστε να διασφαλιστεί ότι δεν θα κινδυνεύσει η ευημερία τους.

<sup>3</sup> <https://www.ekathimerini.com/253718/article/ekathimerini/news/migrants-evicted-from-camps-crowding-into-city-squares>

<sup>4</sup> [https://greece.iom.int/sites/default/files/HELIOS%20Factsheet\\_June%2020\\_W2%20and%20W3\\_1.pdf](https://greece.iom.int/sites/default/files/HELIOS%20Factsheet_June%2020_W2%20and%20W3_1.pdf)

<sup>5</sup> <https://mitarakis.gr/gov/migration/6153-dt-yma-apoxwrisi-prosfygwn-estia>

- Προτρέπουμε τις **ελληνικές αρχές να εργαστούν άμεσα για την άρση των γραφειοκρατικών εμποδίων** που εμποδίζουν τους αιτούντες άσυλο να λάβουν όλα τα νομικά έγγραφα που δικαιούνται, όπως αριθμό φορολογικού μητρώου, πιστοποίηση διεύθυνσης κατοικίας και τραπεζικό λογαριασμό, διασφαλίζοντας ότι η πρόσβασή τους σε όλα τα απαραίτητα έγγραφα είναι συνεχής, ξεκινώντας από το στάδιο της υποδοχής, και σε όλη την Ελλάδα.

#### **Υποστήριξη των προσφύγων προς την αυτάρκεια, από το στάδιο υποδοχής έως την έξοδο από τα προγράμματα στέγασης**

- Προτρέπουμε τις **ελληνικές αρχές και την ΕΕ να ενισχύσουν το ανθρώπινο δυναμικό στο στάδιο υποδοχής των προσφύγων**, προκειμένου να διασφαλίσουν ότι θα λάβουν την έγκαιρη και αποτελεσματική στήριξη που χρειάζονται πριν φτάσουν στην έξοδο από τα προγράμματα στέγασης.
- Προτρέπουμε τις **ελληνικές αρχές και την ΕΕ να επεκτείνουν την υποστήριξή τους πέρα από πρόσφυγες που συμμετέχουν σε προγράμματα στέγασης**, ώστε να συμπεριλάβουν και όσους μένουν σε ιδιωτικές κατοικίες και να τους παρέχουν ισότιμη υποστήριξη για την ένταξη καθώς και οικονομική βοήθεια.
- Προτρέπουμε τις **ελληνικές αρχές και την ΕΕ να ενισχύσουν στο στάδιο της υποδοχής τα προγράμματα εκμάθησης γλωσσών, ηλεκτρονικού υπολογιστή και πάνω σε υπηρεσίες απασχόλησης**, ανοίγοντας τον δρόμο για τις προσπάθειες προς την αυτάρκεια, και να διασφαλίσουν την έγκαιρη πρόσβαση σε προγράμματα μάθησης και δεξιοτήτων για όλους τους αιτούντες άσυλο και πρόσφυγες.
- Ενθαρρύνουμε θερμά τις **ελληνικές υπουργικές αρχές να εμπλέξουν τοπικούς φορείς, συμπεριλαμβανομένων ιδιωτικών, δημοτικών ή φορέων της κοινωνίας των πολιτών**, σε προσπάθειες ενίσχυσης της πρόσβασης των προσφύγων σε αγορές στέγασης και εργασίας, με τη χρήση μνημονίων και την παροχή κινήτρων.
- Προτρέπουμε τις **ελληνικές κυβερνητικές και δημοτικές αρχές να συνεργαστούν για άμεσες λύσεις στέγασης** ως το επόμενο βήμα στις εξόδους από τις δομές φιλοξενίας, σε συνδυασμό με υποστήριξη για την πρόσβαση των προσφύγων σε κοινωνικές υπηρεσίες και παροχές.

#### **Βιώσιμες λύσεις για τους πρόσφυγες στην Ελλάδα**

- Ενθαρρύνουμε θερμά τις **ελληνικές αρχές σε όλα τα επίπεδα να στηρίξουν τη διαδικασία οικοδόμησης εμπιστοσύνης μεταξύ τοπικών και προσφυγικών κοινοτήτων**, που σήμερα επωμίζεται κυρίως το προσωπικό του HELIOS και μη κυβερνητικών οργανώσεων, μέσω μακροπρόθεσμων δράσεων επικοινωνίας που βασίζονται σε κοινοτικά κίνητρα.
- Προτρέπουμε το **Υπουργείο Μετανάστευσης και Ασύλου να βελτιώσει την Εθνική Στρατηγική Ένταξης** παρέχοντας ένα σαφές σχέδιο δράσης και χρονοδιάγραμμα της εφαρμογής του, εστιάζοντας στη στέγαση και τις απαραίτητες δεξιότητες, με στόχο μια κοινωνία χωρίς αποκλεισμούς και βιώσιμες λύσεις για τους πρόσφυγες στην Ελλάδα.

Οι υπογράφουσες οργανώσεις, είμαστε πεπεισμένες ότι η βελτίωση της κατάστασης θα έχει τεράστια επίδραση στη ζωή των ανθρώπων τόσο στις προσφυγικές όσο και στις τοπικές κοινότητες, και είμαστε έτοιμες να υποστηρίξουμε αυτήν τη διαδικασία με κάθε δυνατό τρόπο στο πλαίσιο του ρόλου μας.

Παραμένουμε στη διάθεσή σας για περισσότερες πληροφορίες.

Με εκτίμηση,

**Οι υπογράφουσες οργανώσεις:** ΑΙΤΗΜΑ, Arbeiter Samariter Bund, ARSIS – Κοινωνική Οργάνωση Υποστήριξης Νέων, Δανικό Συμβούλιο για τους Πρόσφυγες (DRC), Defence for Children International Greece, ΔΙΟΤΙΜΑ, ΕΛΙΞ, Ευρωπαϊκή Ομοσπονδία Εθνικών Οργανισμών για την αστεγία (FEANTSA), Fenix - Ανθρωπιστική Νομική Βοήθεια, Ελληνικό Συμβούλιο για τους Πρόσφυγες, Ελληνικό Φόρουμ Προσφύγων (GFR), Ελληνικό Δίκτυο για το Δικαίωμα Στέγασης, Help Refugees /Choose Love, Ελληνική Πλατφόρμα Ανάπτυξης, HIAS Greece, HumanRights360, International Rescue Committee, INTERSOS Hellas, Γιατροί του Κόσμου Ελληνική Αντιπροσωπεία, ΜΕΤΑΔΡΑΣΗ, Naomi, Δίκτυο για τα δικαιώματα των παιδιών, OMNES, PRAKSIS, Refugee Rights Europe (RRE), Solidarity Now, Terre des Hommes Hellas.



## **Urgent Call to Action from Civil Society Organisations across Europe**

### **MORIA FIRES: European Governments must urgently relocate displaced individuals from Greece**

Over the past days devastating fires<sup>i</sup> burnt down the Moria Registration and Identification Center and surrounding areas, the EU Hotspot on the Greek island Lesbos. The fires have left thousands of vulnerable individuals homeless and traumatised,<sup>ii</sup> among them over 4,000 children.<sup>iii</sup>

**The undersigned organisations reiterate their call on the governments of EU Member States, with support from the European Commission,<sup>iv</sup> to urgently relocate displaced individuals from Greece.**

While we are shocked and saddened at these developments, they come as no surprise. Lesbos and the other EU Hotspots<sup>v</sup> on the Aegean islands have reached breaking point long ago.<sup>vi</sup> Moria camp is currently hosting roughly 12-13,000 displaced individuals, with an official capacity of only 2,800. These severely overcrowded camps are characterised by squalid living conditions and a severe lack of adequate sanitation or hygiene facilities, even amid the heightened health risks due to Covid-19.<sup>vii</sup> The situation in the other Greek Hotspots is similarly untenable and repeated warnings<sup>viii</sup> have remained unanswered for over four years.

#### *Relocation urgently needed*

We welcome the transfer of 406 unaccompanied children from Lesbos to the Greek mainland, with financial support from the European Commission.<sup>ix</sup> This demonstrates how swiftly transfers can be co-ordinated when the political will exists. We commend the Norwegian and Dutch governments' commitments to relocating 50<sup>x</sup> and 100<sup>xi</sup> individuals respectively, as well as the French and German governments' willingness to transfer 400 children.<sup>xii</sup> We urge further European governments to follow with concrete commitments and action without delay. The positive example set by relocations carried out by the coalition of willing Member States since March 2020<sup>xiii</sup> shows that relocations can be carried out safely and successfully for everyone involved. Member States, EU institutions, relevant EU and UN agencies with support from civil society should now share experiences, expertise and resources to ensure further states join the coalition. The undersigned organisations stand ready to support these efforts, to bring the men, women and children stranded in Greece to safety, and thereby uphold our European values of human rights and human dignity.

#### *The EU Hotspots as an EU Migration Management Approach*

The latest events prove once again the failure of the Hotspots as the default EU migration management approach. We call on the European Parliament to investigate the role that the EU and Member States played in the failed management of Moria. Moreover, we urge the European Commission, the German EU Council Presidency and Member States to treat the horrifying images of Moria burning as unequivocal proof of the tragic human cost<sup>xiv</sup> of an EU asylum and migration system based on containment and deterrence policies. We strongly recommend the European Commission to take these events into account with a view to the New Pact on Migration and Asylum, and ensure the same policies do not inform the extremely concerning proposals for 'processing centres' at EU borders. It is vital that the New Pact is taken as an opportunity to present a new start rather than a replication of past errors.

**Signed by:**

Action Aid Hellas (Faces of Migration partner)  
Ambrela Slovakia (Faces of Migration partner)  
ASGI  
BPID Bulgaria (Faces of Migration partner)  
Caritas Europa  
Caritas Hellas  
Caritas Slovakia  
Češi Pomáhají (Czech Republic)  
Child Circle  
Consortium of Migrants Assisting NGOs (Czech Republic)  
COSPE Onlus  
Danish Refugee Council (DRC)  
Defence for Children International  
Defence for Children International – Belgium  
Defence for Children International - Greece  
Defence for Children International – Italia  
Destination Unknown  
Diaconia ECCB (Faces of Migration partner)  
Diakonie Austria  
Dutch Council for Refugees  
Dynamo International – Street Workers Network  
Echo100Plus  
Eurochild  
Eurodiaconia  
Europe Must Act  
European Lawyers in Lesvos  
European Network on Statelessness  
Fenix Humanitarian Legal Aid  
FOCSIV - Italian Federation of Christian NGOs Italy (Faces of Migration partner)  
GCAP Belgium (Faces of Migration partner)  
Global Call to Action Against Poverty (GCAP) Europe  
Greek Council for Refugees (GCR)  
Help Refugees  
Human Rights League Slovakia  
ICMC Europe  
Immigrant Council of Ireland  
International Child Development Initiatives (NL)  
International Rescue Committee (IRC)  
INTERSOS  
Kids in Need of Defense (KIND)  
Kopin  
Lighthouse Relief (LHR)  
LUMOS Foundation  
Mareena Country Slovakia  
Médecins du Monde Belgique  
Médecins du Monde – France  
Minority Rights Group International  
Missing Children Europe  
Mokosha NGO Centre  
Movimento per l'Autosviluppo, l'Interscambio e la Solidarietà (MAIS) (Italy)  
Nadácia Milana Šimečku (Slovakia)

Network for Children's Rights  
One Happy Family Lesvos  
ONGD Plataforma Portuguesa  
Organization Mondiale pour l'Éducation Préscolaire/ World Organization for Early Childhood Education  
Oxfam  
PAX  
Pax Christi Vlaanderen  
PICUM  
Plate-Forme Mineurs en Exil - Platform Kinderen op de Vlucht  
Povod Slovenia (Faces of Migration partner)  
Refugee Legal Support (RLS)  
Refugee Youth Service  
Slovak Humanitarian Council PRAKIS  
Solidarity Now  
SOS Villages Greece  
Still I Rise  
Terre des Hommes Hellas  
Terre des Hommes International Federation  
Velos Youth  
Vluchtelingenwerk Vlaanderen  
Women's Refugee Commission

## References

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- <sup>i</sup> [Al Jazeera](#), 9 September 2020
- <sup>ii</sup> [CNN](#), 9 September 2020
- <sup>iii</sup> [UNCHR](#) and [Council of Europe](#), 9 September 2020
- <sup>iv</sup> Together with relevant EU and UN agencies and in cooperation with civil society organisations.
- <sup>v</sup> [UNHCR](#), 31 August 2018
- <sup>vi</sup> [Amnesty International](#), 6 December 2018 ; see also: [Call to Action](#) by Civil society organisations, March 2020
- <sup>vii</sup> [MSF](#), 30 July 2020
- <sup>viii</sup> [HRW](#), 19 March 2016
- <sup>ix</sup> [Ekathimerini](#), 9 September 2020
- <sup>x</sup> [Dpa-international](#), 9 September 2020
- <sup>xi</sup> [NLTimes.NL](#), 11 September 2020
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