

# 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)**

Access to the asylum procedure on mainland Greece has been severely restricted throughout the year, concluding with a major overhaul of the asylum system in late November 2021.

Before 22nd November 2021 people seeking asylum on mainland Greece and the islands of Crete and Rhodes had to let the Greek Asylum Service know they want to apply for asylum before they can actually apply for asylum. People within this geographical area were subject to a two stage registration process with immense delays. The initial stage, which is known as pre-registration, was the first time that someone's need for international protection was known to and formally recorded by the Greek state. For the vast majority of people whose national languages were available, the only way to inform the Greek authorities of their will to apply for asylum was by calling via the telecommunications application, Skype. They then had to lodge their application, by appearing in person for full registration. Until a person's asylum application was made (or pre-registered), they had no legal basis for their stay in Greece. This left already vulnerable individuals without any support, in dangerous and inhumane situations. People were forced to remain in Greece without the essential paperwork needed to prove their legal basis to be in the state. Whilst people are undocumented, despite their best efforts to enter the asylum system, they are at immense risk of detention, deportation and pushbacks by the Greek authorities and have no access to healthcare, shelter, food or other reception services. Mobile Info Team found that people were experiencing delays of up to 14 months to connect with the Asylum Service via Skype.

On 22nd November 2021 the Greek Government announced major changes in access to asylum for people seeking safety on mainland Greece, Crete and Rhodes. This policy saw the termination of the Skype system for the registration of first instance asylum claims. Instead, people seeking safety will now need to go to two reception centres on the mainland of Greece. However, such centres are not yet operational, meaning that there has been no access to asylum for the majority of people on mainland Greece, Crete and Rhodes since 22 November 2021. Temporarily blocking access to asylum not only leaves people in need of protection at risk, undocumented and destitute, it also violates national and international law. Despite people theoretically being able to register an asylum claim at Fylakio Reception and Identification Centre, in practice this is not a safe or viable option: the centre has room for just 282 people and is often full or overcrowded. For people who arrive to islands outside of the Aegean sea, for example on Crete which is in the Mediterranean, the journey to Fylakio would be more than 1,300 km. People who enter Greece often know that there is a possibility they will be pushed back to Turkey, having either been pushed back previously themselves, or due to knowledge of the high numbers of pushbacks that occur. In 2021 the Border Violence Monitoring Network reported a total of 68 pushbacks from Greece to Turkey affecting approximately 5,471 people.

An increasing number of people have been entering Greece via the mainland over the past six years with 2021 being the first year that more people entered Greece via the mainland than the sea (53%). Mobile Info Team's projected impact analysis forecasts that Greece would need to register between 30,160 and 44,000 people annually on the mainland alone. This policy change will therefore undoubtedly have a significant impact on the lives of tens of thousands of people seeking safety in Europe.

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

Access to asylum is dependent upon correct and comprehensive information in a language people can understand. Yet, Mobile Info Team's findings revealed that up to one in six people in need of international protection in Greece do not know how to access the asylum procedure. People seeking asylum experienced prolonged delays in lodging their asylum claim due to the inefficiency of the Skype procedure. Yet, a lack of information, misinformation and an ever-changing system caused further unnecessary delays for many people. Incomplete information provided by the State caused people to look elsewhere for a thorough understanding of the asylum process and how to lodge their claim. Prerequisites of the Skype system, which include an understanding of technology, literacy and the ability to find the correct Skype ID and timeslot, require further information and understanding that many people struggle to obtain. Sources of information that are not verified or may be outdated, add further delays and confusion to people's asylum journeys. ways people find out about skype Our research revealed that the majority of people find out about the asylum process from other people seeking asylum. 22 of the 25 people Mobile Info Team spoke to in their Lives on Hold report found out about the Skype procedure from the refugee community. Those who researched online, relied on information given in Facebook groups by people in the refugee community. Just 8% of people Mobile Info Team spoke with got information that was likely to be up to date or verified as it came from state actors or NGOs operating in Greece.

The recast Asylum Procedures Directive outlines states actors responsibilities to ensure people seeking international protection have access to the information they need to enter the asylum system, this includes not only the Greek Asylum Service but also the police. In particular it notes that officials who first come into contact with people seeking asylum should be able to supply them with "relevant information as to where and how applications for international protection may be lodged". Despite official's obligation to provide people with relevant information, conversations with people seeking asylum revealed that the information given was insufficient or withheld entirely. Only one person Mobile Info Team spoke with received information on how to access asylum from state officials. Many people spoken to who sought information from the police were often detained for anywhere between a few hours to multiple months. They were released with a police decision to voluntarily leave the country in a time frame between 7 – 30 days, or in case of a strong vulnerability with a certificate of non-removal which stops any deportation procedures for a time frame of 6 months. However, people had no information about what this document was or any information as to how to enter the asylum system. Mobile Info Team discovered many instances of people asking what their documents were, or of people asking when their interview would be as they believed the police had registered them.

There were also instances of police signposting people to seemingly random services such as passport offices, telling people to ask the Asylum Service or simply refusing to give any information. The Working Group on Arbitrary Detention was similarly informed in 2019 that police give no information to detainees on their right to apply for asylum or the asylum procedure.

NGOs operational throughout Greece attempt to fill in the information gap from the state by providing complete and comprehensive information in a range of languages. Yet their ability to provide assistance and information on the asylum system is limited due to inadequate resources and capacity compared to the high levels of need. Many of those we spoke with spent months going from organisation to organisation in search of information. Despite a range of NGOs providing essential information to people seeking asylum across Greece, just 4% of people Mobile Info Team spoke with found out about how to claim asylum from organisations.

### **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)**

Provision of interpretation services remains a key concern on mainland Greece. The Skype pre-registration system was available in 18 languages, yet key languages such as Turkish were not available. In addition to this, Mobile Info Team encountered frequent reports of people calling at the correct time for their language yet upon connecting to the Greek Asylum Service there was no interpreter available.

Since the termination of the Skype pre-registration system many people have been forced to attempt to book an appointment to register their asylum claims by turning up in person to Regional Asylum Offices or Units. Mobile Info Team has encountered numerous examples of people being turned away with their requests or questions unanswered due to a lack of interpretation available.

Additionally, the only Reception and Identification Centre currently operational on mainland Greece, Fylakio Reception and Identification Centre is often ill-equipped with regards to essential services, including interpretation. Mobile Info Team has encountered numerous cases throughout the past year of people being released from the centre who are unaware at what stage they are in the asylum process due to a lack of explanation in a language they can understand. Of serious concern, are cases wherein people have been released with paperwork they do not understand. Upon Mobile Info Team's translation of this paperwork it has been revealed that certain individuals have been charged with illegal entry and an accompanying suspended sentence, yet the individuals themselves were unaware of this charge.

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

In 2021 people's Dublin applications were put at risk due to a contract failure by the Greek administration. In the period between January 2021 and March 2021 there was no travel contractor in place in Greece as a new agreement could not be reached in time to take over from the previous flight contractor. According to information by the Greek Dublin Unit the deadline to transfer applicants in accordance with Art. 29 of the Dublin Regulation had missed for around 90 cases, of whom around 40 should have been transferred to Germany. Mobile Info Team has been in contact with 7 cases who haven't been transferred inside the foreseen deadline. To our knowledge 2 of them (both to Germany) couldn't be transferred at all, one case could only be transferred after litigation in front of a German court. According to information from the Directorate of General Administration (under which the Greek Dublin Unit operates) all cases for which the deadline to transfer would have finished in April and May 2021, have been transferred again in time.

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

**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)**

In 2021, Greece took back control of its cash support programme from UNHCR. New rules took effect on 1 July 2021 which saw the Ministry of Migration and Asylum amend the eligibility criteria for cash support, a move which seemed aimed at further controlling people seeking asylum. The new rules meant that only people who are living in accommodation overseen by the Ministry - namely Estia accommodation and refugee camps - could now apply to receive cash assistance. For those who rely on this cash support but had found their own accommodation in towns and cities across Greece, their only option was to abandon their homes and move into facilities run by the state or its partners, the majority of which are located outside of towns and cities making integration incredibly challenging.

From October 2021 cash support across Greece stopped, as the Greek government struggled to find a new partner to replace UNHCR. Finally, towards the end of December 2021, new cash cards began being distributed by Catholic Relief Services who will assist the Greek government in its cash support programme. However, the months-long suspension of cash assistance has had a grave toll on many people seeking asylum who were forced to survive on poor quality food distributed within camps. To this day, there remain many people who are without cash support or who are still waiting for their back payments.

**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)**

**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)**

In a ministerial decision from October 2020 (MD no. 22066/16.10.2020), the Greek Ministry for Migration and Asylum introduced a new type of asylum seeker card, which replaced the old paper asylum seeker cards. The new asylum seeker cards no longer include the date of the expiry of the card, but confusingly now state a date of validity of the card which is different from the expiration date. The expiration date of the card is essential so that people know when to renew their cards, failure to do so can result in the withdrawal of their asylum case. Yet the only indication these new cards give to people is a timeframe in which to renew and not a date as was before. Mobile Info Team has received many enquiries of confused asylum seekers who either missed their card renewal dates and got discontinued or who would have missed their renewal dates if they hadn't been informed by Mobile Info Team. Additionally, the date of interview is also not included on the new asylum seeker card any more.

Since the first lockdown in Greece in March 2020, the Greek Asylum Service only renewed asylum seeker cards in special circumstances, and started gradually in November 2020 to replace the old paper asylum

seeker cards with new asylum seeker cards with digital features. The old paper asylum seeker cards were in multiple decisions automatically extended. The last extension ended on 30/06/2021. In Mobile Info Team's experience most asylum seeker cards had been changed and renewed by end of July 2021.

However a substantial number of asylum seekers mainly from Pakistan but also from India and Nepal did not receive an appointment to renew their cards, but remained with their old paper asylum seeker cards. As from 1 July 2021 these cards were also not automatically extended any more, they were without any substantial proof to show that they were asylum seekers and under constant threat of problems and detention in case of a control by the Greek police. Additionally as a valid asylum seeker card is a prerequisite for having the asylum seeker social security number (ΠΑΑΥΠΑ) activated, they were unable to benefit from the Greek health care system.

Mobile Info Team has been in contact with 49 individuals (45 from Pakistan, 3 from India and 1 from Nepal), who were all left without a valid asylum seeker card for a substantial amount of time despite multiple efforts to obtain one from the Greek authorities.

5 individuals have been served their decision, but still had been without an asylum seeker card from 1 July 2021 from between 1 ½ months and 4 ½ months.

31 remained without a renewed asylum seeker card and their decisions were deemed served in accordance with art. 82,5 of the Greek law 4636/2019: 14 applicant's 1st instance decision was deemed served, 16 applicant's 2nd instance decision was deemed served and one person's decision to receive refugee status was also deemed served. All of these applicants have either written emails to the Asylum Service or Mobile Info Team has assisted them in submitting a request for an update about their case on an online application form of the Greek Asylum Service. This means that the Asylum Service would have been able to get in contact with the applicants in question, but instead served their decisions without the knowledge of the applicants, highly increasing the chances that the applicants wouldn't be able to appeal, as the deadline would elapse without their knowledge.

13 people have not yet received a decision and remained without an asylum seeker card until at least December 2021. All of these applicants have submitted emails to the Greek Asylum Service or Mobile Info Team has assisted them in submitting a request for an appointment to renew their asylum seeker cards on an online application form of the Greek Asylum Service.

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

## **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)**

On mainland Greece, access to asylum for people deemed vulnerable has always followed a different procedure, with people being able to avoid the Skype pre-registration system and be referred directly to Regional Asylum Office's and Unit's for in-person registration. Since changes in access to asylum were brought in on November 22 2021, only people who are deemed vulnerable and people with identity documents verified by Greek authorities have meaningful access to asylum. It is therefore more essential than ever that people who should be considered vulnerable under Greek law can prove their vulnerabilities and access the asylum procedure.

As the majority of people on mainland Greece who are looking to claim asylum do not get processed within Reception and Identification Centres, the onus to prove vulnerability is on the individual. There are a range of organisations which assist individuals in proving their vulnerabilities, or who refer people onto Greek doctors so that they can provide medical evidence to prove their vulnerabilities, yet the majority of these organisations are in Athens or Thessaloniki. The threshold to be considered vulnerable remains high as does the evidence which must be provided to prove said vulnerability. Mobile Info Team frequently encounters individuals with medical needs including mental health provisions, pregnant women and families with minor children who have not been able to meet the criteria to be considered vulnerable, leaving them homeless, destitute and without the protection they need and deserve.

## **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)**

2021 was marred with significant delays in the renewal of residence permits for beneficiaries of International Protection in Greece. In October 2021 Mobile Info Team received confirmation from the Asylum Unit of Beneficiaries of International Protection via email, that there were significant delays in the renewal of residence permits and because of the immense backlog only residence permits which had expired more than 10 months ago were being processed for renewal. The Asylum Unit stated "the under-functioning of public services because of the pandemic in the last 18 months" as a reason for the delay. In a phone call with the same Asylum Unit in January 2022, it was confirmed that the backlog still remains the same.

As the Asylum Unit of Beneficiaries of International Protection does not renew the residence permit, but provides only a pre-approval that the beneficiary is allowed to apply for the actual renewal with the passport office of the Hellenic Police, the overall delays are even longer. Receiving an appointment to submit the application for renewal at the Passport office and after the application was submitted receiving the renewed residence permit can add another 3-6 months to the renewal process. This means that beneficiaries of international protection in Greece can be without a valid residence permit for up to 16 months.

This has a severe impact on beneficiaries of international protection, as without valid residence permits it is impossible to travel outside of Greece, problems with access to the labour market may occur and a wide range of issues with public authorities or private institutions are also likely. Mobile Info Team has heard of people having problems opening a bank account due to a lack of a valid residence permit, children not being permitted to enrol in school and beneficiaries of international protection getting in severe peril of losing their jobs due to the immense delays in renewing their residence permits.

The treatment of Beneficiaries of International Protection recognized by the German state who were stranded in Greece or Turkey and try to return to Germany, raises serious concerns. After analysing 7 cases Mobile Info Team has been assisting with their re-entry procedure there is a clear pattern visible by the German authorities, trying to delay and prevent a re-entry, which leads to extremely harmful situations like homelessness and destitution for people in clear need of protection, despite the legal situation being very clear after a decision of the German High Administrative Court of Berlin Brandenburg, that in case the protection status is still valid a humanitarian visa to re-enter must be issued.

All 7 cases left Germany after receiving either refugee status or subsidiary protection for family related reasons. In 3 cases after travelling to Greece the persons concerned claimed to have had their German documents taken away by the Greek police and were pushed back to Turkey.

In multiple cases there have been severe delays in obtaining an appointment by the German embassy in Athens as well as the German general consulate in Istanbul. In one case at the German embassy in Athens, it took nearly 22 months from the moment the applicant requested an appointment via email in December 2019 until in October 2021 it was finally possible to lodge the visa application. In case a German national wants to apply for a substitute document after their passport is stolen in Greece, it is not necessary to arrange an appointment at the German embassy in Athens and the document is issued after several days to several weeks.

The waiting period for a decision on a visa application for re-entry is extremely long, ranging from 1 1/2 to 3 years. During this time frame, visa applicants are normally left without any protection or support in Greece and Turkey. As they already have protection in Germany they are not entitled to protection in another EU state or in Turkey. This leaves people in a legal limbo, without any possibilities to access any housing programs or social welfare from the state and pushes them eventually in homelessness and destitution.

One beneficiary of subsidiary protection from Germany was homeless in Thessaloniki for 15 months. The individual suffered greatly with the extremes in temperature, lived under constant fear of violence and theft and was very scared of police harassment, all of which had a significantly detrimental impact on his physical and mental health. In September 2020 he was, on his own account, removed without justification by the Greek police to Turkey. He was homeless in Istanbul for another 9 months before a German court ordered the German authorities to allow his immediate re-entry. His visa application had taken 2 1/2 years and could only be brought to a successful end, due to the sincere involvement of several supporters and lawyers.

### **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)**

**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**

## References and sources

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

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

Please upload your file

The maximum file size is 1 MB

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dfcce46c-c5ed-45b3-a721-81fac6be5f59/Lives\_on\_hold\_report\_\_1\_\_compressed.pdf

## 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

[Contact Form](#)

