

# 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)**

In November 2021 a Circular was issued by Secretary General of Immigration Policy, stating that the asylum claims would from then on be registered only in the RICs on the islands and for those who enter Greece via the mainland their applications would be registered in undisclosed "designated spots" on the mainland. Also, the Skype system would no longer be used for first instance applications but would continue to be used for subsequent applications. In practice, for the following eight months there was almost no access to the asylum procedure on mainland Greece. This resulted in a severe lack of safe and efficient access to international protection, forcing people to remain undocumented for extensive periods of time, without basic medical care, accommodation or essential services.

On 13 July 2022, the Ministry of Migration and Asylum published a new online platform for the electronic registration of asylum seekers in Greece. The procedure applies for all third country nationals arriving in Greece and wishing to claim asylum, as well as for those already residing in Greece and who have not been through reception and identification procedures.

The platform is available in nine languages (Albanian, Arabic, Bengali, Dari, English, Farsi, Georgian, Kurmanji, Pashto, Turkish and Urdu). The lack of French translation has already proved a barrier for many applicants especially from some African countries, like the Democratic Republic of the Congo and Cameroon.

After applicants have provided personal information, they are asked to choose one of two registration facilities (closed centres); Diavata (Thessaloniki) or Nea Malakasa (Attica). Once the application is finalised, a registration appointment will be assigned to the applicant and communicated via email, with appointments beginning on the 1 September 2022. The appointment process mandates an up to 25-day detention period in order for the procedure to be completed.

It was observed that appointments were booked for 2023, even early on 2024. With the exception of UAMs, there was no possibility to request the prioritization of the registration of the asylum claims. There was concern that those delays, combined with the lack of official documentation provided to applicants as they wait, would result in people being forced to live in poor conditions, at risk of pushbacks and without access to essential services.

As of 01.09.2022, Diavata and Nea Malakasa started operating as reception and identification centers;

reception services (psycho-social) are provided in the sites by EODY teams. Applicants are hosted in the above sites for 25 days without being entitled to free movement. The site managers issue decisions of restriction of the personal liberty. However, it was observed that applicants did not appear for their appointments. Besides, it is the applicant's responsibility to make their way to the assigned RIC - Malakasa or Diavata - including the financial costs.

Further, a new platform opened for the pre-registration of subsequent claims.

([https://apps.migration.gov.gr/international-protection-registration/registration\\_appointment?lang=en](https://apps.migration.gov.gr/international-protection-registration/registration_appointment?lang=en))

([https://apps.migration.gov.gr/international-protection-registration/subsequent\\_registration\\_appointment?lang=en](https://apps.migration.gov.gr/international-protection-registration/subsequent_registration_appointment?lang=en))

([https://static1.squarespace.com/static/597473fe9de4bb2cc35c376a/t/6311a89f2c24fe46a877870f/1662101665157/MIT\\_statement\\_registration2022.pdf](https://static1.squarespace.com/static/597473fe9de4bb2cc35c376a/t/6311a89f2c24fe46a877870f/1662101665157/MIT_statement_registration2022.pdf))

It is, also, important to mention the temporary protection granted to people who fled Ukraine after the Russian invasion on 24 February 2022 (see more in q. 17).

Regarding the situation at the Greek borders, pushbacks remain a big issue. Although such practices have been repeatedly denounced and attracted the attention of international organisations and bodies, pushbacks still constitute a systematic state policy. The Greek authorities flagrantly ignore the European Court of Human Rights (ECtHR), the multiple applications for interim measures it has granted and the appeals pending before it, while refusing to respond to the complaints that serious crimes (torture, robbery, endangerment of life), are being carried out at the Greek borders with the aim of deterrence, apparently in the name of "border protection". On that matter, the Greek National Commission for Human Rights (GNCHR) presented the Mechanism for Recording Incidents of Informal Forced Returns and the first Interim Report of this mechanism. Unfortunately, many of the UACs that Network for Children's Rights supports daily, they confirm that pushbacks take place at the Greek borders and that they themselves have experienced it at least once.

(<https://ecre.org/greece-increase-of-pushbacks-with-impunity-amid-ongoing-crackdown-on-solidarity-turkiye-considered-safe-by-greek-authorities-sets-new-record-of-deportations-thousands-of-vulnerable/>)

([https://rsaegean.org/wp-content/uploads/2023/01/Interim\\_Report\\_mechanism\\_en.pdf](https://rsaegean.org/wp-content/uploads/2023/01/Interim_Report_mechanism_en.pdf))

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

From our experience in the field, we observed a huge gap in access to information and legal assistance. Lack of information and the threat of unjust deportation causes asylum seekers in Greece to be fearful of police and detention as they are unaware of how long they will be held, what their rights are and if they will be granted access to the asylum procedure. People who enter Greece often know that they are likely to be pushed back to Turkey, having either been pushed back previously themselves, or due to knowledge of the high numbers of pushbacks that occur. As mentioned in q.1 for approximately eight months, there was almost no access to the asylum procedure in the mainland of Greece, while there was no official information about that leaving people on the dark facing many challenges.

Another main issue throughout 2022 had been the renewal of the asylum cards of asylum seekers. Specifically, a large number of asylum seekers and beneficiaries of international protection in Greece remained for months without identification documents, thus without access to basic rights. The Asylum Service informed them in writing or orally that it was unable to grant them an International Protection Applicant Card due to “technical problems” related to the lack of equipment or the inability to issue a Provisional Foreigner’s Insurance and Health Care Number (ΠΑΑΥΠΑ), without providing them with information on how and when all this would be resolved. The situation began to improve only months later after the Joint Ministerial Decision 605869/2022 on the issuance of ΠΑΑΥΠΑ entered into force on 1 November 2022.

(<https://rsaegean.org/en/refugees-without-identification-documents/>)

(<https://www.nomotelia.gr/photos/File/5392b-22.pdf>)

Moreover, significant issues regarding legal assistance arose. To be more specific, lawyers faced difficulties in having free access to sites managed by the Ministry of Migration and Asylum. Since the last months of 2022, it has been observed that lawyers are requested to provide proof of representation of applicants (written authorizations) to enter the sites. Also, they are asked whether they are registered with the registry of Staff of NGOs with the Ministry of Migration and Asylum, even though no such prerequisite is required for lawyers registered with Greek Bar Associations. In practice, on several occasions, lawyers from NGOs were denied access on sites based on the afore-mentioned reasons. For that, two legal opinions were issued by Athens Bar Association that analyze the special status of lawyers and their roles and responsibilities as provided by the Greek Code for Lawyers (registration of lawyers with the Ministry of Migration and Asylum and access of the lawyers at the sites, including the modalities of representation of their clients), which were then shared with the Ministry of Migration and Asylum.

Problems also exist with regards to the implementation of the legal aid at the Administrative Courts, in that applicants’ requests for free legal aid is rejected for non-substantial reasons, like lack of tax declaration to prove their financial status. Problematic is also the lack of interpretation to support applicants at the judicial proceedings.

Last but not least, it has been observed that detainees are not informed on their right to have access to legal aid at the Courts.

### **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)**

The gaps in interpretation and cultural mediation remains a serious barrier to asylum seekers and beneficiaries of international protection accessing the country's administrative services.

During 2022, the situation got even more difficult. Specifically, the Ministry of Immigration and Asylum announced on December 2021 its intention to conduct a public tender for the conclusion of a Framework Agreement for the provision of Interpreting, Teleinterpreting, Translation, and related Services to cover the operational needs of a) the Reception and Identification Service, b) the Asylum Service , c) of the Special Secretariat for the Protection of Unaccompanied Minors and d) of the Appeals Authority.

According to the results of the tender, the Spanish company Seprotect was selected as the first contractor and METAdrasi as the second, thus in the end of September 2022, METAdrasi NGO was officially informed about the non-renewal of the contract for interpretation provision at the Asylum Service and Friday 30 September was the last day of providing interpreting services after ten consecutive years. As METAdrasi said in its statement (3rd of October): “In the context of the tender announced in December 2021, where the Spanish company Seprotect was selected as the first contractor and METAdrasi as the second, and despite the final decision of the Council of State to which METAdrasi appealed in August 2022, it is estimated that it will still take a significant amount of time for the relevant contract to be signed. These developments raise particular concern about unavoidable delays in the registration of asylum applications and postponements of interviews of potential beneficiaries of international protection scheduled for 2022 to 2023, since it is estimated that the start of the new contract will not take place at least until the end of the year. They state that unfortunately this development has inevitably led them to the termination of the cooperation of their 160 trained, experienced, and dedicated interpreters and staff members for whom the effort to reintegrate them into METAdrasi is ongoing. METAdrasi continues to provide interpreting services to other public services, international organisations and organisations with the same principles and values and is ready, as always, to contribute with its resources to any urgent needs that may arise in this transitional period.”

(<https://metadrasi.org/%CE%B1%CE%BD%CE%B1%CE%BA%CE%BF%CE%AF%CE%BD%CF%89%CF%83%CE%B7-3-10-2022/>) (<https://www.equallegalaid.org/new-law/> )

In the end, the situation got even more difficult as the Spanish company Seprotect, did not assume services at all, with another company (ITM) offering limited services of interpretation to cover some of the needs of the Asylum Service until a final solution would be found. As a result, there have been even more delays (than the ones expected) in the registration of asylum applications and even more postponements of interviews of potential beneficiaries of international protection.

Finally, as the first contractor Seprotect did not assume services, interpretation services were assigned to the second contractor (METAdrasi) who was supposed to start providing interpretation at the asylum procedure first in January, 2023, however February 1st METAdrasi has still not assumed services and there is no safe prediction yet as to when it will actually start offering interpretation services to the Asylum Service.

It is worth mentioning also other examples of the lack of interpretation services in Greece which are evident throughout time: For example, in the RIC facilities, although Frontex should have an assisting role, Frontex staff conducts nationality screening almost exclusively in practice, as the Greek authorities lack relevant capacity such as interpreters. Moreover, due to the complete lack of interpretation services in the Attica Department of Foreigners, the beneficiaries of international protection are unable to communicate with the authorities upon arrival to obtain fingerprints for the issuance or renewal of ADET or travel documents. Also, in the field of health, hospitals across the country continue to face critical shortages in interpreting services to ensure communication with patients. The problems are even bigger with the so called “rare” speaking languages like Bangla, Tigrinia or Somali or other African dialects, while it is important to mention that still there is no national catalog or list with certified and qualified interpreters who are hired by the State and provide interpretation services. It is therefore necessary to meet the interpretation needs of all territory.

Last but not least, it is also worth mentioning that during 2022 a lot of administrative services, including the Asylum Service, faced also the challenge of covering urgent needs of interpretation in the languages of Ukrainian and Russian due to the Russian invasion in Ukraine on 24.02.2022.

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

Regarding family reunification of UACs with their relatives in the UK post Brexit, we have some relatively positive feedback from the NGO "Safe Passage"; they managed to have a positive outcome in all such cases they undertook the past couple of years, even at a second instance.

Also, deficiencies persist in the treatment of asylum seekers returned to Greece under the Dublin Regulation.

(<https://rsaegean.org/en/recognised-refugee-returned-to-greece/>)

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

Please see q. 1, 8 and 9 about the new asylum registration procedure which follows the border procedure.

Please see also q.17 about the temporary protection granted to people fleeing Ukraine after the Russian invasion on 24.02.2022.

#### **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)**

On 31 December 2022, the Greek government officially closed all ESTIA II housing, an accommodation programme which was set up to decongest the migrant camps and temporarily house asylum seekers and refugees. Since then, there has been no further information from the Ministry, while the NGOs in the field find out that the beneficiaries of the program are informed either verbally or by e-mail that they must immediately leave the apartments that were allocated to them. In the same notification, the beneficiaries are also informed that they will be transferred to Temporary Accommodation Structures (camps), without further information either on the date of their transfer or to which Temporary Accommodation Structure they will be moved. Furthermore, we know that as early as October, beneficiaries have started to move from apartments to Temporary Accommodation Structures throughout Greece, many of whom were notified just one or two days prior to their departure, without being given adequate time to prepare.

Forcing the beneficiaries of "ESTIA II" to leave the apartments given to them and move to Temporary Accommodation Structures constitutes a clear degradation of the material reception conditions that had been provided to them, considering that the vast majority of them are vulnerable asylum seekers.

Besides, there are concerns about the suitability of Temporary Accommodation Structures to meet the needs of highly vulnerable persons who are to be transferred there in relation to protection, safety and support. Furthermore, taking into account that in those Structures no vulnerability assessments are carried out, it is unlikely that any new risk factors will be identified. In addition, these abrupt transfers of the beneficiaries disrupt the schooling of minors, hinder the efforts of social integration, interconnection with services and normalization of the daily life of the beneficiaries of "ESTIA II".

(<https://migration.gov.gr/oloklironetai-to-programma-stegasis-estia-ii-to-2022/>) (<https://ecre.org/greece->

increase-of-pushbacks-with-impunity-amid-ongoing-crackdown-on-solidarity-turkiye-considered-safe-by-greek-authorities-sets-new-record-of-deportations-thousands-of-vulnerabl/)

In addition, as mentioned in q. 1, as of 01.09.2022, Diavata and Nea Malakasa started operating as reception and identification centers; reception services (psycho-social) are provided in the sites by EODY teams. Applicants are hosted in the above sites for 25 days without being entitled to free movement. The site managers issue decisions of restriction of the personal liberty.

## **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)**

Even though third country nationals are considered as ‘applicants for international protection’ or ‘asylum seekers’ from the moment that they declare orally or in writing to any Greek authority that they seek asylum or subsidiary protection (Article 1, 4939/2022), after the launch of the new online platform for the electronic registration of asylum seekers in Greece there is no officially recognised documentation that individuals can carry to prove their expression of willingness or registration appointment, if requested to show documentation by the Greek authorities. This puts people at high risk of police apprehension and subsequent detention, or of pushbacks. Individuals expressing fear of the authorities, specifically ask if the confirmation email from the application form will ‘protect them from the police’. Not to mention that the appointment process mandates an up to 25-day detention period in order for the procedure to be completed in the two registration facilities in Nea Malakasa and Diavata.

Further, with the Presidential Decree No. 77/17.11.2022, Closed Controlled Structures are established on Samos, Kos, Leros, Lesbos and Chios islands and are regional services of the Reception and Identification Service.

(<https://www.nomotelia.gr/photos/File/212a-22.pdf>)

(<https://migration.gov.gr/ris/perifereiakes-monades/kyt-domes/>)

## **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)**

After the launch of the new online platform for the electronic registration of asylum seekers in Greece, in Nea Malakasa and Diavata applicants are subjected to identification procedure, and they are registered for both the reception and the asylum authorities. Within the 25-day detention period, applicants register their asylum claim.

Following registration, different procedures are followed regarding the asylum interview at first instance; asylum interviews are conducted on site for asylum claims that are (1) manifestly unfounded or (2) are submitted by single men and women from safe countries of origin. Single male applicants from safe countries of origin have their interview at first instance in Malakasa or Diavata, only a few days after having their asylum application registered inside the reception centre. Practically, this means that they lack access on legal counselling and support for their asylum interview considering that the asylum interview takes place at such short notice. To this add the challenges that lawyers face accessing the sites (please see q. 2). Asylum interviews in many cases are conducted remotely with officers from RAOs.

The rest of the applicants, who do not belong to the above category, are granted their asylum cards, allowed

to leave the site and are asked to contact the local competent Regional Asylum Office to schedule their asylum interview.

Additionally, in the first half of 2022 there was a significant increase in rejections of asylum applications as manifestly unfounded according to Art. 93, par. 2 Law 4939/2022, which concern, among others, citizens of the countries characterized in the JMD 78391/2022 as "safe countries of origin", such as Albania, Georgia, Pakistan, Bangladesh or Egypt.

Moreover, the Joint Ministerial Decision ("JMD") published by the Greek government on 7 June 2021, designating Turkey a safe third country for asylum seekers from Syria, Afghanistan, Somalia, Pakistan, and Bangladesh, meaning that asylum seekers from these countries can be returned to Turkey without an examination on the merits of their asylum application, is still in place. Besides, Greek authorities announced on 1 December that Turkey remains on the list of "safe" third countries for applicants of international protection from Syria, Afghanistan, Pakistan, Bangladesh and Somalia despite reports and stats proving the opposite.

The latest European Commission report on Turkey (SWD(2022) 333) counters Greece's designation of Turkey as a "safe third country" for refugees, enacted through a national list of safe third countries (JMD 42799/2021, B' 2425, as amended by JMD 458568/2021, B' 5949) based on which more than 7,000 asylum claims from nationals of Syria, Afghanistan, Somalia, Pakistan and Bangladesh have been dismissed as Inadmissible.

Paradoxically, Greece persists in systematically designating Turkey as a safe third country at the expense of asylum seekers, even though it is clear to the European and Greek authorities that returns to Turkey are not taking place.

According to the European Commission, "...Turkey has stated that no returns operation will be carried out unless the alleged pushbacks on the Greek-Turkish border are stopped and Greece withdraws its decision on the designation of Turkey as a Safe Third Country". The Commission has repeatedly emphasized that the applications of people whose readmission to Turkey is impossible, including due to the unilateral suspension of readmission agreements or the country's failure to respond to readmission requests, should be considered on their merits. However, the Greek authorities have so far refused to comply with the rules of EU law.

([https://rsaegean.org/wp-content/uploads/2022/09/RSA\\_HalfYear\\_2022\\_GR.pdf](https://rsaegean.org/wp-content/uploads/2022/09/RSA_HalfYear_2022_GR.pdf)) ([https://neighbourhood-enlargement.ec.europa.eu/turkiye-report-2022\\_en](https://neighbourhood-enlargement.ec.europa.eu/turkiye-report-2022_en)) ([https://rsaegean.org/wp-content/uploads/2022/06/Greece\\_CSO\\_Briefing\\_LIBE\\_GR.pdf](https://rsaegean.org/wp-content/uploads/2022/06/Greece_CSO_Briefing_LIBE_GR.pdf)) (<https://ecre.org/greece-increase-of-pushbacks-with-impunity-amid-ongoing-crackdown-on-solidarity-turkiye-considered-safe-by-greek-authorities-sets-new-record-of-deportations-thousands-of-vulnerabl/>)

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

Following the interviews conducted on sites of Nea Malakasa and Diavata, applicants continue to be detained in the reception centers until the issuance of the first instance decisions. Once they are issued, the decisions of Asylum Service on their asylum claim are served by email. After the notification of the decision of first instance, applicants are allowed to leave the site, but they are not provided with accommodation or any other reception conditions.

Considering that within those two reception centers of Nea Malakasa and Diavata, border procedures are

followed, this practically means that once one's asylum claim is rejected, they have ten days to appeal. However, appeals cannot be submitted inside the sites. Instead, appeals are filed with the Regional Asylum Offices that are near to the residence of the applicants. Nonetheless, it is not known whether applicants are informed on this possibility.

That means that rejected applicants, having been informed about their right to free legal aid provided by the state, need to apply via the online platform of the Asylum Service of the Ministry of Immigration and Asylum (<https://applications.migration.gov.gr/apps/type-7-applications/>). Afterwards, they have to wait to be contacted by the relevant RAO to be informed whether their request has been accepted and if a lawyer has been appointed to them.

It is noted that the actual possibility of meeting with the lawyer is scarce. The good scenario is that a lawyer is timely allocated to the case so as to promptly attempt to get copies of the applicant's file from the asylum service to draft the appeal. Interestingly enough, the applicants are not provided with the name and contact details of the lawyer appointed for their case, while appeals are rejected as inadmissible because the applicants are not able to submit any supporting documents to the lawyer. Due to the above system, there is no communication between the lawyers and the applicants before the appeal is filed and usually not at all with the applicants in detention (if they are lucky enough to be informed about their right to free legal aid at second instance. It has been observed, for instance, that applicants who are detained in Amygdaleza detention center and transferred to Korinthos pre-departure detention center, they often ask for legal aid when they arrive in Korinthos while they are served the first instance decision when they are in Amygdaleza. This practice leads to outdated appeals). In most of the cases, the assigned lawyers have limited time to access the file and draft the appeal.

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

COI information is available through ecoinet, UNCHR and EUAA's COI publications, refworld, along with reports of Amnesty International and other International and European Institutions.

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

As we mentioned in our last year's input, one of the innovative actions operated by the Special Secretary for the Protection of Unaccompanied Minors of the Ministry of Immigration and Asylum was implementing the National Emergency Response Mechanism in April 2021 in collaboration with UNHCR, IOM and organizations in the field; Network for Children's Rights in Athens and Arsis in Thessaloniki, and METAdrasi. Its key core is the timely identification of unaccompanied children living on the street or in precarious living conditions and their transfer to safe accommodation aiming to provide an operational alternative to the practice of protective police custody (abolished with Law 4760/2020), which had been implemented for years in Greece, as an interim measure of protection, due to lack of age-appropriate care facilities. It is worth mentioning that throughout 2022, Network for Children's Rights supported approximately 2,000 UACs within the framework of the "National Mechanism".

Through the National Mechanism, unaccompanied minors receive services of psychosocial support, registration with the competent authorities, escort and inclusion in emergency accommodation structures

operated by IOM. For the unhindered access of unaccompanied minors to the reception and asylum procedures, the National Mechanism works closely with the Greek Police, the Reception and Identification Service and the Asylum Service.

Moreover, in October 2022, "Network" began implementing a new program, namely the "Protection for All Minors", under the supervision and coordination of the National Mechanism and with the funding of the Intersos Humanitarian Organization. The purpose of this program is to support a big number of UACs who do not wish to enter the Mechanism (falling outs) thus not having access to the above services, and in particular to inform them, support and strengthen them in order to leave the unsafe living conditions and chose to supported by the National Mechanism".

Unfortunately, the last two months of 2022, a big challenge arose as places in existing emergency and long-term accommodation structures seemed to be insufficient to cover the number of homeless UACs or in precarious living conditions.

Regarding new legislation, in July 2022, the National System of Guardianship of Unaccompanied Minors was instituted with Law 4960/2022, to provide services to UACs in the Greek territory. This is supposed to be implemented by three NGOs, Arsis, METAdrasi and Solidarity Now commencing in 2023, thus leaving a long period gap in this field.

With the same law, it was also established the framework of rules for the operation of accommodation facilities for unaccompanied minor, while the ministerial decisions that will define the SOPs need to be issued.

The National Registry for the Protection of Unaccompanied Minors was also provided in the same law, with full details of all unaccompanied minors, so that the best decisions can be made for the children themselves, but also to have a clear picture of the number of minors in the country at all times. Further, a proposal was introduced to legalize the residence of young adults - former unaccompanied minors - with an integration process, in the context of amending the Immigration Code.

Last but not least, the application of the age assessment procedure in Greece is also very problematic since no harmonized practice is followed and numerous reports of non-compliance with the guarantees of rights of PoCs have led the Greek Ombudsman (Independent Authority) to address a letter dated 19.12.2022 to the Ministry of Immigration and Asylum, the Ministry of Health, the Special Secretariat for the Protection of Unaccompanied Minors, the Asylum Service and the Reception and Identification Service Attention Commander posing questions that still await for an answer.

Another important issue is the access of vulnerable people to the asylum procedure after the launch of the online platform. Despite the benefit of the new application form being relatively easy to use and understand, there are concerns that its oversimplified format removes the possibility for specific and complex cases to be examined or fast-tracked. In particular, there is no possibility to attach evidence of an applicant's vulnerabilities. As no prioritisation of vulnerable applicants is currently possible, there are concerns that while awaiting for their turn, vulnerable individuals will risk being forced to live in poor conditions, posing direct threats to their mental and physical health. Additionally, no screening for Dublin cases is embedded in the platform, nor for separated minors that are accompanied by a non-parent relative.

To address that, the Ministry needs to set up a system that will facilitate the access of vulnerable cases to the identification and reception procedures and to the asylum procedure.

**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)**

As already mentioned in q.2, a main issue throughout 2022 had been the renewal of the asylum cards of asylum seekers. The situation began to improve only months later after the Joint Ministerial Decision 605869 /2022 on the issuance of PAAYPE entered into force on 1 November 2022.

Consequently, a large number of asylum seekers and beneficiaries of international protection in Greece remained for months without identification documents, thus without access to basic rights.

Instead of an asylum seeker card, the Asylum Service Offices issued to the beneficiaries either “asylum seeker certificates” or “international protection beneficiary certificates”. Those certificates stated the details and status of the persons concerned, as well as the fact that an asylum card could not be issued due to a “technical problem”.

However, those certificates were not recognised as identification documents by public authorities such as the Police, Citizen Service Centres (KEP) of municipalities, tax offices, public hospitals etc, nor did they contain a PAAYPE or AMKA, a unique number necessary for a series of administrative actions and mainly access to health care.

Please see also q. 6 regarding the closure of ESTIA II accommodation programme and its impact on vulnerable beneficiaries.

(<https://rsaegean.org/el/prosfyges-choris-taftopoitika-engrafa/>)

(<https://rsaegean.org/el/gia-ton-termatismo-tou-estia-ii-gia-tous-aitountes-asylo/>)

**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)**

The Relocation Program was initiated in April 2020, continued throughout 2021 and was completed in March 2022. It was coordinated by the Special Secretariat for the Protection of Unaccompanied Minors of the Ministry of Immigration and Asylum and was carried out with the support of the European Commission, the cooperation of EU Member States and other countries and the direct contribution of the Asylum Service, international agencies, such as IOM Greece, and UNHCR GREECE, the EU Agency for Asylum – EUAA and METAdrasi – METAdrasi. The participating countries are Belgium, Bulgaria, France, Germany, Switzerland, Ireland, Italy, Croatia, Lithuania, Luxembourg, the Netherlands, Portugal and Finland.

The relocation scheme could be described as a positive practice, showing solidarity among EU+ States. Approximately, 1,200 unaccompanied children were relocated. Regarding demographics of the UACs relocated, 499 UACs were relocated to France, 226 to Portugal, 204 to Germany, 111 to Finland, 36 to Ireland, 30 to Belgium, 28 to Bulgaria, 26 to Italy, 20 to Luxemburg, 13 to the Netherlands and 3 to Lithuania. There a few UACs awaiting to be transferred to Portugal.

(<https://migration.gov.gr/dyo-chronia-leitoyrgias-gia-to-programma-ethelontikis-metegkatastasis/>)

Unfortunately despite the very high number of unaccompanied minors detected during 2022, there was no new relocation programme in 2022 nor are we aware of similar plans for 2023.

#### **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**

With the Russian invasion of Ukraine on February 24, 2022, several Ukrainians arrived in Greece. Those who chose Greece as their destination country did so mainly because of the significant Ukrainian community, in which they happened to have relatives and acquaintances. The last official count, made on August 8, reported that since the start of the war, a total of 75,945 Ukrainians has fled to Greece, of which 19,760 are children (up to 17 years old). The peak of the Ukrainian refugee wave in Greece occurred in July, rather in the first months of the war.

On 4th March 2022, a decision of the Minister of Immigration and Asylum (131035/04.03.2022) was issued to activate the temporary protection regime for displaced persons from Ukraine, following the relevant executive decision of the Council of the European Union.

Eligible persons applying for it were granted Temporary Protection within 90 days from arrival, for an initial period of one year, i.e. until 4 March 2023. The status may be extended for another year, i.e. until 4 March 2024. This status is provided by the Asylum Service of the Ministry of Migration and Asylum and gives the right of access to the labor market and to medical care.

Regarding displaced minors from Ukraine, we observed that the vast majority of the children that fled to Greece were accompanied by their parents (usually mother). There was also a significant number of separated minors that sought refuge in Greece, while unaccompanied minors were rather few. The

separated minors that arrived in Greece were either accompanied by a relative or travelled alone to meet a relative that was already residing in Greece. In most cases, the parents had already provided the relatives with the relevant proxy issued by Ukrainian lawyers or notaries and had them officially translated in Greek or less often in English. In those cases, where the parents could not proceed with the proxy, we would assist the relatives in Greece with informing the Public Prosecutor for Minors and supporting them with the procedure of undertaking the everyday care of the minors.

As a general comment, the Greek state (and Europe in general) treated Ukrainians differently than all other refugees. This is a discriminatory treatment, a lack of equality between asylum seekers and temporary protection applicants. On the one hand, Ukrainians get directly AMKA, Tax Identification Number and access to work, while the rest during 2022 faced many difficulties; from renewing their asylum cards to registering their asylum claims others and many receive similar negative decisions from the Asylum Service and the Appeals Authority, especially regarding the safe third country and the safe countries of origin.

(<https://migration.gov.gr/energopoieitai-to-kathestos-prosorinis-prostasias-ektopismenon-atomon-apo-tin-oykrania%ef%bf%bc/>)

(<https://migration.gov.gr/wp-content/uploads/2022/10/QA-%CE%95%CE%9B%CE%9B%CE%97%CE%9D%CE%99%CE%9A%CE%91-10-10-2022-%CE%B4%CE%B9%CE%BF%CF%81%CE%B8%CF%89%CE%BC%CE%AD%CE%BD%CE%BF-1-1.pdf>)

## References and sources

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### 18. Please provide links to references and sources or upload any 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

## Contact details

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Network fro Children's Rights

Name and title of contact person

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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

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