

# Input by civil society to the 2022 Asylum Report

Fields marked with \* are mandatory.

D e a r

C o l l e a g u e s ,

The production of the *Asylum Report 2022* is currently underway. The annual [Asylum Report series](#) present a comprehensive overview of developments in the field of asylum at the regional and national levels.

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 2021 (and early 2022) by topic as presented in the online survey.

Please note that the 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 some of the sections.

All submissions are publicly accessible. For transparency, 2022 contributions will be published on the EUAA webpage. For reference, contributions to the 2021 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 Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

Your input matters to us and will be much appreciated!

\*Please complete the online survey and submit your contribution to the 2022 Asylum Report by **Monday, 21 February 2022**.\*

[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 2021 and new or remaining challenges; and
- Changes in policies or practices, transposition of legislation or institutional changes during 2021.

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)**

## Difficulties or non-access to the asylum process in mainland

In practice, access to the asylum procedure for persons who are located in the mainland and have not been officially recognized as "vulnerable cases" required up to almost the end of 2021 a prior communication with the Asylum Service via Skype at specified days and times per week, depending on the mother tongue of the person concerned. However, access to asylum via Skype has worked with very negative results, often creating huge delays or even leading to a complete lack of access. In particular, the effort to connect to the Asylum Service via Skype was often taking even more than 1 year or 14 months (<https://www.humanrights360.org/lives-on-hold-access-to-asylum-on-mainland-greece-crete-and-rhodes/>) . As a result, people were remaining in the country without legal documents for extended periods of time and without access to support or access to vital services that asylum seekers are generally entitled to. Furthermore, they were remaining in constant risk of being detaineeed or even returned to a country where their lives are in danger. Still, the ineffectiveness of accessing asylum via Skype often exposed people to an increased risk of exploitation and the long-term impact on people's physical and mental health has often been devastating.

Moreover, certain languages (eg Turkish) were not included at all in the Skype schedule, leaving as only option to the persons concerned the arrangement of an appointment through email, which was either remained unanswered or was answered after a long period of time.

But further than that in December 2021, with a circular of the Ministry of Migration and Asylum as it was complemented by the clarifications of the Head of the Asylum Service, for which we were informed only after the publication of a relevant article on an online newspaper (!) ([https://www.efsyn.gr/politiki/kybernisi/320667\\_atakti-ypohorisi-toy-ypoyrgeioy-metanasteysis-gia-nisia-kai-ebro](https://www.efsyn.gr/politiki/kybernisi/320667_atakti-ypohorisi-toy-ypoyrgeioy-metanasteysis-gia-nisia-kai-ebro)) , it was decided that the Asylum Offices operating in mainland will no longer proceed with the registration of asylum applications of persons that had not passed through Reception & Identification Procedures upon their arrival in Greece (on the islands or land borders), while the possibility of scheduling an appointment via skype is interrupted (excluding subsequent asylum applications). On the contrary, this quite large population that tries for months to make an appointment with the Asylum Offices in mainland to register their asylum application will be informed about the possibility of submitting an asylum application only at certain entry points in the country (in islands or land borders) or at certain camps in mainland. It is noted that since then every scheduled registration does not take place while the certain camp in the mainland to which the interested persons can turn have not yet been officially indicated, thus extending their stay in the country without legal documents.

Additionally, we have to mention that in 2021, the arrivals at Evros borders were 4.826. These numbers are a proof of the extent of the state practice of illegal pushbacks. The practice of police and judicial authorities of prosecuting and sanctioning the offense of illegal entry continues.

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

## 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)



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

In May 2021 a family reunification application that HR360 team submitted, was approved by the Dublin Unit of Switzerland and the unaccompanied minor from Afganistan was anticipated to be reunified with his stepbrother in Switzerland. The application was approved only a few days after its submission. Moreover, one female UASC, whose case had been assigned to our team, applied for family reunification and had her request accepted by the Switzerland Dublin Unit within a very short period of time. The UASC has been placed to a shelter and departed from RIC so as to travel to Switzerland in the middle of December 2021.

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

During the last months of 2021, arrivals at Evros land borders were slightly decreased due to the bad weather conditions, the constant push backs and the strict deterrent measures applied at borders, yet, the total number of asylum seekers crossing Evros land borders in 2021, has overcome the total number of sea arrivals. <http://data2.unhcr.org/en/situations/mediterranean/location/5179> last updated 31.12.2021

According to Dr Pavlos Pavlidis, Associate Professor of Forensic Medicine and Toxicology at DUTH, during 2021 51 people, died in Evros region in their attempt to cross the borders, number slightly increased compared to 2020. The leading causes of the death are drowning, hypothermia and car accidents. 90% of the people are men, aged 18-25, while lately it has been noted an increase to Afghan citizens. From October to December 2021, the number of arrests in Evros region has been slightly decreased and almost 800 people, among whom 100 UASC arrived at the RIC of Fylakio. During the first half of 2021, 1395 arrivals were recorded within the RIC, of which 131 UASC, with a gradual increase in arrivals in the second quarter of 2021 and a significant increase in the arrivals of UASC in May and June 2021, when the capacity of the RIC amounted to 278 persons, among them 81 UASC. By the end of December 2021 approximately 120 people were detained at the PRDC of Orestiada, under a pre-RIC status and 244 people at the RIC, among whom 43 UASC.

The restrictive measures due to COVID-19 within the Fylakio RIC, create issues of lack of space, which implies the accumulation of new entrants at the Border Patrol Departments (BPD), but also at PRDC Orestiada, considering that the latter has been operating, as a pre-RIC place of stay for 3-4 weeks, until the newcomers are gradually transferred to the RIC, since its reopening on 14.05.2021 after a reconstruction period. Thus, the Direction of the RIC prioritizes all requests by the BPD, regarding vulnerable beneficiaries and UASC, but only gradually accepts the rest of the arrivals by the PRDC. All new arrivals undergo a rapid test and follow a 14-day quarantine if not vaccinated. During November 2021 Vaccination against Covid-19 had been conducted by the NHPO team for a total of 36 individuals at the PRDC of Orestiada, with single dose vaccine, after the issuance of Provisional Insurance and Health Care Number. This decision rose concerns, regarding the fact that the PRDC functions as a pre-RIC placement and these people had not yet been officially registered by the RIC.

It is worth mentioning, that in an arrival of Turkish asylum-seekers in the middle of March 2021, the strictness of the local authorities was observed, since an administrative fine of 150 euros had been imposed for not wearing a mask inside a car during their arrest by the Border Guard Unit of Sapes, because of the violation of articles 2 and 6 of the Joint Ministerial Decision 71342 – Government Gazette 4899/B/6-11-2020. The short deadline of five (5) working days for objections against the submission of the fine (article 9 of the Joint Ministerial Decision 71342 – Government Gazette 4899/B/6-11-2020) and the 14-day quarantine in which they were confined within the RIC made their access to legal aid impossible, in order to officially object regarding the fine.

The multiple sentencing decisions for Greece and the pending appeals before the ECtHR regarding the illegal detention of minors and the legislative abolition of the protective custody of UASC, have put pressure on the competent authorities in speeding up RIC and asylum procedures and have led to a faster placement of UASC in appropriate shelters by the Special Secretariat for UASC, as precisely defined by law. Actors have intervened effectively so as to avoid any circumvention of the fundamental rights of minors in the context of this acceleration and the general pressure exerted on the administration of the RIC, safeguarding with their presence the best interests of the minors and their legal representation. It is worth to mention, that a delay has been recently observed regarding the placement of UASC, due to funding issues of the actor that is responsible of the transfers, causing severe consequences on the mentality of the UASC.

Moreover, the transfer from the RIC to detention in PRDC is a reality, with the latest example of a minor who, although placed by prosecutorial order in a shelter, became an adult and instead of being released or transferred to another structure, was taken as a detainee to PRDC of Xanthi. After the intervention of HumanRights 360, due to his vulnerability and as newly turned adult, he was placed by the Reception and Identification Service in an accommodation facility.

**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)**

Labor market

During the pandemic, March 2020, until the end of June 2021, the protection measures as well as the characteristics of the PAAYPA number, led to problems related to access to the labor market but also to health care as asylum seekers, to a large extent, passed the whole pandemic with inactive PAAYPA. Initially, the PAYPAA granting process entailed technical difficulties that led to long delays. At that time, the Asylum Service had suspended the renewal of the cards of the applicants for international protection and the latter were automatically renewed on the basis of successive Joint Ministerial Decisions. (Ministerial Decisions N. 7330/2020, 18602/2020 and N.156 of Law 4764/2020 and N. 123 of Law 4790/2021)

However, these extensions were not written on the applicants' cards or in any system; this resulted in the cards seeming to be expired and PAAYPA being deactivated. Subsequently, asylum seekers were practically excluded from the right of access to the labor market and health care, as described in MD 717/20, even if they were formally entitled to them; also individuals couldn't renew their job contracts at the Ergani online system.

On June 30, 2021, the automatic renewals of the International Protection Applicants' Cards ceased and not all asylum seekers managed to renew their cards by that date.

Finally, the new type of asylum card does not provide for the possibility of indicating the word "access to work", as provided in MD 717/20. This omission could cast doubt on whether the right of access to the labor market is active and creates additional administrative barriers for asylum seekers. It is noted that according to law 4825/2021 the cards will have a duration of one year instead of the 6 months that were valid until recently.

Health care

In the same way, the untimely issuance of PAAYPA for asylum seekers who previously had AMKA, as well as the absence of a transitional period for card renewals after the end of June 2021, made several people vulnerable, without documents, which would safeguard their access to medical care. At the same time, the overburdening that existed at the time (and to a large extent continues to exist) in the public health system due to the pandemic, made it almost impossible for them to access any public health structure, even hospital emergency departments or municipal clinics, many of whom had drastically reduced their services.

Challenges with PAAYPA have created barriers to accessing the COVID-19 vaccination platform. In the absence of AMKA and active PAYPAA, it was impossible for asylum seekers living outside the Accommodation Centers (camps) to make an appointment for their vaccination. In theory, this issue could be addressed with the introduction of PAMKA, the Provisional Social Security Number. In practice, even the PAMKA issuance process had several technical difficulties in the first months. As for COVID-19 vaccination operations in accommodation structures, they started 6 months later compared to the general population, on June 3, 2021. Ministry of Migration and Asylum, 'Initiation of vaccination for asylum seekers in the islands and the mainland', June 3, 2021, <https://rb.gy/s6itsu>

Regarding the PAAYPA number, the main obstacles are related to the connection of the number with the expiration of the applicant's card as well as the non-automatic renewal of the PAAYPA along with the asylum seeker's card during the pandemic. Regarding the first part, it has recently been voted with article 21 of law 4825/2021 to extend the duration of the asylum seeker's card from 6 to 12 months, at which time the obstacles are expected to be mitigated as the applicants will have more time. Regarding the second part, in case of re-institutionalization of measures to deal with the coronavirus pandemic, it is proposed, in parallel with the automatic renewal of the cards, the automatic renewal of the PAAYPA number so that they do not lose access to the labor market, health care and insurance.

## Cash Assistance Programme

Governmental decisions on providing cash assistance only to asylum seekers who have been accommodated either in Open Accommodation Facilities or at the ESTIA programme. Self-accommodated persons have been excluded from the cash assistance programme. Moreover, UNHCR handed over the cash assistance programme to the Ministry of Asylum and Migration and a gap of 3,5 months has been created (15/09/2021 – 31/12/2021). During that time, only refugee camp residents have been supported with daily meals. Persons residing in ESTIA apartments had no official support. New bank cards started being distributed from the 20th December . <https://migration.gov.gr/en/ris2/filoxenia-aitoynton-asylo/>

## **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)**

In general, the maintenance of a very strict deterrence policy aiming to the prevention of the entry of refugees and migrants into the country at all costs , the significant worsening of the already difficult living conditions of refugees and migrants, the adoption of a policy of extensive and indiscriminate administrative detention without any priority to the implementation of alternatives to detention, the quite worrying border control policies that are in place and the growing testimonies of illegal deportations in Turkey, as well as the focusing to a strict return policy at the time when the new EU Pact on Migration and Asylum is still under negotiations, are expected to lead to the rapid increase of people without legal documents, who will suffer extreme poverty with no access even to vital services and without any prospect of legalization in the country. The Prime Minister for the 40km fence stated that Greece had increased "the level of deterrence at our borders to the maximum", with security personnel deployed to the Evros land border.)

As for Police Stations, it is indicative to report the case of an Afghan single man who had been detained in a Police Station in Attica for over 3 months without being able to apply for asylum despite his daily requests, which eventually became possible only after HumanRights360's persistent intervention with the Police authorities. Specifically, the Police Officer was refusing to register the willingness of the person to apply for asylum and only after the communication with Attica Directorate for Aliens they finally proceeded with the registration. The person was finally released after having spent more than 4 months in detention in a completely unsuitable Police Station. HR360 had an unofficial discussion with the competent authorities, to demonstrate the magnitude of the problem and the contradiction with the legislation according to which the asylum procedure for detainees is of high priority. In fact, due to overcrowding in the Police Stations, the detainees are often moved from one Police Station to another, which makes it very difficult for NGOs or even private lawyers to communicate with them mainly for their legal cases, since it is often impossible to locate them, as in the Police Stations the use of the personal mobile phones is not allowed.

On the other hand, the dramatic consequences of long-term detention and severe lack of access to even basic services were deafeningly reflected in the death of two detainees at the pre-Removal Detention Centers of Korinthos and Kos at late March 2021. In the first case a 24-year-old man who had already remained in administrative detention for 16 months committed suicide after the new decision to extend his detention, while in the second case a male detainee died helpless in the detention center as he was in pain for days asking to be taken to the hospital, however without any result. For these incidents, HR360 made a relevant public post on social media, immediately requesting a) the limitation of the maximum detention time limits, b) the adoption of individualized assessment tools for each case before the imposition of detention always after considering the possibility of applying alternatives to detention, c) decent detention conditions and d) the minimize of stay of detainees in Police Stations . <https://www.facebook.com/HumanRights360org/photos/a.924140451085013/1829178637247852/>

Furthermore, as regards UAMs, following the abolition of the law provision for protective custody, Greece launched a national tracing and protection mechanism for UAMs in precarious conditions. Specifically, the Special Secretary for the Protection of UAMs of the Ministry of Migration and Asylum and UNHCR, launched a Mechanism to rapidly identify UAMs who are homeless or living in insecure conditions and transfer them to safe accommodation in the country. The Mechanism includes a 24/7 telephone hotline for identifying and tracing children in need available in six languages and provides guidance to children, citizens, local and public authorities on steps and actions to be taken from the point of identification of an unaccompanied child until his/her timely inclusion in emergency accommodation . According to official data, till January 2022, the hotline received 2.336 calls, concerning 1.815 different cases of accompanying minors, of which 1.764 concerned housing applications . However, it is still uncertain how effective this mechanism has become up to date, since still there are UAMs remaining in Pre-Removal Detention Centers till their transfer to suitable facilities, but certainly it is an encouraging development.

<https://www.unhcr.org/gr/en/18899-greece-launches-national-tracing-and-protection-mechanism-for-unaccompanied-children-in-precarious-conditions.html>

[https://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\\_2022/GR\\_EKKA\\_Dashboard\\_20220201.pdf](https://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_2022/GR_EKKA_Dashboard_20220201.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)**

1. During the years 2021-2022, the list of safe countries of origin has been expanded two times. Consequently, the international protection applications are examined according to fast-track procedures of the 83 of Law 4636/2019. In 2021, Pakistan, Bangladesh has been included in the list of safe third countries of origin, while in 2022, Egypt, Benin and Nepal were also added. The list today includes a total of 17 countries. <https://www.kodiko.gr/nomothesia/document/572171/nomos-4636-2019>

On February, 15th 2022, Egypt has been added to the latest Joint Ministerial Decision on safe countries. However, as regards Egypt, the sources about the anti-democratic, authoritarian nature of the regime, the forced disappearances, extrajudicial executions, persecutions of political prisoners, are many and prove that it cannot be included in the list of safe countries. <https://www.ecoi.net/en/document/2066548.html>

The implementation of these joint ministerial decisions does not only mean the application of international protection applicants to questionable quality asylum procedures for the examination of international protection claims. In practice, the practice of the administration is to revoke or not to renew the refugee status granted seven years ago precisely because of the designation of the country of origin as safe.

2. On 7. 6. 2021 Turkey is rated by a joint ministerial decision of the Minister of Migration and Asylum and the Deputy Foreign Minister as a safe third country, for applicants for international protection from Syria, Afghanistan, Pakistan, Bangladesh, Somalia. Greece is the second country after Hungary to recognize Turkey as a “safe third country” which is indicative of its political orientation. The JMC does not even mention any exceptions and there is no possibility to ask for clarifications regarding its application provided to lawyers and applicants for international protection. Its application, although defined in the JMC on 7.6.2021, is essentially retroactive as it applies to those applicants for international protection who are in Greece and have not yet undergone an interview, i.e., the largest percentage, given that the pandemic delayed a high number of interviews. <https://migration.gov.gr/en/asfali-triti-chora-charaktirizei-gia-proti-fora-i-elliniki-nomothesia-tin-toyrkia-afora-aitoyntes-asylo-apo-syria-afganistan-pakistan-mpagklantes-kai-somalia/> , <https://www.efsyn.gr/node/297421>

Furthermore, Turkey does not accept readmissions from Greece on its territory and the EU-Turkey Statement is not any more in force since March 2020. Given that, this development along with the above-mentioned JMD, a significant number of potential beneficiaries of international protection are in Greece in a state of legal insecurity (limbo), deprivation of rights, inhuman and degrading treatment.

Additionally, another JMD provides in the current list of safe third countries (article 86 of Law 4636/2019) the inclusion of Albania and Northern Macedonia, for applicants for international protection who have entered the Greek territory illegally from the border with Albania or the North Macedonia.

These unilateral Joint Ministerial Decisions aim to legitimize the continuous and systematic violation of the principle of non-refoulement and the practice of the pushbacks

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

(i) Notifications of the rejection decisions: the Law (par.3 of the article 82 of the Law 4636/2019) provides for the notifications of the rejection decisions the option for being notified to the Director of the competent Reception and Identification Center or Accommodation facilities where the applicants reside. However, this is provided only as the last resort, in cases where the applicant cannot be reached by any way (by phone, email etc). But despite this provision, there have been reported a lot of cases, mostly, in North Greece that the rejected decision have been notified fictitiously, without even trying to find the applicant. This practice of the administration finally results in the deadlines for filing an appeal and an application for annulment being missed, depriving the asylum seekers of their right to an effective appeal. [https://www.kodiko.gr/nomothesia/document/572171/nomos-4636-2019#Αρθρο\\_82|572535](https://www.kodiko.gr/nomothesia/document/572171/nomos-4636-2019#Αρθρο_82|572535)

(ii) Second subsequent asylum applications. The second subsequent applications are a reality, given the gaps, the lack of procedural guarantees in the examination of international protection claims, especially in the border asylum procedures in the islands. Two issues arise:

1. The non-registration of second subsequent applications. For months, the Asylum Service has been tacitly denying to proceed even with the registration of second subsequent applications especially in the Northeast Aegean islands.
2. According to article 89 par.10 of Law 4636/2019 for the submission of any subsequent application after the first, the applicant should pay a fee, of one hundred (100) euros per application. In fact, according to article 23 of the instructions of the Administration, the fee of 100 euros is imposed on each member of the family who applies for a second subsequent asylum application <https://www.kodiko.gr/nomothesia/document/572171/nomos-4636-2019>  
<https://www.nomotelia.gr/photos/File/395448-21.pdf>

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

## **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)**

The provision of article 43 of Law 4760/2020 regarding the abolishment of protective custody does not clarify the legal status of UASC, who are currently present at the RIC of Fylakio until their placement to a suitable shelter. It was observed an acceleration in the procedures of placement and transfer of UASC from RIC compared to the previous period in which UASC remained for several months under “protective custody”. However, the immediate reference to appropriate accommodation facilities has not yet been achieved.

The Main challenges within the Fylakio RIC continued to be:

(a) the implementation of the Joint Ministerial Decision (JMD) 42799/2021 - Government Gazette 2425/B/7-6-2021, according to which Turkey has been designated as a safe country for asylum seekers from Syria, Afghanistan, Pakistan, Bangladesh and Somalia, which significantly accelerated the procedures and arose many important problematics. <https://www.e-nomothesia.gr/kat-allodapoi/prosphuges-politiko-asulo/koine-upourgike-apophase-42799-2021.html>

Family reunification and relocation cases, UASC under the age of 15 and juvenile victims of torture are excluded from the application of this JMC. In case it is judged by the RAO that the applicant enjoys adequate protection from the third country its readmission to Turkey is ordered. This decision may be appealed before the Appeals Authority, usually within 10/20 days. Most of the applicants for whom a decision of inadmissibility is issued, are transferred for further detention to the PRDC of Xanthi and Drama. In cases of Syrian applicants, who as a rule after the completion of their interview before the Asylum Unit of Fylakio are released, the notification of the decision of inadmissibility on their application, is carried out by the director of the RIC on the same day in which the notification of the decision on non-detention is carried out by the Orestiada Police Directorate. The problematic with this practice is that the deadline for filing an appeal starts from the day after the notification, at which point the applicants who are released will have to appear at the nearest RAO to file the Deed of Submission of the Appeal.

(b) the Joint Ministerial decision 9889/2020 Government Gazette 3390/B/13-8-2020 concerning the determination of the minority of third-country nationals or stateless persons entering the country without meeting the legal formalities. The limited, however erroneous application of the JMC by the competent authorities with all the problems that arise, lead to a degradation of the presumption of minority while the doubts persist (article 1 par. 11) and inevitably to the circumvention of the best interest of the minor applicants. The main reasons for the appeals against these decisions are indicatively: the arbitrary raising of doubts about the minority, the lack of training of the health professionals, the non-exhaustion of the mandatory successive stages provided by law and the lack of reasoning for the decision ascertaining the age, the presentation of an original document from the country of origin. For the success of the above appeals, however, it is necessary to present official identification documents or legally drawn up travel documents from the countries of origin, as according to par. 12 of article 1 of JMD 9889/2020, the submission of such documents removes the doubt about the establishment of minors. In this case, however, the problematic of the obligation to present documents from the country of persecution of an asylum seeker arises, but also the extreme difficulty of collecting and presenting official identification documents or legally drawn up travel documents from countries of origin, within such a short legal deadline for the appeal.

(c) the absence of a stable guardianship program, creating significant issues and deficits in the representation of UASC, bringing back severe gaps on the application of the RIC and Asylum procedures. Following the discontinuation of METAdrasi's guardianship network for UASC in 2020, important issues arose, such as the lack of legal representation of UASC under the age of 15 during the registration procedures. In view of the serious gap that was created, in January 2021 the resumption of the program was announced and the placement of two guardians in the RIC of Fylakio for six months started, with the possibility of a single extension of three additional months, until August 2021, when the program was officially ceased.

In view of the significant gap created, by the absence of a system of guardianship for UASC since August 2021, METAdrasi sent on a mission an Authorized Representative to the RIC in October 2021 to register the UASC under 15 years of age. The Authorized Representative had taken over Thessaloniki and Evros as her points of responsibility and would visit the RIC of Fylakio twice a month, in order to make mass registrations of UASC under 15 years of age.

**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)**

## Housing

The main integration program for beneficiaries of international protection is the Helios program, which is implemented by the International Organization for Migration (IOM). This program provides support to beneficiaries for their autonomous housing through an allowance for 12 months. Eligible for the program are the beneficiaries of international protection who resided in an official state structure (in an open accommodation structure, Reception and Identification Center (RIC), hotel or apartment under the ESTIA program), at the time of service of the decision on the asylum application. That is, refugees who as asylum seekers lived independently in the urban fabric using the financial aid or having found a job, cannot join the Helios program in general and therefore cannot enroll in the relevant Greek language courses. The available data show that from summer 2019 until November 2021, 15,928 beneficiaries of international protection have benefited from the housing allowance of Helios, nationwide. During the same period, more than 68,000 people were recognized as beneficiaries of international protection.

At the same time, HumanRights360's Social Integration Service has found that finding a home is often a complex affair for beneficiaries of international protection. Beneficiaries of international protection have 30 days to benefit from housing support without being left homeless. This is due to two provisions. First, since March 2020, asylum seekers residing in the accommodation structures of the Ministry of Migration and Asylum have 30 days to leave the structures or apartments, from the day they are served with the positive or negative decision on their asylum application. An extension of two months is foreseen in some vulnerable cases. Secondly, in order to start the support of the beneficiaries of international protection through the rent allowance, they are required to have found a suitable home, to have entered into a contract registered in the TAXISnet application, which will last at least 6 months and to have a Greek bank account other than the one in which they received the financial aid. This means that if they do not manage to find a home during this time, they are in danger of becoming homeless.

In the absence of sufficient knowledge of the Greek language, the beneficiaries are unable to communicate satisfactorily with the apartment owners. In addition, they face discrimination from apartment owners who in some cases do not want to rent to refugees. Finally, in urban areas such as Athens, rents are high, which already makes housing quite difficult for the general population.

Homelessness - or, in other words, precarious housing conditions - in the transition between the two programs can take several months. It is noted that for the recognized refugees there is no possibility of housing in the transitional accommodation structures of the municipalities both due to the absence of interpretation services and due to lack of places. HumanRights360 highlighted this dimension in its action report in support of people living on the streets, noting that 25% of the beneficiaries of the program were recognized refugees.

IOM, 'HELIOS Factsheet November 2021', <https://greece.iom.int/sites/greece/files/HELIOS%20Factsheet%20November%202021%20W2.pdf>.

Ministry of Migration and Asylum, 'Information Note of October 2021', access date 18 November 2021, <https://bit.ly/3wZoQFp>

Article 111 of Law 4674/2020

Article 6 of the Joint Ministerial Decision N. 13348/2020

IOM, 'Project Regulations Handbook', access date 5 October 2021, [https://greece.iom.int/sites/greece/files/Project%20Regulations%20Handbook\\_ENGLISH\\_Sept\\_updated.pdf](https://greece.iom.int/sites/greece/files/Project%20Regulations%20Handbook_ENGLISH_Sept_updated.pdf).

'Thousands of refugees at risk of homelessness and deprivation this winter', 22 December 2020, <https://bit.ly/3FgErnH>.

Street lawyering project completed nine months of supporting homeless people (HumanRights360, 27 April 2021).

## 13. Return of former applicants for international protection

Having in mind that the EU Pact on Migration and Asylum, even if not voted by the European Parliament, has begun to be implemented in practice in Greece through various legislative procedures (we refer in particular to Law 4825/2021 (Government Gazette A 157 / 4.9 .2021) entitled "Reform of expulsion and return procedures of third country nationals, attraction of investors and digital nomads, issues of residence permits and procedures for granting international protection, provisions in the competence of the Ministry of Migration and Asylum and the Ministry of Civil Protection and other urgent provisions". This law introduces provisions that are consistent with the orientation to detention and expulsions / returns. <https://www.humanrights360.org/el/i-katapatisi-ton-dikaiomaton-ton-prosfygon-stin-ellada-y-po-to-prisma-tis-evropaikis-symfonias-gia-to-asylo-kai-ti-metanastefsis-palevontas-me-to-skotadi/> , <https://www.kodiko.gr/nomothesia/document/744954/nomos-4825-2021>

Specifically, according to articles 2 and 22 of Law 4825/2021, an attempt is made to "unify" the concepts of return / expulsion and to provide for an issuance of an expulsion decision against persons who fall under the status of asylum seeker. It is worth noting that asylum seekers always fall within the scope of the Returns Directive and therefore it is not possible to issue an expulsion decision against them (Law 3386/2005), but only a return decision (Law 3907/2011). This provision is extremely problematic because, for new entrants to the islands and Evros without the legal formalities, their inclusion in reception and identification procedures is provided (no. 14, par. 1 L. 4375/2016, no. 39, par. 1 Law 4636/2019), while the issuance of expulsion decisions against them would lead, among other things, to the circumvention by the administration of the fundamental guarantees provided by Law 4636/2019 to asylum seekers until the completion of their asylum procedure and would put them at risk of pushbacks or collective expulsions. [https://www.kodiko.gr/nomothesia/document/744954/nomos-4825-2021#%CE%86%CF%81%CE%B8%CF%81%CE%BF\\_2|744963](https://www.kodiko.gr/nomothesia/document/744954/nomos-4825-2021#%CE%86%CF%81%CE%B8%CF%81%CE%BF_2|744963)

[https://www.kodiko.gr/nomothesia/document/744954/nomos-4825-2021#%CE%86%CF%81%CE%B8%CF%81%CE%BF\\_22|745001](https://www.kodiko.gr/nomothesia/document/744954/nomos-4825-2021#%CE%86%CF%81%CE%B8%CF%81%CE%BF_22|745001)

Article 28 of Law 4825/2021 limits the categories of reception, identification and accommodation structures of par. 4 of article 8 of Law 4375/2016 from six (6) to three (3) and in particular to the Reception and Identification Centers (RIC), the Reception Structures and the Closed Monitored Structures "which are structured and have the functions of the RIC of the first category and in which, in separate areas, temporary accommodation facilities and special detention facilities of article 31 of law 3907/2011 (A' 7) operate. Within the perimeter of the area, where the Regional Services of this paragraph are located, there are separate areas with appropriate specifications for the stay of third country nationals or stateless persons belonging to the vulnerable groups of par. 8 of article 14". This provision raises concerns about the conversion of all accommodation structures into closed monitored structures with detention centers included in them, which will also fall under the responsibility of the Ministry of Citizen Protection and the Greek Police with possible tightening and diversification of the purpose from an integration process to a prolonged detention.

<https://www.kodiko.gr/nomothesia/document/744954/nomos-4825-2021>

[https://www.kodiko.gr/nomothesia/document/129081/nomos-3907-2011#%CE%86%CF%81%CE%B8%CF%81%CE%BF\\_31|129257](https://www.kodiko.gr/nomothesia/document/129081/nomos-3907-2011#%CE%86%CF%81%CE%B8%CF%81%CE%BF_31|129257)

#### **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)**

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

**17. Other important developments in 2021**

According to the article 40 of Law 4825/2021 , rescue at sea by members of humanitarian organizations is criminalized. For the legal rescue of people at risk at sea, the organizations are required to be registered in the "Register of Greek and Foreign Non-Governmental Organizations (NGOs)" of article 58 of Law 4686 /2020 (A '169), which is kept at the Ministry of Migration and Asylum and respectively their members, employees and associates to be registered in the "Register of Members of Non-Governmental Organizations (NGOs)" of par. 2 of article 191 of law 4662/2020 (A '27), to act under the orders and instructions of the port authorities-provided that the action of the Greek Coast Guard is not possible-and having previously received written approval from the Port Authorities ". It is obvious that this provision provides for the criminalization of the act of rescuing people at sea and, in essence, imposes its prohibition.

[https://www.kodiko.gr/nomothesia/document/744954/nomos-4825-2021#%CE%86%CF%81%CE%B8%CF%81%CE%BF\\_40|745026](https://www.kodiko.gr/nomothesia/document/744954/nomos-4825-2021#%CE%86%CF%81%CE%B8%CF%81%CE%BF_40|745026)

## References and sources

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

Links given in every question.

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

Please use both emails below for contact.

Please upload your file

The maximum file size is 1 MB

## Contact details

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

## Useful links

[EASO Asylum Report 2021 \(https://euaa.europa.eu/easo-asylum-report-2021\)](https://euaa.europa.eu/easo-asylum-report-2021)

[Executive Summary -EASO Asylum Report 2021 \(https://euaa.europa.eu/executive-summary-asylum-report-2021\)](https://euaa.europa.eu/executive-summary-asylum-report-2021)

[Bibliography for the EASO Asylum Report 2021 \(https://euaa.europa.eu/sites/default/files/EASO\\_Asylum\\_Report\\_2021-Bibliography.pdf\)](https://euaa.europa.eu/sites/default/files/EASO_Asylum_Report_2021-Bibliography.pdf)

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

[National asylum developments database \(https://euaa.europa.eu/national-asylum-developments-database\)](https://euaa.europa.eu/national-asylum-developments-database)

[EASO Asylum Report 2021 Key Findings \(https://euaa.europa.eu/sites/default/files/key\\_findings.pdf\)](https://euaa.europa.eu/sites/default/files/key_findings.pdf)

[EU+ and Country Data \(https://euaa.europa.eu/sites/default/files/europe-country-data-2020.pdf\)](https://euaa.europa.eu/sites/default/files/europe-country-data-2020.pdf)

## Background Documents

[Input by civil society to the 2022 Asylum Report.docx](#)



## Contact

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