



# Input by civil society to the 2022 Asylum Report

Dear Colleagues,

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 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. Do not include information that goes beyond the thematic focus of each section or is not related to recent developments

## 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)**

In September 2021 a new provision of law came into force following the adoption of the new Law no. 4825/2021 concerning the second subsequent asylum applications. More specifically, Article 23 stipulates the submission of 100-euro administrative fee for every second subsequent application for international protection. Pending the issuance of a relative Joint Ministerial Decision and waiting new instructions on the procedure for payment of the fee, Asylum Service stopped to register second subsequent asylum requests since September 2021. The Asylum Service for many months refused to register second subsequent requests from PoCs. METAdrasi lawyers sent requests to the RAO of Lesbos, asking the Administration to register the subsequent requests on a priority basis. Especially, there were a lot of pending cases of citizens from Afghanistan, who wanted to register second subsequent asylum applications as the security situation in Afghanistan changed dramatically since August 2021. Moreover, the lawyers filed a petition with the Ombudsman pointing out that due to the RAO's refusal to proceed with registration, their beneficiaries had been placed in a state of complete precariousness and are living in inhuman and degrading conditions due to the deactivation of the PAAYPA and the consequent inability to access medical care and due to the non-provision of financial assistance to them, coupled with the fact that they lack any other resource and income to enable them to survive. The Ombudsman intervened in the cases, pointing out that METAdrasi's beneficiaries (most of them Afghanistan nationals) were among the cases for which priority registration and examination of the applications is provided for under Art. 87 and 89 of Law 4636/2019. The Ombudsman also pointed out with regard to the obligations to ensure suitable and adequate reception conditions for applicants under Directive 2013/33/EU, set out in the relevant Art. 55 v. 4636/2019 that material reception conditions may be provided in kind or in the form of





financial assistance and ensure applicants an adequate standard of living which guarantees their subsistence and protects their physical and mental health, with due regard for human dignity. In particular, for the needs of health care and access to health services, the aforementioned Article provides that applicants shall be allocated a temporary foreigner's insurance and health care number, which shall be issued at the same time as the number indicated on the special card for applicants for international protection, shall correspond to it and shall remain active throughout the examination of the application for international protection. The Ombudsman also stressed the fact that, although there is a provision for interrupting or limiting material reception conditions in certain cases, including in the event of a subsequent application, this is only applicable following a reasoned decision by the competent receiving authority, taken on an individual and objective basis. In the assessment and weighing of proportionality, in accordance with Art. 20 of Directive 2013/33/EU, that competent authority shall take into account the personal situation of the persons concerned, in particular if they are vulnerable persons. However, even if a decision is taken, the restriction or interruption may not in any event affect the applicants' access to healthcare and may not render it impossible for the applicants to have access to basic means to ensure a decent standard of living. Finally, the Ombudsman found that METAdrasi beneficiaries, due to the unlawful refusal of the Administration to register their applications, have been for a long time in an undue inability to access the asylum procedure and inability to be subject to the reception conditions required to ensure them a decent standard of living, which is not justified on the basis that the RAO was awaiting instructions from the headquarters.

In February 2022 the Asylum Service started eventually to register second subsequent applications for international protection. However, a large number of applicants cannot have access to asylum procedures as they cannot afford the said administrative fee of 100 euro per applicant. It should be noted that many of them have increased needs for international protection as they are nationals from Afghanistan and Syria. What is more, this new provision concerns persons whose asylum claims had been unlawfully dismissed as inadmissible regarding the safe-third country concept even though readmissions of rejected asylum seekers from Greece to Turkey have been suspended for almost two years, from March 2020 to present. In this respect, European Commission already indicated to the Greek authorities that *"the unconditional application of a EUR 100 fee for second subsequent applications raises issues in terms of effective access to the asylum procedure"*<sup>1</sup>.

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

Challenges to access to proper and effective legal assistance remain due to the accelerated border procedure in the five Aegean Islands (Lesvos, Chios, Samos, Kos, Leros). In practice, due to the extremely fast-paced procedure, applicants rarely have access to a lawyer before the interview at first instance. Indicatively, with regard to new arrivals at the five Aegean Islands, their asylum application registrations are completed on the same day as the quarantine period ends and their interviews are scheduled directly.

Moreover, severe challenges to the proper provision of legal aid services remain also due to lack of cooperation on behalf of the authorities (AS, RIS and Police) and other actors ( i.e., EUAA) especially with regards to information on appeals submitted, obstacles in terms of access and exercise of the right to appeal within the set deadlines, delays of provision of access to lawyers to the files of the AS/RIS etc,

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<sup>1</sup> E-005103/2021, The European Commission has received targeted written question from the European Parliament regarding this issue.





arbitrary and differentiated per location administrative practices demonstrated as to the treatment of vulnerable cases, systemic deficiencies in vulnerability assessment mechanisms.

Furthermore, malfunctions of the Registry of Lawyers of the Asylum Service continued, limiting the right of the applicants to an effective remedy. Indicatively, in 2021, the RAO in Kos island where a Pre-Removal Detention Center is also operating – failed to appoint a Lawyer from the Registry to all the applicants whose applications have been rejected at first instance. As a result, many of them lose their access to the re-examination of their applications at second instance in violation to their right for an effective remedy and free legal aid. Moreover, it has been observed that due to the short deadlines of the appeal procedure, but also due to delays and lack of organization of the Asylum Service, the Lawyers of the Registry of Asylum Service often are not able to make an appointment with the appellant before the submission of the appeal. As a result, in some cases, the legal representation seems to be poor and fragmented. Often the appellants do not have any information about the procedure at second instance and about their submitted appeals as they cannot come in contact with the appointed lawyers. Therefore, taking also into consideration that providers of individualized legal aid in the asylum procedures are very limited, gaps in the provision of free and effective legal aid services remain huge.

A large number of applicants who have proceeded to various locations in the mainland, either following lifting of their geographical restriction or irregularly, need to receive legal aid and follow-up on the spot, lack of which remains a significant gap in the provision of legal aid in the Greek mainland.

On a final note, Law 4554/18 on Guardianship remains unimplemented, while there is no provision for the establishment of a new Law any time soon. As a consequence, after August 2021 (i.e., termination of the program ‘Representation Services to Unaccompanied Minors’) METAdrasi continues with own resources the operation of a small network of Guardians mainly at the entry points (Evros, Lesvos, Samos, Chios, Kos), and in the mainland (Athens and Thessaloniki) in order to cover -as much as possible- the legal needs of unaccompanied minors. However, it is to be noted that many unaccompanied minors are left without representation before the authorities and thus, do not receive full information on the asylum procedure and on the progress of their asylum claim. Furthermore, in many instances there is no Guardian to support minors for their interviews and to accompany them during the process. In case of negative asylum decision, unaccompanied minors are not in a position to easily request legal support for lodging an appeal. Finally, without the presence of a Guardian, it is very likely that the deadlines for family reunification through the Dublin III procedure will be missed.

### **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)**

As of 2020, METAdrasi has launched a 24/7 interpretation line, which provide interpretation in 43 languages / dialects to all Public Bodies (Hospitals, EODY, Health centers, the Ministry of Migration and Asylum, the Police), to CSOs, etc., with the aim of facilitating their communication with applicants of international protection. In 2021 the Line was expanded to include provision of interpretation to the Special Secretary for Unaccompanied Minors (SSPUAM), and to the National Emergency Response Mechanism that support homeless minors.

In addition, in the context of preventing the spread of covid-19 METAdrasi upgraded and increased the use of its teleconferencing system operated through tablet devices, which were allocated to METAdrasi's interpreters.





A significant gap continues to exist in the provision of quality of interpretation services provided by private companies. More specifically, since 2020 that RIS has been the competent authority for the registration of asylum claims, the poor quality of interpretation services provided have further impacted the quality of the asylum procedure. In addition, there have been serious reports on violations of the Code of Ethics for interpreters (i.e., sexual harassment, bad behavior towards refugees). METAdrasi submitted relevant reports to EUAA for some very serious incidents (involved private companies' interpreters were immediately dismissed). It is essential to designate credible interpretation providers that ensure qualitative interpretation services and effective supervision in the field.

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

Member States continue to reject unaccompanied minors Dublin Reunification cases without substantial arguments. This has created an important bureaucratic burden towards the Greek Dublin Unit and also to NGOs which -with limited human and financial resources- struggle for months to support obviously eligible cases. The lack of a sufficient number of Guardians has further deteriorated the situation. In light of the above, many unaccompanied children are left without any support for their reunification cases, miss deadlines and eventually lose their right for family reunification.

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

In 2021 (and early 2022) challenges remain regarding the processing of cases of Syrian nationals whose international protection claims were examined and rejected as inadmissible on the basis of a safe third country, **even though readmissions of rejected asylum seekers from Greece to Turkey have stopped taking place for almost two years, from March 2020 to date.** Following the adoption of the Joint Ministerial Decision number 42799 of 3rd June 2021 (Government Gazette issue 2425 B'), establishing a national list of safe third countries with the inclusion of Turkey as a safe third country for nationals of Syria, Afghanistan, Pakistan, Bangladesh and Somalia, the problem has been extended to nationals of these countries.

In line with article 38 par. 4 of EU Directive 2013/32/EU, article 86 par. 5 of L. 4636/2019 provides that, in cases where a third country does not permit the applicant to enter its territory, his/her application shall be examined on the merits by the competent Decision-Making Authorities. **However, until now, all the competent decision-making authorities have refused to apply this provision and to examine these cases on the merits.**

In this context, in all such cases undertaken by METAdrasi, lawyers intervened (at all stages of the asylum procedure) and asked the competent authorities to examine their beneficiaries' applications on the merits under article 86 par. 5 of L. 4636/2019 and European Directive provisions, given the fact that Turkish authorities have suspended for an indefinite time period return operations from Greece and up to date the Turkish side has not replied to the Greek requests for readmissions under the EU-Turkey statement.





Only in one case represented by Metatarsi's Lawyers, that of a Somali woman located in Kos island, the 21st Independent Committee of the Appeals Authority decided to annul the first-instance decision by judging that, if during the examination of an asylum application it is certain, (based on the practice that one country follows either generally, either towards certain categories of people, or towards a person individually) that this country will not accept the applicant to its territory, whereas it is neither possible nor likely that its attitude will change in the near future, then it must be held that the relevant application may not be rejected as inadmissible on the ground that the country in question constitutes a 'safe third country' for that applicant, even if that country fulfils the substantive criteria set out in Article 38 of Directive 2013/32/EU and Article 86 of Law 4636/2019.

In the vast majority of all other cases, the competent decision-making authorities - both at first and second-instance examination' procedures - did not even reply to the above request submitted, concerning the examination on the merits under the provision of article 86 par. 5 of L. 4636/2019. Only in few cases pending at second instance, the said request was discussed, but rejected on the unjustified ground that the several-months suspension of the readmission operations was considered as "temporary" by the said Appeals' Committee. Moreover, in some cases the said Appeals' Committee did not respond to the request, considering that the provision of article 86 par. 5 L. 4636/2019 should be applied at another stage of the procedure, i.e., after the final, second-instance rejection of the application as inadmissible and after Turkey's refusal to readmit the person of concern. In this context, in some cases where second-instance negative decisions on admissibility on the grounds of "safe third country" or "first country of asylum" concept were notified to Syrian nationals, METAdrasi lawyers have lodged again applications before the respective Appeals' Committees, requesting a re-examination of such cases on the merits in accordance with article 86 par. 5. All those applications were rejected because the said Appeals' Committee declared itself (without a convincing justification) not competent to consider such a request.

**As a result, a serious humanitarian issue has emerged since these persons, being left in a legal limbo for a long and indefinite time period, are excluded from international protection status as well as from access to basic amenities (such as shelter, food and water provision, hygiene conditions, etc.), from receiving financial allowance and from the enjoyment of their social rights as asylum seekers (access to free medical and pharmaceutical care, access to employment and social benefits). Kindly also see some positive developments on the issue at section 7.**

## **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)**

There are many gaps concerning the integration of recognized refugees. Apart from the limited access to public services and benefits, 2021 was also marked by the problematic distribution of Cash Assistance to PoCs which, combined with the lack of housing created a dire situation where an increased number of refugees live in precarious and/or homelessness conditions. It is to be noted, that there are no specific measures to support vulnerable groups. METAdrasi, as a response to the problem created with own recourses the first 'Dormitory for Homeless Unaccompanied Minors' in Greece (April 2021).





Towards the end of 2021, METAdrasi through EU funding and in cooperation with UNHCR started the provision of Greek language courses to adult beneficiaries on the island, which has also been a very positive development in terms of promoting pre-integration.

Finally, concerning access to the labor market, METAdrasi provides -with own recourses- support to refugees and asylum seekers, during the last four years. During 2021, a significant rise on job offers was noted which could not be fulfilled from refugees and asylum seekers due to language barriers and/or lack of necessary documents to enable them to open a bank account (METAdrasi sent relevant reports to the Greek Ombudsman, as well as to Greek banks).

#### **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)**

Unlawful administrative detention of rejected applicants for international protection remains, even though there is no longer a reasonable prospect of removal. In this respect, two Syrians citizens were released after filing objections before the Rhodes Administrative Court of First Instance. METAdrasi's lawyers argued before the Court that the detention of their beneficiaries lacks legal basis and violates Article 5 para. 1 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, as the execution of the decision on their readmission to Turkey is impracticable, because the readmission to Turkey has been suspended since 16.3.2020 and for an indefinite period of time, which is still in force, while the competent Greek authorities have not taken any action for the execution of the readmission decisions. In support of the case, METAdrasi's lawyers presented before the Court the answers of the Director of the Migration Management Directorate of the Hellenic Police Headquarters, from the content of which it emerged that the readmission operations in Turkey have been suspended by the Turkish authorities on 16.3.2020 and, since then, there has been no relevant planning. The court granted the request of the objections on the basis of Article 30 para. 4 of Law 3907/2011 which provides that, when it becomes evident that there is no longer a reasonable prospect of removal for legal or other reasons, the detention is lifted and the third-country national is immediately dismissed. Nevertheless, at the end of October 2021, a positive development took place: an issuance of an unofficial directive towards the Asylum Service to examine at first instance, all the asylum applications which, under the EU-Turkey statement, have been rejected as 'inadmissible' 12 month earlier (not fulfilling the last criterion). This positive initiative helped many Syrians -detained for more than two years- to finally have their claims for international protection examined. Unfortunately, this unofficial measure is only implemented for the examination of the claim at first instance.

Detention conditions of applicants did not allow for access to effective reception and identification or asylum procedures. In such cases, legal representation by lawyers during first instance asylum procedures had noticeable positive results in access to vulnerability assessment mechanism, legal representation during their oral interview on first instance and challenging their detention as asylum seekers.

#### **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, decision-making, timeframes, case management - including backlog management)**







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

Procedural and substantial obstacles prevent applicants from exercising the right to an effective remedy; among others, the applicant is required to cite specific reasons for appealing, a requirement that cannot be fulfilled without the provision of legal support. Thus, in conjunction with the operational deficiencies of Registry of lawyers by the Asylum Service for the provision of free legal aid to asylum seekers at the second instance, a lot of applicants are under the risk not to have access to right to an effective remedy.

Furthermore, Laws 4636/2019 and 4686/2020 are describing the obligation of the applicant to personally appear before the Independent Appeals Committee at the day of the examination of their appeal even if they have not been called for an oral hearing. Particularly for those applicants who live in Reception and Identification Centers, a confirmation or “proof of their residence” by the Director of (Reception and Identification Centers) RiC is required instead of the obligation of “in-person appear”, and for those cases that have received restrictions on their movement or are obliged to stay in a specific location, the applicant is required to submit confirmation by the competent Police station or Citizens Service Centre (KEP). Moreover, Law 4686/2020 sets also another one necessary condition, and in particular, the date of the “proof of residence” should not be more than three (3) days (2 days in some cases) from the hearing of the appeal. On this basis, a number of Appeal Committees - in infringement of the right to an effective remedy - have rejected appeals as “manifestly unfounded” without examining on the substance the respective appeals.

## **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)**

Systemic deficiencies in prompt and efficient vulnerability assessment continued, especially regarding the recognition and rehabilitation provision to victims of torture. As a result, applications of vulnerable asylum seekers’ - whose RICs failed to diagnose their vulnerability - are not benefiting by the procedural and substantial guarantees that should be granted.

Especially regarding the recognition of victims of torture, according to art. 61 L. 4636/2019 (which transposes Article 25 of Directive 2013/33 / EU) “Victims of torture, rape or other serious acts of violence shall be certified with a medical certificate by a public hospital, military hospital or suitably trained public health service providers, including medical examiners...”. Nevertheless, public hospitals are not in the position to assume this responsibility, because they do not have a specialised service operating for the certification of victims of torture. It is also important to note that according to the Directive 2013/33/EU the bodies of certification must be independent and impartial. Since 2010 METAdrasi has led the process of identifying and certifying survivors of torture within Greece. Since 2011, an interdisciplinary team consisting of social workers, doctors, psychologists, and lawyers examine all cases referred to the







programme. METAdrasi bases its torture certification procedure on the Istanbul Protocol, a set of international guidelines which define the procedures necessary to conduct the effective investigation and documentation of torture allegations. Nevertheless, METAdrasi due to lack of funding can cover only a limited number of victims of torture. During 2021, METAdrasi provided a two-day seminar to the RIS (80 participants), to the Asylum Service (30 participants), and to Civil Society Organizations and Institution Bodies (103 participants) in order to increase their capacity to identify obvious cases of victims of torture and to refer to METAdrasi only the difficult cases.

Moreover, contribution of METAdrasi lawyers was crucial in cases concerning alleged minors (especially in detention in PRDC in Kos Island), providing them legal support before RAO and intervening to initiate age assessment procedures, submitting respective reports to the child's ombudsman, and challenging the detention.

A positive development for the next years could be the reinforcement of cooperation between a local NGO with long experience in certifying victims of torture and EUAA in order to be able to timely identify and certify alleged victims of torture.

Regarding the age assessment procedures and the alleged minors, a judicial application for annulment was discussed before Three-Member Administrative Court of Second Instance of Piraeus regarding a pending case of an Afghan national, judicially represented by the programme in previous years. In this case, the Court Decision annulled the second-instance Appeal's Authority negative decision, because the statutory procedures for age assessment were not followed and there were doubts about the age of the applicant in conjunction, that the respective authorities did not consider the presumption in favour of minors, i.e., that the applicant should have been treated as minor from the moment doubts arose regarding his 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)**

There is a great need to: a) extend the HELIOS program to asylum seekers, b) create vocational training opportunities for PoCs and especially for unaccompanied minors adapted to their needs, and c) provide equal rights to refugees in accordance to the Geneva Convention.

## **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)**





In March 2020, the Commission initiated the Voluntary Relocation of unaccompanied minors from Greece to other European countries. The scheme concerns the relocation of unaccompanied children and children with severe medical conditions and other vulnerabilities with their families from Greece to other Member State. The relocation exercise is still ongoing and will continue until March 2022, since the initial pledges for the relocation of 1.600 minors have not yet been met. So far, 1.193 unaccompanied children have been relocated to other European countries.

METAdrasi, as a main partner of EUAA and UNHCR has provided vital support in the implementation of the scheme. More specifically, METAdrasi Guardians were all mobilized from the beginning to provide recommendations to the Best Interest Assessment Reports and be present in all BIA interviews (METAdrasi Guardians participated in 1574 BIA interviews) and Security interviews (METAdrasi Guardians participated in 275 Security interviews) for all unaccompanied children. METAdrasi's Guardians also provided assistance in locating minors and collecting necessary documents in collaboration with the competent authorities.

METAdrasi Accompaniment Support Department also supports the Voluntary Relocation exercise by transferring eligible minors from various locations across Greece to designated Transit Hubs in the mainland. So far, the Accompaniment Support Department has transferred 1,385 minors for relocation purposes.

Finally, during 2022, METAdrasi plans to issue a report with lessons learned and proposals for improvement of the relocation exercise.

## **16. National jurisprudence on international protection in 2021 (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**

During 2021 challenges continue to emerge due to the extensive spread of Coronavirus (COVID-19) in Greece resulting Greek authorities to maintain precautionary measures. Ministerial Decisions on restriction of movement for residents of "hotspot" because of Covid-19 pandemic continue to be under force, even though the restriction of movement reduced further the already limited access of asylum seekers to basic services and medical care, when conditions inside RICs makes social distancing impossible and asylum seekers still do not have access to enough water, sanitation, and hygiene products.

In light of the above, during the reporting period, it was observed asylum seekers on Islands to be arbitrarily and unlawful fined for violating the restriction of movement that was imposed due to COVID-19. In most cases the represented PoCs have the required by the law certifications of movement on the island and were nonetheless fined. All the administrative fines were imposed by the police authorities without explaining to the asylum seekers and international protection beneficiaries the reasons why they were imposed in a language they could not understand.

Especially in the case of asylum seekers who entered the Greek territory through the island of Chios, it





was observed in many cases that the police authorities, imposed fines of 5,000 each for violation of the entry requirements in order to limit the spread of the COVID-19. The Ombudsman, following a report submitted by METAdrasi, issued a finding according to which the above cases, do not concern travelers, nor seafarers, but third country nationals or even stateless persons entering the country in order to apply for international protection in accordance with international, EU and national law on the protection of human rights. The Ombudsman stressed that among the above persons there may be asylum seekers with increased protection needs who require special protection. In addition, the Ombudsman pointed out that in order to protect public health and tackle the pandemic, the relevant regulatory framework provides for the adoption of specific measures, such as the imposition of a 14-day health restriction and preventive quarantine on newcomers to Greece without the legal formalities and that the necessary instructions have been given by the National Public Health Organization. The current regulatory framework is considered to cover the purposes of the adoption of measures against the spread of coronavirus, whereas the imposition of an administrative fine on persons who are presumed to be beneficiaries of international protection and who may be in need of specific procedural safeguards may lead to a breach of general principles of administrative law, in particular those of good administration and leniency.

On a final note, it is important to mention the various problems that refugees and asylum seekers faced during the COVID-19 pandemic regarding their access to vaccination procedures, such as language communication problems, difficulties in accessing the internet, lack of knowledge of procedures and lack of necessary legal documents. METAdrasi, responding to this challenge operate since August 2021 and with own recourses a Vaccination Helpdesk that provide support to third-country nationals, wherever they reside in Greece, in getting vaccinated against COVID-19. The helpdesk offers them personalized assistance, in a language that they can understand (with support from METAdrasi's Interpretation Department), for every step of the procedure, until they are fully vaccinated and obtain their vaccination certificate. METAdrasi's Vaccination Helpdesk also plays a crucial role in documenting the various issues that beneficiaries face during the process and that impede their access to services (i.e., lack of legal papers, long delays in PAMKA activation, various bureaucratic issues) -leading in 16% of the beneficiaries not being able to get vaccinated-, and in further advocating for facilitated and simplified access to vaccination services for third-country nationals. For more information, kindly see links on section 18.

## References and sources

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

[The results from the operation of the METAdrasi helpdesk and the new Joint Ministerial Decision - Metadrasi.org](#)

[METAdrasi's specialized helpdesk service: Helping refugees and migrants have equal access to Covid-19 vaccination - Metadrasi.org](#)

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





## Contact details

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

