

# Input by civil society organisations to the Asylum Report 2023

Fields marked with \* are mandatory.

Dear Colleagues,

The production of the *Asylum Report 2023* is currently underway. The annual [Asylum Report series](#) presents 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, policies or practices in 2022 (and early 2023) 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, 2023 contributions will be published on the EUAA webpage. For reference, contributions to the 2022 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 Asylum Report 2023 by Friday, 3 February 2023.\***

## 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 2022 and new or remaining challenges; and
- Changes in policies or practices, transposition of legislation or institutional changes during 2022.

Please ensure that your responses remain within the scope of each section. Thus, kindly refrain from including 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 the asylum procedure (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)**

Ongoing practice of pushbacks

I Have Rights and other human rights defenders on Samos are demanding the European Border and Coast Guard Agency, also known as Frontex, terminate its operations on the Greek island of Samos. This comes after mounting evidence that Greek authorities and Frontex are violating international law by illegally pushing back to Turkey people seeking sanctuary.

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

Plans to restrict access to WiFi in CCAC:

I Have Rights, together with 10 organisations, called on the Ministry of Migration and Asylum to abandon their plans to restrict access to Wi-Fi at the Closed Controlled Access Centre (CCAC) on Samos from January 2023. These plans would create another barrier to accessing legal aid for people living in the structure.

### **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)**

**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)**

Living conditions CCAC:

I Have Rights has contributed to several reports on living conditions in the CCAC on Samos. Prison-like conditions in the CCAC and other Greek islands have devastating impacts on asylum seekers. People living in the CCAC on Samos report of anxiety, depression and suicidal thoughts as results of detention, isolation and inadequate medical and psychological treatment.

**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)**

Procedural violations in CCAC:

In 2022, I Have Rights has recognised increasing violations of applicants' procedural rights in the CCAC on Samos, including the denial of access to legal information and counselling, inadequate vulnerability assessments and interview conditions which do not allow applicants to fully express their grounds for asylum.

**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)**

De facto detention of unaccompanied minors in CCAC:

I Have Rights and Still I Rise have published a report denouncing the de facto detention of unaccompanied minors (UAMs) in the CCAC on Samos. They show UAMs are detained in inhuman living conditions and experience “mental violence” on a daily basis. In addition, they demonstrate that age and vulnerability assessment procedures inside the CCAC are inefficient, and often are not in accordance with the best interest of the child. The submitting organisations also express additional concern about the lack of children’s services that are present on the island which deprive UAMs of their right to an education and social development.

**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)**

Increase in the number of homeless recognised refugees:

I Have Rights together with further organisations sent a letter to the Minister of Migration and Asylum in September last year to raise the alarm on the risk of homelessness faced by recognized refugees due to administrative delays. Not only has the Minister not answered said letter but the situation has since gotten much worse, with people having to wait around 6 months to obtain the first of two appointments necessary to obtain their ID card, while still being forced out of the CCAC after 30 days. I Have Rights also received reports of the police refusing to give an appointment to recognized refugees. Without this document, securing work and housing is challenging and such delays in procedure make them vulnerable to homelessness, exploitation, and destitution.

Denial of necessary medical treatment:

I Have Rights has applied to the European Court of Human Rights (ECtHR) for an urgent interim measure pursuant to Article 39 of the Rules of Court in the cases C.N. v. Greece (Application no. 32683/22) and R.M. v. Greece (Application no. 32755/22). The cases concerned two people, represented by I Have Rights, with Hepatitis B who for months were denied urgent medical treatment. The interim measure has been granted. Due to the Court's intervention, Greece arranged and funded the beneficiaries' transfer to the mainland to receive urgent medical treatment. Without the Court's intervention, it is likely that the authorities would have continued to leave them abandoned on Samos, without access to urgent medical treatment.

**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 2022 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))**

**17. Other important developments in 2022**

## References and sources

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

Sources '1. Access to territory and access to the asylum procedure':

Ongoing practice of pushbacks:

<https://ihaverights.eu/wp-content/uploads/2022/07/Article-46-Samos-Human-Rights-Defenders-Letter-of-Concern.pdf>

[https://ihaverights.eu/frontex-fails-to-report-potential-violations-of-human-rights/Briefing Package MEPs](https://ihaverights.eu/frontex-fails-to-report-potential-violations-of-human-rights/Briefing-Package-MEPs)

Sources '2. Access to information and legal assistance ':

Plans to restrict access to WiFi in CCAC:

<https://ihaverights.eu/wp-content/uploads/2022/12/WiFi.pdf>

Sources '6 Reception of applicants for international protection':

Living conditions CCAC:

[https://ihaverights.eu/wp-content/uploads/2022/09/JS\\_One-year-since-Greece-opened-new-prison-like-refugee-camps-NGOs-call-for-a-more-humane-approach.pdf](https://ihaverights.eu/wp-content/uploads/2022/09/JS_One-year-since-Greece-opened-new-prison-like-refugee-camps-NGOs-call-for-a-more-humane-approach.pdf)

[https://drive.google.com/file/d/1Dv69IGvz8Qud7AXfISCNKbyU\\_DDoqIfw/view](https://drive.google.com/file/d/1Dv69IGvz8Qud7AXfISCNKbyU_DDoqIfw/view)

[https://ihaverights.eu/wp-content/uploads/2022/06/2-Camp-Report-SAC-EMA\\_updated1.pdf](https://ihaverights.eu/wp-content/uploads/2022/06/2-Camp-Report-SAC-EMA_updated1.pdf)

[https://ihaverights.eu/wp-content/uploads/2022/04/Report-for-MEP-Bartolo\\_EMA-SAC-1.pdf](https://ihaverights.eu/wp-content/uploads/2022/04/Report-for-MEP-Bartolo_EMA-SAC-1.pdf)

Sources '8 Procedures at first instance '

Procedural violations in CCAC:

<https://medium.com/are-you-syrious/ays-special-from-greece-protests-on-samos-ccac-shed-light-on-procedural-violations-d5e7bf509c40>

Sources '11 Vulnerable applicants'

[https://www.stillirisengo.org/site/assets/files/1290/final\\_uncrc\\_sir\\_and\\_ihr\\_additional\\_submission.pdf](https://www.stillirisengo.org/site/assets/files/1290/final_uncrc_sir_and_ihr_additional_submission.pdf)

<https://ihaverights.eu/the-committee-of-the-rights-of-the-child-sides-with-still-i-rise-and-i-have-rights/>

Sources '12 Content of Protection':

Increase in the number of homeless recognised refugees:

[https://ihaverights.eu/wp-content/uploads/2023/01/updated\\_letter\\_to\\_minister\\_final.pdf](https://ihaverights.eu/wp-content/uploads/2023/01/updated_letter_to_minister_final.pdf)

<https://ihaverights.eu/wp-content/uploads/2022/09/Letter-to-the-Ministry-of-Migration-and-Asylum-1.pdf>

Denial of necessary medical treatment:

<https://ihaverights.eu/interim-measure-granted-in-case-concerning-denial-of-emergency-medical-treatment-for-two-of-ihrs-beneficiaries/>

### 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

## Contact details

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\* Name of Organisation

I Have Rights

Name and title of contact person

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\* Email

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

### Useful links

[EUAA Asylum Report 2022 \(https://euaa.europa.eu/asylum-knowledge/asylum-report\)](https://euaa.europa.eu/asylum-knowledge/asylum-report)

[Executive Summary -Asylum Report 2022 \(https://euaa.europa.eu/executive-summary-asylum-report-2022\)](https://euaa.europa.eu/executive-summary-asylum-report-2022)

[Sources on Asylum 2022 \(https://euaa.europa.eu/publications/sources-asylum-2022\)](https://euaa.europa.eu/publications/sources-asylum-2022)

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

### Background Documents

[Word template to submit input](#)

### Contact

[Contact Form](#)

