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Meeting: 1348<sup>th</sup> meeting (June 2019) (DH)

Item reference: Updated action plan (28/03/2019)

Communication from Greece concerning the M.S.S. and RAHIMI groups of cases v. Greece (Applications No. 30696/09, 8687/08)

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Réunion : 1348<sup>e</sup> réunion (juin 2019) (DH)

Référence du point : Plan d'action mis à jour

Communication de la Grèce concernant les groupes d'affaires M.S.S. et RAHIMI c. Grèce (Requêtes n° 30696/09, 8687/08) (**anglais uniquement**)

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**MSS group of cases v. Greece (application No. 30696/09)****Rahimi group of cases v. Greece (application No. 8687/08)****Updating of the Action Plan**

<b>Applications</b>	<b>Cases</b>	<b>Judgment of</b>	<b>Final</b>
<u>30696/09</u>	M.S.S.	21/01/2011	Grand Chamber
<u>53709/11</u>	A.F.	13/06/2013	07/10/2013
<u>53608/11</u>	B.M.	19/12/2013	19/03/2014
<u>58164/10</u>	BYGYLASHVILI	25/09/2012	25/12/2012
<u>22910/10</u>	CHKHARTISHVILI	02/05/2013	02/08/2013
<u>2134/12+</u>	DE LOS SANTOS ET DE LA CRUZ	26/06/2014	26/09/2014
<u>70427/11</u>	HORSHILL	01/08/2013	01/11/2013
<u>32927/03</u>	KAJA	27/07/2006	27/10/2006
<u>26452/11</u>	TATISHVILI	31/07/2014	31/10/2014
<u>63542/11</u>	AL.K.	11/12/2014	11/03/2015
<u>63493/11</u>	H.H.	09/10/2014	09/01/2015
<u>78456/11</u>	F.H.	31/07/2014	31/10/2014
<u>76951/12</u>	CHAZARYAN ET AUTRES	16/07/2015	16/07/2015
<u>58399/11</u>	A.Y.	05/11/2015	05/02/2016
<u>7811/15</u>	TENKO	21/07/2016	21/07/2016
<u>46558/12</u>	S.G.	18/05/2017	18/05/2017
<u>39034/12</u>	A.E.A.	15/03/2018	15/06/2018
<u>8687/08</u>	RAHIMI	05/04/2011	05/07/2011
<u>36657/11</u>	BARJAMAJ	02/05/2013	02/08/2013
<u>71825/11</u>	HOUSEIN	24/10/2013	24/01/2014

**I. Introduction**

With the present communication, the Greek Government makes an attempt to record and present the most considerable developments at national level, as to the three aspects of the execution of the above groups of cases, that is: the conditions of detention of irregular migrants, asylum seekers and unaccompanied minors, the asylum procedure and the living conditions of asylum seekers and unaccompanied minors. Concerning the first two aspects, focus is made in the period 2017-2018, while regarding the third aspect, the information provided concerns the period 2016-2018. Information about the

measures taken in the previous years has been fully addressed in the Government's previous communications.

It is a fact that, since judgment *MSS v. Belgium and Greece* was delivered in 2011, the Greek authorities have taken a number of measures related to the crucial issues where violations of the ECHR had been identified by the European Court of Human Rights.

These over the years efforts have been significantly affected by the unprecedented refugee and migration crisis of the year 2015. Over the last three years, Greece has been called upon to manage an unprecedented influx of refugees and migrants. Greek authorities have made every effort right from the start to respond adequately to extraordinary circumstances, asking for immediate solution, because of the stay of a great number of third-country nationals in the country. For these reasons, a completely new legislative framework was established, which fully complies with the new data and the requirements of the European and international law.

The reduction in migrant flows after the EU-Turkey Statement in March 2016, allowed the Greek authorities to focus on implementing improvements of the detention conditions, living conditions and asylum procedure and developing programs for the effective integration of asylum seekers who would remain in the country.

Nevertheless, the figures presented below show that the tremendous pressure brought in the reception and asylum systems in Greece continues to be disproportionate in relation to the country's capabilities.–

Greek authorities try to respond, to the extent possible, by their constant efforts, without concessions on principles, acting upon a framework of the European *acquis* and the considerations of the international humanitarian law and to adapt their strategy to the constantly changing reality.

By the present communication, the individual measures taken on the above group of cases are also presented.

## **II. Individual Measures**

1. In all the above cases, except the cases *Barjamah* (application no 36657/11) and *Housein* (application no 71825/11)<sup>1</sup>, the Court found a violation of article 3 of

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<sup>1</sup> The cases *Barjamah* and *Housein* concern violations of Article 5 par. 1 and 5 par.4 of the Convention. These issues are examined in S.D. group of cases.

the Convention, due to the applicants' detention conditions. All the above applicants have been released.

2. In the cases AL.K. (application no 63542/11), F.H. (application no 78456/11) and S.G. (application no 46558/12), the Court found a violation of article 3 of the Convention, due to the living conditions of the applicants as asylum seekers after their release. In the cases A.Y. (application no 58399/11) and A.E.A. (application no 39034/12), violations of article 13, in combination with article 3 of the Convention, due to deficiencies in the examination of the applicants' asylum applications at the time of the facts of the cases, were found by the Court. Finally, in the Rahimi case (application no 8687/07), the Court found a violation of article 3 of the Convention due to the omissions of the authorities as regards the period after the release of the applicant, who was an unaccompanied minor. Concerning the outcome of the asylum proceedings concerning the above applicants, the following are mentioned<sup>2</sup>:

a) Concerning the applicant AL.K. (application no 63542/11), the applicant's appeal dated 20-4-2011 against the decision dated 5-3-2011 of the police direction of Orestiada was rejected by the decision no 04/1215431 dated 29-11-2016 of the fourth (D) Appeals Committee. By this decision, the applicant's asylum application was rejected, in respect of the part which concerned his recognition as a refugee. By the same decision, it was also decided that the criteria for granting subsidiary protection status are not met by the applicant, nor the criteria for granting humanitarian status. The applicant had the right to submit an appeal against this decision before the administrative Court of appeal, within 60 days from the service of the decision, otherwise becomes final. The said decision was served on the applicant on 20-2-2017, but, by his administrative file, does not appear that he lodged an appeal against the above rejecting decision.

At the same time as the serving of the above decision of Appeals Committee to the applicant, that is on 20-2-2017, his passport had been returned to him and he was given a service notice to leave the country within 90 days.

According to his own statement, his residence address was in Athens.

b) Concerning the applicant F.H. (application no 78456/11), his application for

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2. In MSS case, the Deputies, at their 1144<sup>th</sup> meeting (June 2012), noted that the applicant had the refugee status in Belgium since 9 May 2012 and therefore decided to close the examination of the individual measures.

international protection was examined at second instance by the fourth (D) Appeals Committee on 24 and 25 September 2014. By decision no 04/1229931 dated 14-9-2016 of the said Appeal Committee, the applicant's data were corrected and he was recognized as a refugee.

According to his own statement, his residence address is in Attica.

c) Concerning the applicant S.G. (application no 46558/12), as in the Court's judgment it is mentioned, the applicant lodged an appeal against the decision dated 16-12-2011 of the police direction of Orestiada rejecting his asylum application. On 4-12-2014, the Director of the Asylum Department of the Aliens Directorate of Attica considered that the applicant had tacitly withdrew his appeal on the ground that he had not presented himself to the authorities to ask for the renewal of his asylum seeker (decision No 5401/1-A / 691-ΙΟΤ). In April 2012, the applicant left Greece and went to the United Kingdom, where he was granted refugee status on 8 May 2012.

d) Concerning the applicant A.Y. (application no 58399/11), from the Court's judgment arises that no pending asylum procedure existed as far as the applicant is concerned, as the case file showed that the applicant's asylum application was not registered by the authorities.

e) Concerning the applicant A.E.A. (application no 39034/12), as in the Court's judgment it is mentioned, on 01-10-2013, the applicant lodged an appeal before the Appeals Committee against the first-instance decision dated 25-7-2013 rejecting his asylum application. The Appeals Committee rejected this appeal, on 12-11-2015, because it considered that the applicant had tacitly withdrawn his asylum application, as he had not appeared before this Committee, despite the notification having invited him to appear.

On an unspecified date, the applicant left Greece and settled in France, where he applied for international protection.

f) Concerning the applicant Rahimi (application no 8687/08), he was recognized as a refugee (decision no 95/103299/5-6-2016 of the Special Committee of Refugees) and he was granted a residence permit with refugee status valid until 04-06-2018. This residence permit was renewed for a period of time from 05-06-2018 to 04-06-2021. According to his own statement, his residence address is in Athens.

3. Furthermore, the just satisfaction awarded by the Court has been paid in the

majority of the cases mentioned in the above table. In particular, in the case A.E.A. (application no 39034/12), the payment proceeding is not yet completed, because the applicant's representative has not submitted to the competent administrative authorities all the necessary documents according to the relevant legislation in order for the payment to occur. In the cases Horshill (application no 70427/11) and Tenko (application no 7811/2015), the Court did not award any sum as just satisfaction.

4. In view of the above, in conjunction with the violations found by the Court in each of the above cases, no other individual measures are necessary to be taken, except the payment of the just satisfaction in the case A.E.A., not yet completed, as mentioned above.

### **III. General Measures**

#### **A. Conditions of detention of irregular migrants, asylum seekers and unaccompanied minors**

##### **1. Number of arrests of refugees/irregular migrants and number of return/deportation decisions with detention, in the years 2017-2018**

The number of arrests of refugees / irregular migrants in the year 2017, at a national level, showed a decrease of the order of -66.75% (68,112 arrests in 2017 in relation to 204,820 arrests in 2016). There were issued 25,810 return/deportation decisions with detention.

On the contrary, the number of arrests of refugees / irregular migrants in the year 2018, at a national level, showed an increase of the order of +37.08% (93,367 arrests in 2018 in relation to 68,112 arrests in 2017). There were issued 32,718 return/deportation decisions with detention.

It is worth noting the increase in the rate of arrivals of third-country nationals at the Greek-Turkish borders, by +170.15% in relation to the respective period of 2017 (15,266 arrests in 2018 in relation to 5,651 arrests in 2017).

##### **2. Conditions of detention of irregular migrants/asylum seekers in the Pre-return Alien Detention Centres**

a. As it was mentioned in the Greek Government's previous communications, Pre-return Alien Detention Centres are special detention facilities for third country nationals, awaiting the execution of a deportation/return decision issued

against them and ordering their detention till their deportation or return procedures are completed, according to the relevant legislation (articles 30 and 31 of Law 3907/2011 and articles 76 par. 3 and 81 par. 1 of Law 3386/2005).

Individuals who apply for international protection while in detention for pre-removal purposes are registered by the police and referred to the competent regional asylum service. It is noted that following the entry into force of Article 46 of Law 4375/2016, the grounds for detention of asylum seekers have been aligned with the provisions of the Recast Reception Conditions Directive, while shorter maximum time limits for detention of asylum seekers were also included in the Law.

During the years 2017-2018, there was continued the operation of the Pre - return Alien Detention Centres of Amygdaleza, Tavros (24 P. Ralli Street), Corinth, Drama (Paranesti), Xanthi and Orestiada (Fylakio).

Moreover, despite the significant changes that took place in the way of management of the mixed migratory flows since 2016, especially in the islands of the Eastern Aegean, by means of the establishments of the Reception and Identification Centres (Law 4375/2016, Government Gazette 51A/3-4-2016) and the use of alternative measures to detention (restrictive condition of not departure from the island), a significant issue arose related to the management of irregular migrants, in the exceptional cases calling for their detention, according to the relevant legislation (show of delinquent behavior or need of detention of third-country nationals after the rejection of their asylum application). For this purpose, two Pre-return Alien Detention Centres have been operating on Kos island and on Lesbos island.

Consequently, eight (8) Pre-return Alien Detention Centres operated during the years 2017-2018 in the mainland and the islands of Northern and Southern Aegean. The Greek authorities, despite the serious issues they continue to face due to the migratory pressure, gave priority to ensure the reception and accommodation conditions in these Centres, in a decent living environment. For this purpose, the periodical findings of CPT and ECtHR and of other International and European Organizations related to our country, with reference to the existing conditions in some of the detention facilities in Greece, are constantly taken into consideration to the most possible extent.

b. The above mentioned eight (8) Pre-return Alien Detention Centres have been constructed in order to accommodate, in total (all of these eight Centres), 6,417 detainees (full capacity 100%).

However, for financial reasons and due to lack of manpower, some of these Centres have been operating with a percentage of their full capacity. Actually, all of these eight Centres have been operating with a capacity, in total, of 3,477 persons (operational capacity).

It is noted that, during the years 2017-2018, the number of persons detained in the above Centres, in daily basis, did not exceeded the operational capacity, with which each of the Centres operated. Indicatively, this is shown by the number of detainees in each Centre on 31-12-2018, referred below (TABLE A), which amounted, in total, on that day, to 2,098 detainees in all of these eight (8) Centres.

In Table (A) herein, there appear the existing detention facilities during the years 2017-2018, their full capacity, their operational capacity, the number of detainees on 31-12-2018 and the time of their operation:

**TABLE (A)**

<b>Pre-return Alien Detention Centres</b>	<b>Full capacity</b>	<b>Operational capacity</b>	<b>Number of detainees on 31-12-2018</b>	<b>Operating time</b>
Amygdaleza	2,000	667	572	19-3-2015
Tavros (24, P. Ralli street)	340	250	201	21-3-2015
Corinth	1,536	768	461	20-3-2015
Drama (Paranesti)	977	720	339	20-2-2016
Xanthi	480	200	179	20-2-2016
Orestiada (Fylakio)	374	374	234	6-10-2016
Lesvos	210	210	48	10-6-2017
Kos	500	288	64	23-3-2017
<b>TOTAL</b>	<b>6,417</b>	<b>3,477</b>	<b>2,098</b>	

In tables (B) and (C) herein, there appear the total number of detainees in the Pre-return Alien Detention Centres, throughout the years 2017-2018 (overall and not at the same time), how many of them were asylum seekers and how many



unaccompanied minors. It is noted that the total annual number of detainees in each of these Centres corresponds fully to their above operational capacity, in daily basis, because, as explained above, the number of persons detained in each Centre, in daily basis, did not exceeded its operational capacity.

**Table (B)**

<b>Pre-return Alien Detention Centres</b>	<b>Total number of detainees in 2017</b>	<b>Total number of detainees – asylum seekers in 2017</b>	<b>Total number of detainees - unaccompanied minors in 2017</b>
Amygdaleza	4,165	1,217	284
Tavros (24, P. Ralli street)	3,343	603	1
Corinth	1,862	1,657	45
Xanthi	1,882	1,079	34
Drama (Paranesti)	1,868	736	6
Orestiada (Fylakio)	6,325	3,273	201
Lesvos	716	716	0
Kos	752	253	0
<b>TOTAL</b>	<b>20,913</b>	<b>9,534</b>	<b>571</b>

**Table (C)**

<b>Pre-return Alien Detention Centres</b>	<b>Total number of detainees in 2018</b>	<b>Total number of detainees – asylum seekers in 2018</b>	<b>Total number of detainees - unaccompanied minors in 2018</b>
Amygdaleza	4,779	2,029	420
Tavros (24, P. Ralli street)	2,819	724	0
Corinth	2,714	2,631	159
Xanthi	2,105	1,424	29
Drama (Paranesti)	2,284	2,096	0
Orestiada (Fylakio)	14,784	8,411	0
Lesvos	978	522	0
Kos	663	367	0
<b>TOTAL</b>	<b>31,126</b>	<b>18,204</b>	<b>608</b>

c. The aforementioned Centres have been operating with the absolute observance of the safety and hygiene rules. They are entrusted with: (a) the care for the nutrition, cleanliness, clothing, medical examination and the transport of third-country nationals to hospitals or health care centres, (b) the cooperation with the co-competent Authorities, Agencies and Bodies with the aim of the provision of medical-pharmaceutical care, psychosocial care and consulting support to persons who are under detention and (c) the care for the interpretation, in the cases where such is required.

The living conditions in the Pre-return Aliens Detention Centres are fully harmonized to the international living standards in closed Centres such as:

- there is an outdoor area for yard time and the practice of activities,
- the ratio of living space of each third-country national corresponds to four (4) square meters at least,
- full nutrition is provided with the provision of three (3) meals daily,
- there are telephone installations in all the common-use spaces for the unhindered and immediate access of the detainees to them,
- the possibility is provided to all of them unexceptionally of filing their requests to the Centre Director,
- the free communication of the detainees is promoted with lawyers, NGO's and with other human rights protection bodies (the particulars of which are provided to whichever interested person via the Detention Facilities Guard),
- separate areas are provided for the exercise of religious worship and
- the retention of the detainees' personal items is permitted.

Third country nationals under detention are systematically informed on the regulation which is applied in the detention facilities, as well as on their rights and their obligations, among which is also included the right of contact with the representatives of NGO's, such as the Greek Council for Refugees, of the UNHCR and of other bodies who deal with the matter of immigration.

Indicatively it is hereby notified that during the year 2017, 292 permissions were issued by the competence police authority (Immigration Management Directorate of the Hellenic Police Headquarters) for access - entry into spaces of administrative detention of aliens, to International and European control mechanisms, NGO's, Associations and Bodies (some of the approvals pertain to multiple visits). During the year 2018, 285 permissions and 71 briefings were

realized in Police Directorates of the Country, for visits of Foreign Officials in Reception and Identification Centres and in the open accommodation structures. Besides the foregoing, in all the detention areas, relevant information sheets have been posted at visible points and the detainees are served with "Information Brochures", via which they are informed, in a language which they understand, on their rights with regard to the detention and the asylum procedure.

In parallel, there is a continuous cooperation with the co-competent Ministries, NGO's and bodies, who are active in migration matters, so that the reception and accommodation conditions of the detainees are improved even further. The planning of the Hellenic Police Headquarters on the implementation of the National Program of the area of Home Affairs, for the period 2014 - 2020 (Multiannual AMIF Fund), which has been approved by the European Union, includes a number of actions, the implementation of which will contribute by priority to the increase of the returns and to the further improvement of living conditions in the Pre-return Alien Detention Centres.

d. In this context, under the National Program of the area of Home Affairs, for the period 2014 - 2020 (Multiannual AMIF Fund), there recently were assigned to the Ministry of Health, and in particular to the public body "Healthcare Units S.A. (AEMY S.A.)", as implementing body, the action "*Development of the supplied services to the Pre-return Alien Detention Centres – Healthcare, psychological support, social support and interpretation services*", of a total budget of 7.009.974,01 €<sup>3</sup>.

The main objectives of the above action are the following:

- (a) The provision of healthcare, as well as prevention, to detainees in the Pre-return Alien Detention Centres.
- (b) The psychological and social support of detainees, taking into consideration that they are under conditions of confinement.
- (c) The prevention of the spread of diseases and infections among the detainees, the employees of the Detention Centres and the wider community.
- (d) The support of the work of the hereinabove services by the participation of interpreters, in order to reduce the response time to the needs of the detainees

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<sup>3</sup> The relevant legislative provision was made by Article 47, of the Law 4461/2017 (Official Gazette A 38/28-3-2017).

and for the proper management of the problems concerning their stay in the above Centres.

(e) The promotion of an integrated approach for healthcare, both by means of the improvement of health and in general, by the improvement in the stay/detention conditions.

The relevant Action has started to be implemented ever since the middle of January 2018 by the staffing of the Pre-return Alien Detention Centres with doctors, psychiatrists, nurses, administrative employees, health visitors, psychologists, social workers and interpreters. Particularly:

- Concerning the provision of medical-pharmaceutical healthcare services, the staffing by doctors is 50%, by nurses 70%, by health visitors 25% and by administrative employees 75%.
- Concerning the provision of psychological support services, the staffing by psychologists is 90% and the staffing by psychiatrists is expected,
- Concerning the provision of social support services, the staffing by social workers is 90% and
- Concerning the provision of interpretation services, the staffing by interpreters is 42.31%.

Consequently, at the present time, the staffing in each Pre-return Alien Detention Centre is as follows:

- Pre-return Alien Detention Centre of Amygdaleza: 3 doctors, 2 nurses, 2 psychologist, 2 social workers, 2 interpreters, 1 health visitor.
- Pre-return Alien Detention Centre of Tavros: 2 doctors, 3 nurses, 1 psychologist, 1 social worker, 1 interpreter, 1 health visitor, 1 administrative employee.
- Pre-return Alien Detention Centre of Corinth: 1 doctor, 5 nurses, 2 psychologists, 2 social workers, 1 interpreter, 1 administrative employee.
- Pre-return Alien Detention Centre of Drama (Paranesti): 5 nurses, 1 interpreter, 1 administrative employee.
- Pre-return Alien Detention Centre of Xanthi: 1 doctor, 5 nurses, 1 social worker, 2 interpreters, 1 administrative employee.
- Pre-return Alien Detention Centre of Orestiada (Fylakio): 2 doctors, 5 nurses, 1 psychologist, 1 social worker, 2 interpreters, 1 administrative employee.
- Pre-return Alien Detention Centre of Lesvos: 1 psychologist, 1 social worker, 1 interpreter, 1 administrative employee.

- Pre-return Alien Detention Centre of Kos: 3 nurses, 1 psychologist, 1 social worker, 1 interpreter.

The legal procedures for the full staffing of the provided jobs in the context of implementation of the above Action are continued by the competent authorities (Ministry of Health/AEMY S.A.).

The patients detainees are first examined at the surgery of the facility of the Detention Centre, and in a concurrent case the proper pharmaceutical treatment is administered. The medical check includes the receipt of medical history, a general clinical examination and in concurrent cases the referral to laboratory testing, with the aim to detect possible contagious diseases (tuberculosis, sexually transmitted diseases, skin conditions) or other communicable diseases. The incidents of detainees who cannot be treated by the doctors of the Detention Centre, are referred for hospitalization or for examination, to a hospital on duty or to another appropriate hospital institution.

The day-to-day presence of a physician in the Centres facilitates shall regular patient review and more comprehensive follow-up of regular cases, while there is immediate medical intervention in acute cases, minimizing possible complications from any delay in starting treatment.

The psychological support services provided include the psychological evaluation of the beneficiaries, counseling intervention with regular individual sessions, the holding of extraordinary sessions for crisis management of beneficiaries, upon referral by the Police or Medical Officials, the referral for psychiatric assessment where necessary, conducting an age assessment interview and compiling findings in cases where the beneficiary has claimed to be a minor and, finally, conducting psychosocial assessments and writing psychosocial referrals in cases requested by the Asylum Service.

For the facilitation of the work of the medical team, a procedure for the supply of medical equipment and pharmaceutical material by the Ministry of Health/ AEMY S.A. is on-going.

Additionally, in the framework of the implementation of the Action "Renovation - Reconstruction and Maintenance of Pre-return alien Detention Centres", provision is made to exist, in every Detention Centre, other sufficient spaces besides the surgery, for the conduct of individual or group meetings, in a way such that privacy is ensured (creation of offices for psychologists, social workers, etc.).

For the securing of medical confidentiality for every detainee, an electronic medical file is maintained by the scientific personnel of AEMY S.A., in which are registered all the medical data pertaining to it. The medical records are stored with safety and the degree of access that the personnel members have to each file type is determined.

Moreover, in the context of the legislative provision concerning the extension of the operation of the above eight (8) Pre-return Alien Detention Centres, until 31-12-2022<sup>4</sup>, the expected cost of the continuing cooperation of the Hellenic Police Headquarters with the AEMY S.A. was taken into account and its coverage was envisaged, of a total estimated budget of 7,111,445.00 € (budgets per year: 2019 -2,100,000.00- €, 2020 -2,100,000.00- €, 2021 -1,679,900.00- €, 2022 -1,635,445.00- €).

e. It should be noted that, in certain cases of the MSS group, the Court found a violation of the applicants' right to an effective remedy (violation of article 13, in combination with article 3 of the Convention), due to the lack of an effective remedy to contest the conditions of detention. Nevertheless, in its case-law after the year 2014, the Court found that following the amendment of article 76 of Law 3386/2005, by Article 55 of Law 3900/2010, which entered into force on 1 January 2011, the president of the first-instance administrative court is competent to examine all aspects of the legality of an alien's detention, including the conditions in which an alien is detained, in the context of the legal remedy of objections. In this context, the Court has ruled on many occasions that following this amendment, the submission of objections to the president of the first-instance administrative court constitutes an effective remedy, which should have been exhausted by the applicants (see *S.B. v. Greece* (dec.), no. 73554/11, §§ 31-41, 8 July 2014; *G.B. v. Greece* (dec.), no. 78485/11, §§ 47-55, 16 September 2014; and *Moras and others v. Greece* (dec.), no. 20/13, §§ 26-33, 20 January 2015, *Josef and others v. Greece* (dec.), no 76854/11, par. 26-30, 24 January 2017).

The effectiveness of the legal remedy of the objections is examined separately, in the context of violations of article 5 par. 4 of the Convention, under the group of cases S.D.

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<sup>4</sup> Joint Ministerial Decision 8038/23/22-πζ' (Official Gazette B 5906/31.12.2018) "Extension of the operation of Pre-return Alien Detention Centres".

f. The management of unaccompanied minors, but also, in general, of minors third-country nationals, is monitored with great attention by the Hellenic Police and all the other competent Agencies and is treated with sensitivity and attention, so as to provide the requisite degree of protection to this sensitive age group. To this end, every case of irregular entry of a third-country minor is immediately referred by the Police Agencies to the Prosecutorial Authorities (article 22 of L. 4540/2018, Official Gazette A' 91/22.05.2018).

As per article 10, of Law 4540/2018, transposing the recast directive 2013/33/EU<sup>5</sup>, the detention of unaccompanied minors may be decided only as a measure of last resort, and always in light of minors' best interests and after it having being established that other less coercive alternative measures cannot be applied effectively. Detention is as short as possible and all efforts shall be made to release the detained minors and place them in accommodation facilities suitable for minors and never in prison accommodation. In any case, the detention of minors until their placement in accommodation facilities cannot exceed 25 days. If, due to exceptional circumstances, such as the significant increase in the number of minors entering the Greek territory, despite the reasonable efforts of the competent authorities, it has not been possible to safely place the minors in accommodation facilities within the above time period of 25 days, the detention may be extended for another 20 days. Where minors are detained, they shall have the possibility to engage in leisure activities, including play and recreational activities appropriate to their age.

In particular, in detention facilities for irregular migrants supervised by the Hellenic Police, unaccompanied minors are in protective custody status, as short as possible, until their placement in appropriate accommodation facilities. They are accommodated separately from adults, in special areas, and all the necessary procedures are implemented for the determination of their minority, with the assistance of other services, public bodies and cooperating NGO's. Every possible effort is, also, made for the soonest possible tracing of their family and the necessary measures are immediately taken to secure their legal representation and, if needed, their representation in the framework of penal proceedings.

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<sup>5</sup> Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection [Reception Conditions Directive (recast)].

In the hereinabove framework, an effort is made so that the total number of unaccompanied minors who are under the protective custody of the Police, be accommodated in properly formed areas in Amygdaleza, Attica and in the Aliens Police Direction of Thessaloniki (52 Pontou Street and at the Immigration Management Department of Agios Athanasios).

The effective protection of the unaccompanied minors and the improvement of their management is a constant pursuit of the Greek authorities. For this purpose, important legislative arrangement took place concerning their guardianship and their further management, in appropriate accommodation centres via the National Centre for Social Solidarity (EKKA Greece), which will be discussed below.

## **B. Living conditions of asylum seekers and unaccompanied minors**

For the purposes of this chapter, living conditions refer to the living conditions of asylum seekers as they are perceived in MSS case and do not deal with the conditions of initial reception (identification, registration, basic medical and humanitarian assistance, temporary shelters) of the newcomers third country nationals at entry points (Reception and Identifications Centres).

At this point, it should be noted that the existing circumstances differ significantly from those prevailing in the years 2009 - 2010, when the facts of the case MSS occurred, as well as from the year 2011, when the MSS judgment was adopted by the Court. The migratory and refugee crisis that broke out in 2015 and has been going, has created a new, exceptional, complicated and urgent situation related to the management of tens of thousands migrants and asylum seekers remaining in Greece. The efforts of the national authorities are continuous and have yielded significantly, but the migratory pressure on reception and asylum systems remains, as migratory and refugee flows continue, and even increasing over the last year and the migration issue is constantly changing and unpredictable.

### **1. New relevant legislation**

By Law 4540/2018 (Official Gazette A' 91/22.05.2018) was transposed to the Greek legislation the recast Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection [Reception Conditions Directive (recast)].



Indicatively, regarding reception conditions, this law provides that the competent host authority, in cooperation with the competent governmental bodies, international organizations and certified social organizations, shall ensure the provision of material reception conditions in goods or in the form of financial assistance to applicants for international protection. Material reception assistance is provided on the condition that applicants are not working or their work is not providing them with sufficient resources. Asylum seekers have free access to public health structures and to nursing and health care, including the necessary treatment for illness and the necessary psychiatric care.

The accommodation of applicants for international protection could take the following forms: a) special accommodation structures for applicants during the examination of their application at border or transit zones b) hospitality centres managed by public or private non-profit organizations or international organizations and c) private dwellings or apartments or hotels leased as part of housing programs for applicants.

All third-country minor or stateless persons during their stay in the country have the right of access to all levels of public education. Adulthood alone is not reason sufficient for loss of that right.

Special care is taken for minors, unaccompanied minors, families and women during pregnancy and for three months after childbirth.

Furthermore, in order to improve the possibilities for examining and identifying vulnerability, it is provided that the reception process takes into account the applicants' vulnerability while clearly defining the process and the organizations that could undertake the examination and assessment of vulnerability.

In the case of unaccompanied minors and in order to assess their best interests, account is taken in particular of family reunification possibilities, the quality of life and the social development of the minor, security and protection issues.

Victims of torture, rape or other serious acts of violence are certified by the medical opinion of qualified personnel of public health service providers only, including forensic medical practitioners, and will receive the necessary care for the damage caused.

## 2. Living conditions of Asylum Seekers (adults and families)

### a. Accommodation

With over one (1) million refugees / migrants having arrived via the Turkish coast from the beginning of the year 2015 until and including the March of 2016, Greek authorities managed to handle the unprecedented refugee/migrants flows by creating, as quickly as possible, hosting facilities for refugees and migrants and closing, at the same time, unofficial and improper settlements. The structures subsequently got improved and some of them over time met the stricter standards set by International Organizations.

In cooperation with the European Commission and the United Nations High Commission for Refugees (UNHCR) support programs have been implemented in the framework of which asylum seekers have been accommodated in apartments as well as they have been offered financial support through prepaid cards.

By the end of December 2018, apart from the six (6) Reception and Identification Centres for Refugees and Migrants on Greek Islands and the Evros area, there were a total of twenty-six (26) open temporary residence and accommodation facilities for Refugees and migrants on the mainland, while a large number of asylum seekers were living in apartments and hotels, as part of housing programs in cooperation with the UN High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM).

The above twenty-six (26) accommodation structures on the mainland are the following<sup>6</sup>:

- Accommodation facilities in Attica: Eleonas, Schisto, Skaramangas, Malakasa, Lavrio, Elefsina.
- Accommodation facilities in Central Greece: Oinofyta/Viotia, Thiva/Viotia, Thermopyles/Fthiotida, Ritsona/Evia.
- Accommodation facilities in Western Greece: Andravida (Mirsini, Andravida, Ilia).
- Accommodation facilities in Thessaly: Koutsohero/Larisa, Mozas Buildings/Volos.
- Accommodation Facilities in Eastern Macedonia: Kavala, Drama.

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<sup>6</sup> See the Special Edition "Accommodation Facilities for Asylum Seekers in mainland Greece" of the Ministry of Digital Policy, Telecommunications and Media and the Ministry of Migration Policy, <http://mindigital.gr/index.php/pliroforiaka-stoixeia/3294-special-edition-accommodation-facilities-for-asylum-seekers-in-mainland-greece>

- Accommodation Facilities in Central Macedonia: Serres, Alexandria/Imathia, Veria/Imathia, Diavata /Thessaloniki, Kato Milia /Pieria, Lagadikia/Thessaloniki, Nea Kavala/Kilkis.
- Accommodation facilities in Epirus: Doliana/loannina, Filippiada/Preveza, Katsikas/loannina, Agia Eleni/loannina.

At the end of 2018, at the above twenty-six (26) open accommodation structures of mainland Greece, 18,369 persons were living in conditions ranging from very good to excellent. Respectively, under the temporary accommodation program which is implemented in cooperation with the International Organization for Immigration, 6,793 persons were living in apartments and hotel rooms. Also, under the Emergency Support to Integration & Accommodation Program ESTIA, executed in cooperation with the UNHCR and the local authorities, 22,686 persons were living in apartments, under optimum conditions.

In more detail, the number of persons hosted at places of the ESTIA housing program was:

-In the year 2016, 23,047 persons in total.

In the year 2017, 34,673 persons in total.

-In the year 2018, 34,305 persons in total and

- In the month January 2019, 23,492 persons in total.

58% of the places provided under the ESTIA program are situated in Attica, 19,5% in Northern Greece, 7,3% in Central Greece, while 9,7% in the islands (3,6% in Crete and 6,1% in the other islands).

Finally, for the completeness of the information, it is referred that, in the end of the year 2018, in the Reception and Identification Centres of the five islands of Eastern Aegean, 11,683 persons were living, instead of 18,107, who were living there in September 2018. This significant decrease was achieved by means of transfers from the islands to the mainland of 29,090 persons, mainly belonging to vulnerable population groups, from the islands to the mainland over the previous year.

The progress achieved in the management of the refugee crisis in Greece in the last years was pointed out by the representative of UNHCR in Greece, Philippe Leclerc, on February 2019, during his address at Thessaloniki Regional Forum 2019. The representative of UNHCR in Greece noted the increase of the temporary hosting seats, from 1.000 seats five years ago to 27.000 seats in apartments and 20.000 seats in the hosting centres at the present time, as well

as the progress made in the living conditions in comparison with those existing five years ago.

b. Management of asylum seekers (adults and families) housing requests

The housing requests' management system is divided in two periods:

a) the first period extends until 11.09.2018, when the competent agency for the management of the housing requests of families and adults asylum seekers as well as unaccompanied minors, was the National Center of Social Solidarity (NCSS-EKKA). It is noted that, under the NCSS (EKKA) management system of asylum seekers housing requests, were specific shelters and apartments operating under NGO or State Agencies' responsibility and not the open structures of Refugees accommodation (camps) and the housing programs of international organizations (mainly the UNHCR) and private initiatives or organizations and

b) the second period starting on 11.09.2018 and forth, when competent service for the collection and management of the requests for adults and families international protection seekers and the reference of the seekers in appropriate hosting structures, is the Directorate of Asylum Seekers Protection (Department of Housing Requests Management) of the Ministry of Immigration Policy<sup>7</sup>. Such Service is now the recipient of all individual requests of references which were previously sent to other agencies (i.e. UNHCR). This aims to the elimination of fragmentation of the management of the housing requests submitted by adults asylum seekers and for the competent Ministry of Immigration Policy to have the total image and management of the issue.

It is noted that NCSS (EKKA) has been and still remains competent for the management of the unaccompanied minors' housing requests, in view also of its new authorities in the context of the new constitutional framework of unaccompanied minors' guardianship, issues to which analytically referenced hereinbelow.

a. The NCSS (EKKA) management system of housing requests by families and adults included the management of the places at accommodation structures which were separated per class (nuclear families, single-parent families headed

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<sup>7</sup> According to article 23 par.2d of PD 122/2017 (Official Gazette 149/A/10.10.2017) "Regulations of the Ministry of Immigration Policy".

by the mother, single-parent families headed by the father, adult men and adult women).

Prerequisite condition for the integration of a structure in the NCSS (EKKA) system was its staffing with social worker, psychologist, legalist, social caregivers and interpreters or intercultural mediators.

Therefore, except for covering the basic living needs (food, clothing, shoeing, medical-pharmaceutical treatment), also services of interpretation, legal counselling and psychological support were provided. The way to provide such services depended on the regulation of operation of each structure and the funding resource (i.e. coverage in kind or provision of financial assistance).

Criterion for fulfilling the requests was the vulnerability of the seekers based on specific standards, in order to verify the need of prioritization and the detection of appropriate accommodation area.

In such context, the persons who filed housing requests to NCSS (EKKA) in the year 2016 were totally 14,923 (adults, families and unaccompanied minors) i.e. increase by 265% compared with the year 2015 (when 4,087 requests were filed). The percentage of requests' fulfillment was 29.18%, i.e. 4,354 requests. Although the fulfilment percentage was significantly reduced compared to the past years, in absolute numbers there was increase of the placements by 267 persons over the year 2015.

Specifically, for the cases of nuclear/single-parent families and the adults, accommodation was asked for 9,732 persons, of which: a) 1,430 adults (number that is almost double than in the year 2015), of which 29.51% was placed in shelters, b) 1,190 housing requests from nuclear families concerning 5,027 persons. Accommodation was found for 9.43%. Such class presented huge increase of requests (number that is almost ten times over the year 2015), a fact which, in combination with the borders' closing to the other European countries in March 2016, has led to small percentage of placements and c) 953 housing requests from single-parent families concerning 3,292 persons (instead of 567 persons in the year 2015), of which 21.78% was placed in shelters.

In the year 2017, NCSS (EKKA) received 12,184 housing requests in total (adults, families and unaccompanied minors). The percentage of the requests' fulfillment was 42.84%, i.e. 5,220 requests, which means a significant increase compared to the precedent year.

Particularly, for the classes of the nuclear/single-parent families and the adults, accommodation was asked for 6,657 persons, of which: a) 1,737 adults of which 11.35% was placed in shelters, b) 785 housing requests from nuclear families that concerned 3,219 persons whose request was fulfilled to a percentage of 11% and c) 592 housing requests from single-parent families concerning 1,703 persons of which 33.06% was fulfilled.

It is explained that, in view of the fact, as mentioned before, that specific shelters and apartments were subjected to the NCSS (EKKA) systems, which were operating under NGO's or State Agencies' responsibility, destined to vulnerable asylum seekers, the abovementioned statistical data concern the placements of asylum seekers only in such structures falling under NCSS's management system. Therefore, these data do not include the provision of accommodation to asylum seekers at the open structures for Refugees accommodation (camps) and the housing programs of international organizations (mainly the UNHCR) and private initiatives or organizations, via which tens of thousands of asylum seekers were hosted since the year 2016 henceforth.

b. As mentioned hereinabove, since 11.09.2018 the service competent to collect and manage the housing requests of asylum seekers (adults) and the applicants' referral to appropriate structures of accommodation is the Directorate of Asylum Seekers Protection (Department of Housing Demand Management) of the Ministry of Immigration Policy.

Given that this is a new authority, such service for the moment accepts housing requests from asylum seekers living at the urban net, under homelessness or precarious housing conditions, while the total housing requests from adults asylum seekers shall be gradually undertaken, as provided for by the Regulation of the Ministry of Immigration Policy.

The housing requests are submitted by public and social agencies and prioritized on the basis of the available places and the degree of vulnerability, for the assessment of which necessary is the collection of specific information related to the asylum seekers. To this effect, a standard form has been created for individual housing referral which is filled in by all agencies addressing relevant requests and it is accompanied by a sheet of instructions for fullest and most correct filling thereof. The assessment of the vulnerability is made on the basis of specific criteria, determined according to the Directive about Reception

Conditions 2013/33/EU, transposed into the Greek legal order by the Law. 4540/2018.

Then, depending on the degree of vulnerability, the asylum seekers are referred either to apartments of the ESTIA program, the management agency of which up to date is UNCHR<sup>8</sup>, or to hotels managed by the International Immigration Organization or structures of temporary accommodation managed by the Reception and Identification Service or other agencies. The referral agency is informed within reasonable time about the progress of the request and the possible detection of appropriate housing place.

Since 11.09.2018 (date when the Directorate of Asylum Seekers Protection undertook duties) until 04.02.2019, 1,079 housing requests were filed concerning 2,109 persons. Based on the applicants' vulnerability and the availability of appropriate accommodation facilities, 118 requests have been fulfilled, that cover accommodation of 281 persons. 821 requests were still pending related to the accommodation of 1,523 persons. The rest cases have closed due to non-fulfillment of the eligibility standards.

In December 2018, the maximum number of places at the ESTIA program for vulnerable asylum seekers and refugees was 27,070, while the places at hotels managed by the International Organization of Immigration, at structures of temporary accommodation of the Reception and Identification Service and in other open accommodation structures managed by other agencies, were 26,618.

c. Provision of material living conditions:

In the open accommodation structures (camps) after a transitional period of time that lasted for the first months of the year 2016, when the provision of food was made by means and supplies of the Armed Forces, it followed the provision of food via catering companies.

Furthermore, the competent national authorities, in cooperation with the European authorities and agencies, provided to the applicants the required clothing but also necessary items of personal hygiene and cleanliness, taking special care of the coverage of the needs of the vulnerable groups.

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<sup>8</sup> At the moment, the transfer of the management of the ESTIA housing program is gradually implemented, on the basis of a time schedule, to the Directorate of Asylum Seekers Protection, Ministry of Immigration Policy.

Gradually, the nutrition and the other living conditions (necessary clothing and personal hygiene and cleanliness items) were covered in most camps in the mainland, by the implementation of the full-cash program<sup>9</sup>, coordinated by the Ministry of Immigration Policy. The program is managed by UNHCR, with NGO partners.

According to the Law 4540/2018, the asylum seekers are entitled to housing for as long as the processing of their request for international protection is still pending before the Asylum Service. They also receive financial support to cover their basic needs. Depending on the place and the kind of the accommodation granted and depending on whether the accommodation includes food or not, the amount of the financial support is determined. In addition, the asylum seekers have access to health services and receive psychosocial support, issues to be analytically referenced hereinbelow, as well as interpretation services.

#### d. Access to Health Services:

The Greek authorities, in cooperation with bodies and NGOs under a series of initiatives and actions taken, has laid the groundwork for immediate medical assistance to thousands of refugees and migrants, effectively protecting public health.

Key steps of this procedure have been the provision of primary health care in open refugee hosting structures, the provision of direct access to medical services for refugees and migrants irrespective of nationality and legal status and the systematic ongoing vaccination program.

The relevant legislative framework provides for the free access of asylum seekers to public healthcare system. Specifically, the previous relevant legislation (article 14 of the Presidential Decree 220/2007) provided that asylum seekers, who were uninsured and they didn't have sufficient recourses, had free access to hospitals and medical care. This provision was abolished by Law 4540/2018 (article 30 par. 6). The legislation currently in force (article 17 of Law 4540/2018), settles fuller the matter, providing that asylum seekers have free access to public health structures and to nursing and health care, including the necessary treatment for illness and the necessary psychiatric care, if

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<sup>9</sup> In particular, in two (2) Accommodation Facilities (Camps) in the mainland, food is provided via catering for specific number of refugees who have not yet joined a full cash program, upon request of the Ministry of Immigration Policy.



appropriate, according to article 33 of Law 4368/2016. According to the provisions of Article 33 of Law 4368/2016 and the relevant ministerial decision, asylum seekers have been included among the “socially vulnerable groups”, who have the right to access the public healthcare and medical system of the country. In the open accommodation facilities (camps) in all over the country, services of primary healthcare and psychosocial support are rendered by medical and nursing personnel, that is disposed depending on the camp’s management agency, from the Armed Forces and other agencies, such as the Hellenic Center for Disease Control and Prevention (HCDCP) and Non-Governmental Organizations that are activated in the sector of health services. In case that further health services are required, then referral is made to the health structures of the National Health System. At the same time, preventive health actions are conducted such as vaccination programmes and informative campaigns on matters of health, reproductive health and contagious diseases and hygiene issues.

Particular emphasis has been given to the refugees and migrants programme of vaccination, for reasons of prevention and protection of the public health.

Actually, since March 2016, in view of the perspective of mid/long-term stay of tens of thousands asylum seekers and migrants in the country, due to the closure of the Western Balkans’ way, a new situation was formed and the need to organize vaccinations to the children remaining at refugees/immigrants’ facilities was raised. The competent services of the Ministry of Health set the priority vaccines for the refugees and the asylum seekers<sup>10</sup> and a workgroup was nominated<sup>11</sup> aiming to supervising and coordinating the application of the refugee vaccination program. According to the evaluation of the work of the mentioned Workgroup, published on 27.07.2017, the vaccinations to the population of refugees and migrants was made in the form of mass vaccination campaigns at their places of stay and especially about the priority vaccines under the coordination of the General Secretariat of Public Health, Ministry of Health. The vaccination programme that was applied, included vaccination for ten diseases and more than 30,000 vaccinations were administered. The

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<sup>10</sup> No. Γ1Α/Γ.Π.οικ.21373/18-3-2016 (ADA No. 63TK465ΦΥΟ-ΠΘΖ) circular of the General Secretary of Public Health of the Ministry of Health by which was adopted the opinion dated 09.03.2016 of the National Committee of Vaccinations.

<sup>11</sup> No. Α1β/Γ.Π.οικ.26964/11-4-2016 (ADA No. 6ΚΩ1465ΦΥΟ-ΓΗ5) Ministerial Decision.

vaccinated children were given a vaccination card disposed by the World Health Organization (donation of 26,000 international vaccination certificates/cards).

The vaccination to refugees and asylum seekers who live both at accommodation centres (camps) as well as urban facilities continues in the context of provision of primary health care, by services of the public health system, but also by NGOs activated in the sector of vaccination (Medecins sans frontieres, Red Cross, Doctors of the World, and PRAKSIS, programme "Health for All"). Also, the vaccination was continued by the H.C.D.C.P. in the context of the PHILOS program<sup>12</sup>.

Indicatively in order to emerge the importance of the vaccination programme, it is referred that, according to the General Secretariat for Public Health data, 80,500 vaccinations have been administered from March 2016 to February 2018.

Since January 2018, priority was given to the vaccination of the newly entering children to the islands of Eastern Aegean, during the procedure of registration and identification, as well as booklet-vaccination control of any unvaccinated children before their departure from the islands to the mainland.

In parallel with the generalized vaccination of children and adult refugees and migrants, the Ministry of Health has also acted for the healthcare and general coverage of the needs in medicines and sanitary material of the foregoing population groups.

In addition, mental health units funded by the regular budget of the Ministry of Health and supervised by the Directorate of Mental Health of such Ministry, offer services to refugees, migrants and asylum seekers at various areas of the country. Mental Health and psychosocial support services are provided also to refugees and migrants by the National Health System (psychiatric hospitals).

According to the data of the National Health Operations Center (EKEPY), which monitors the incidents of refugees' and migrants' turnout at the National Health System, since March 2016 until February 2018, 94,508 incidents were reported to National Health System hospitals, 12,067 were transported by the National Emergency Aid Center, 11,838 persons were admitted for hospitalization and

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<sup>12</sup> European Program "Integrated Emergency Health Intervention to Refugee Crisis-PHILOS" of the Ministry of Health implemented by the Center of Disease Control and Prevention (HCDCP) aiming to enhance the structures of the National Health System (Primary National Health System – Hospitals – National Emergency Aid Center) for the response of the Greek State to the refugee crisis.

4,222 regular medical appointments for refugees and migrants arranged with doctors at hospitals in Attica.

During the two months May to June 2018, 11,664 refugees and migrants showed up to all health regions of the country, of which number 253 had been transported via the National Emergency Aid Center Ambulances, while 1,033 were admitted for hospitalization. During the three months July – August – September 2018, the refugees and migrants who received health services at the health structures of the country, amounted up to 16,641 of whom 1,385 persons were admitted to hospitals. Finally, for the three months October-November-December 2018, the number of refugees and migrants who received health services at the health structures of the country was 17,601, of whom 1,385 were admitted for hospitalization.

At the accommodation centres of refugees and immigrants as well as at the reception and Identification centres, the epidemiological data are collected on daily basis and monitored for 14 selected syndromes/health conditions which are significant in terms of public health. Based on the HCDCP data, it is concluded that no serious incident of public health was noticed during the year 2018 at the mentioned facilities.

#### e. Access to Education:

The Hellenic authorities (Ministry of Education, Research and Religions Affairs) acting timely for the normal integration of the children refugees in the schools, have prepared and implemented a specific educational program for such children.

For the school year 2016-2017, in implementation of the action program and after the relevant legislative provisions<sup>13</sup>, Reception Structures for Refugee Children Education (RSRCE) were established that are addressed to newly entering refugees students (ages 6-12 and 13-15 years) who live at accommodation centres and structures. These Reception Structures offer a weekly, afternoon educational twenty-hour training program (four hours a day). The curriculum consists of Greek, Mathematics, English, Information Technology

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<sup>13</sup> Article 38 of L. 4415/2016 (Official Gazette A 159) "Provisions for the Greek language education, the intercultural education and other provisions" and no. 152360/ΓΔ4 (Official Gazette 3049B, 2016) "Establishment, organization, operation, coordination and program of education of the Reception Structures for Refugee Children Education, standards and procedure for the staffing of such Facilities".

and Communication, including artistic and athletic activities. The Reception Structures are established in school units (public elementary schools and public junior high schools) located next to the accommodation centres, except Kindergartens, which operate within the accommodation centres.

During the first school year of their operation (2016-2017), the RSRCEs opened their doors to more than 3,240 students in 7 educational regions and 33 accommodation structures.

In addition to the RSRCEs, a great number of children living in the urban net of the Greek cities (in apartments or other facilities) were integrated, already since the school year 2016-2017, depending on their age, to day schools in program of typical education studies. In many cases, refugee children were integrated in elementary schools that availed, in addition to the typical program of studies, also "Reception Classes". The "Reception Classes" are established at school units characterized, on the basis of the educational requirements, as Educational Priority Zones. In the Reception Classes, pupils follow an intensive program of Greek language, alongside standard class lessons. These classes address the needs of all pupils who do not have the required knowledge of the Greek language (Roma, foreigners, repatriates, refugees, vulnerable social groups, etc.).

Finally, a number of refugee children joined the normal curriculum at schools that were not fulfilling the standards of the minimum required number of students speaking other languages, for the creation of Reception Classes, as well as intercultural elementary and junior and senior high-schools.

During the school year 2017-2018, the main target of the competent authorities was the integration of all refugee children in the school, with particular emphasis to the harmonious transfer of the vast majority to the day zone. Simultaneously, the successful RSRCEs institution continued operating for a number of students who did not have the time to complete the pre-integrational year of the precedent school year or those whose accommodation structure was not situated near an Educational Priority Zone. Additionally, for the needs of the minor refugees over 15 years, Reception Classes were established at the Secondary Education and access was given to the Senior High Schools as well.

The total number of students enrolled in all levels of education, during the school year 2017-2018 amounted up to 7,316 of which 2,025 studied at RSRCEs while 5,291 attended Reception Classes at day zone<sup>14</sup>.

Main objective of the Ministry of Education, Research and Religious Affairs, for the third consecutive year 2018-2019, remained the integration of all refugee children into the school system.

Particularly, during the first quarter of the school year 2018-2019 and more specifically until the end of December 2018, the number of refugees enrolled in all ranks of the RSRCEs (primary and secondary education) was 3,348.

At the same time, the school units with Reception Classes at the primary education had 1,409 enrolled students, while the school units with Reception Classes at the secondary education, 1,197 enrolled students<sup>15</sup>.

Simultaneously the students enrolled in school units without Reception Classes were calculated at 2,343 minimum at the primary education and 1,049 at the secondary education.

Upon the onset of the year 2019, another stage of establishment of new reception Classes was expected for the primary and the secondary education, as well as new RSRCEs at the geographic locations where part of the population was re-settled from the islands.

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<sup>14</sup> In particular, with regard to the RCRSEs, during the school year 2017-2018, 300 students studied at 16 junior high schools, 1,187 at 45 elementary schools and 539 at 23 nursery schools, i.e. 2,025 students at 84 school units. With regard to Reception Classes, 3,692 students studied at elementary schools, 900 at junior high schools and 699 at general and vocational senior high-schools, i.e. 5,291 students in total. Such number did not include students enrolled at school units that do not avail Reception Classes or students of Intercultural Elementary schools, Junior and Senior High Schools.

<sup>15</sup> It is noted that with regard to the reception Classes, the uniform calculation of the enrolled refugee students during the school year is characterized from increased variability due to permanent mobility of the population, the gradual onsets of new classes in all over the country (3 stages of establishment of new classes) as well as the transfers due to the movement of the student population from the islands to the mainland and from the accommodation centres in apartments within urban net. It is noted that the mentioned number of enrolled students at the reception Classes does not include the students of the Intercultural Elementary schools, Junior and Senior High Schools.

f. Access to the labour market for asylum seekers:

As per article 71 of Law 4375/2016, asylum seekers have immediate access to legal employment, after completing the procedure for lodging an application for international protection and if they are in possession of a valid “applicant for international protection card” or “asylum seeker’s card”.

Similarly, by articles 15 and 16 of Law 4540/2018, it is provided that applicants for international protection have access to employment under the terms and conditions of article 71 of Law 4375/2016 and to attendance of vocational training programs on the same terms as Greek citizens.

During the year 2018, the Ministry of Labour, Social Security and Social Solidarity started initiatives to integrate in the labor market and secure legal employment conditions for beneficiaries of international protection and asylum seekers. Among these the most important were the registration in the Hellenic Manpower Employment Organization (OAED) and the granting of Social Security Number (AMKA).

In particular, the total registered beneficiaries of international protection and asylum seekers in the Unemployed Register of the Hellenic Manpower Employment Organization amounted, until the end of 2018, up to 6,150 of which 3,645 were males and 2,505 were females.

Approximately 85% of the persons registered in the Hellenic Manpower Employment Organization belongs to the productive ages of 17 to 44 years (2,196 to the age group of 17-30 years and 3,063 to the age group of 30-44 years). With reference to their allocation in the State, the greatest number has been registered in the Region of Attica, i.e. 3,864 persons while the Region of Central Macedonia follows with 1,026 persons and the Region of Northern Aegean with 572 persons.

Also, a circular has been given for the issuance of a Social Security Number (AMKA) to beneficiaries of international protection and asylum seekers by which is facilitated the procedure for the issuance of AMKA to such persons as well as to unaccompanied minors.

### **3. Living conditions of Unaccompanied Minors**

The agency to manage the housing requests of unaccompanied minors is the National Center of Social Solidarity (NCSS/EKKA). In particular, the Service of NCSS (EKKA) Housing Requests Management has the authority for the

collection and management of the Unaccompanied Minors housing requests, the creation and maintenance of a monitoring system and the coordination of Unaccompanied Minors escorting and transferring.

The housing requests are subjected by State and social agencies (i.e. Asylum Service, Reception and Identification Service, Police Directorates, NGOs etc.)

Assessment follows of the minors' vulnerability based on their gender, age, state of health, place of residence (i.e. under protective custody, homelessness) social background etc. in order to prioritize the requests.

The coverage of the vacant places starts immediately since there is every day updating by all structures about capacity. A form about placement is issued for the placement in a shelter or an email message is sent for the placement in a safe zone or a hotel. Then, the appropriate medical examinations are conducted and the issuance of a prosecutor's order for the minor's transfer and escorting follow. In cases of young children or children in need of medical attendance, escorting and accommodation at a Children Hospital may exist, by virtue of a prosecutor's order.

The unaccompanied minors under protective custody and in hospitals are immediately prioritized for placement. In specific, for the Unaccompanied Minors under protective custody, a housing request is field by the Police so that they be placed in an accommodation shelter. The minors under protective custody or Reception and Identification Centers, aged over 15 years, are mainly refereed to safe zones or emergency hotels, in order to delimit their expectancy time for their placement in a shelter. For the minors under 15 years or having serious medical or other problems, their placement in a shelter is pursued, in order to provide them a long-term supervision in a safe environment.

At the mentioned accommodation structures, basic services are rendered to the hosted unaccompanied minors for the coverage of their basic living needs (food, clothes, shoes and medical-pharmaceutical care) as well as interpretation, legal counseling and psychological support. For this reason, NCSS's management system includes structures that dispose social worker, psychologist, interpreter and legalist. The same applies also on the safe zones, where care and emergency protection exists round-the-clock and in the emergency hotels.

In all structures of unaccompanied minors (shelters/ hotels/ safe zones) accommodation is availed for indefinite term. The hotels and the safe zones are

structures for temporary accommodation since the unaccompanied minors remain, according to the original planning, on a waiting list for some shelter.

The number of the accommodation places for unaccompanied minors was significantly raised in the last 3 years. While in the year 2015, there were 440 accommodation places for minors, in the end of the year 2018, their number was 1,959 of which 1,064 places in long-term accommodation (shelters/SIL) and 895 places in temporary accommodation (safe zones/emergency hotels). However, given the great raise in the number of unaccompanied minors in Greece and the consequent deficit of sufficient places in shelters, there is difficulty in achieving the respective number of transfers from the temporary accommodation to the long-term accommodation facilities.

Particularly, at the end of 2018, there were in operation: a) 48 accommodation structures of total capacity 1,040 places, in the islands (Lesbos, Samos, Chios and Crete) and in the mainland, b) 6 apartments of supported Unaccompanied Minors autonomous living, over 16 years, with total capacity 24 places, c) 10 safe zones for Unaccompanied Minors, of total capacity 300 places<sup>16</sup> and d) 15 hotels, of total capacity of 595 places<sup>17</sup>.

At the same time, the following were under design: a) 3 accommodation structures for unaccompanied minors of long-term residence in Athens and b) 3 emergency hotels in Northern Greece. Updating is expected about the agency to implement the program, the capacity and the nationality of the hosted persons per structure.

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<sup>16</sup> In particular, safe zones operate within the refugees and immigrants' settlements at Drama, Schisto, Diavata, Lagkadikia, Ritsona, Agia Eleni-Ioannina, Kavala, Alexandreia, Eleonas and Thiva.

<sup>17</sup> In particular, in the end of 2018, there were:

- a) In Attica, 24 accommodation structures – 488 places, 4 apartments – 16 places, 2 safe zones – 60 places and 4 hotels – 175 places,
- b) In Central Greece, 2 safe zones – 60 places
- c) In Central Macedonia, 4 accommodation structures – 120 places, 3 safe zones – 90 places and 6 hotels – 235 places,
- d) In Western Macedonia, 2 hotels – 75 places,
- e) In Eastern Macedonia and Thrace, 3 accommodation structures – 61 places and 2 safe zones – 60 places,
- f) In Thessaly, 2 accommodation structures – 60 places,
- g) In Epirus, 1 accommodation structure – 40 places, 1 safe zone – 30 places and 3 hotels – 110 places,
- h) In Western Greece, 2 accommodation services – 49 places,
- i) In Lesbos, 9 accommodation structures – 161 places
- j) In Chios, 1 accommodation structure – 18 places
- k) In Samos, 1 accommodation structure – 18 places and
- l) In Crete, 1 accommodation structure – 25 places and 2 apartments – 8 places.



During the period since January 2016 until December 2018, NCSS (EKKA) received 17,719 Unaccompanied Minors housing requests.

In particular, in the year 2016, it received 5,191 unaccompanied minors' housing requests of which 53.46% was placed in shelters. In the year 2017, NCSS (EKKA) received 5,527 requests of which 57.07% was placed in shelters.

In the year 2018, it received about 6,968 requests. In the same year a total of about 6,753 requests were addressed, by placement in shelters or cancellation upon verification.

According to the updated NCSS (EKKA) data, on December 2018, the estimated number of the unaccompanied minors in Greece amounted to 3,741, of which 93.8% were boys and 6.2% girls, while 7.2 % were under the age of 14.

On 31.12.2018, from the above estimated number of 3,741 Unaccompanied Minors: a) 962 were placed in accommodation structures (shelters), b) 517 in hotels, c) 260 in safe zones and d) 19 in apartments of semi-autonomous living.

Also, at the same time (31.12.2018), from the above assessed number of 3,741 Unaccompanied Minors, 1,983 [(including 283 children escorted by adults who were not their legal guardians (separated children)] were out of long-term or temporary accommodation, from which 124 were to be transferred to long term or temporary accommodation structures. In particular, 701 Unaccompanied Minors were at Reception and Identification Centers, 86 Unaccompanied Minors under protective custody, 183 in open temporary accommodation facilities and 258 in informal housing arrangements.

It is noted that, in case of temporary accommodation of unaccompanied minors within Reception and Identification Centres and open accommodation facilities, the unaccompanied minors are separated from the adults and hosted at a distinct but guarded area where they are supported by specialized staff on daily basis. They receive diligent treatment for fully securing their protection and their best interest until their departure from the RIC or the open accommodation facilities and their movement into appropriate accommodation structures. With reference to the measures for the protection of the unaccompanied minors from violence and exploitation, particular attention is given to the procedures both at their arrival and identification as well as the conditions of their accommodation. They receive special advice adjusted to their age or maturity related to the legal state that governs them and the abilities they are given at posterior stages of the procedure, as well as for the dangers they might possibly encounter but also the

ways of their protection and the agencies where they can report such incidents. In every case, the RIC or the structure takes care of the updating of the competent Prosecutor for the presence of unaccompanied minor at the structure or the RIC and the procedure for the determination of their age. At the same time, within the RICs and the structures, NGOs are activated which provided educational and entertainment services to the unaccompanied minors, as well as services of free legal support.

#### **4. New guardianship system for Unaccompanied Minors**

Law 4554/2018 (Government Gazette A 130/18.7.2018), specifically Part C thereof (articles 13-32), established a new comprehensive regulatory framework for the guardianship of unaccompanied minors. By this law, the Greek State, taking all necessary measures to protect unaccompanied minors, provides for the appointment of a guardian to each unaccompanied minor on Greek territory, while the method to assess the minor's best interests is laid down.

Specifically, on the basis of this law, the agents for the guardianship of unaccompanied children include the prosecutor for minors or, in the absence thereof, the competent prosecutor at the first instance court, the guardian of the unaccompanied minor and the Supervisory Guardianship Board (article 14).

It is set out that the competent prosecutor shall act as interim guardian for the minor and shall promptly assign legal representation to an appropriate natural person. In the shortest possible period, the prosecutor shall appoint an appropriate natural person as guardian for the unaccompanied minor, preferably among the minor's family. If there is no such person, the guardianship of the minor shall be assigned to a professional guardian, already registered to a list of professional guardians, indicated by the National Centre for Social Solidarity (EKKA), which has been notified by the referral agents about the presence of an unaccompanied minor. At the same time, the prosecutor shall assign the guardianship task to the Supervisory Guardianship Board for Unaccompanied Minors. The appointment of the guardian shall be entered in a special public book, kept by the secretariat of the prosecution service at the first instance court which shall notify the EKKA. The latter shall notify the referral agent about the appointment of guardian, in order to notify the minor promptly and in a language that he/she understands (article 16).

Therefore, the foregoing arrangements achieve the goal of immediate appointment of guardian and the best possible cooperation of involved agents of the guardianship system, in order to serve the best interests of the child.

The law also provides for the conditional appointment of guardian and replacement of the professional guardian in case of change of place of residence of the minor, by deed of the competent prosecutor (article 17). In any event, the replacement of the guardian is also foreseen in cases where this is to the best interests of the minor, as evaluated from time to time. The minor himself/herself may also apply for the replacement of the guardian.

The powers of the guardian are set out in a thorough and detailed manner to protect the minor's best interests. This article and the entire new regulatory framework of guardianship are enshrouded by the fundamental principles that the guardian must strictly comply with, such as respecting the minor's views, treating him/her with respect and dignity, without any discrimination, and the guardian's confidentiality and availability. It is also foreseen that especially the professional guardian shall perform his/her duties to the extent and under the terms laid down in the contract signed with the EKKKA (article 18).

A Supervisory Guardianship Board for Unaccompanied Minors shall be established, consisting of three (3) members, nominated by decision of the Minister of Labour, Social Security and Social Solidarity. The Board shall comprise members with expertise in the field of unaccompanied minors. The powers of the Supervisory Board shall include assessing and determining the minor's best interests, following the submission of a reasoned proposal by the guardian, in case that serious decisions must be made about the future of the unaccompanied minor, in matters indicatively set out in the relevant provision (article 19).

Arrangements are made for matters relating to minor's life and actual care, which may be assigned by the guardian either to an appropriate accommodation centre, following the placement deed of EKKKA, or to an appropriate semi-autonomous unit or to appropriate foster parents, pursuant to the applicable provisions. The semi-autonomous units for minors and their placement with foster families are enacted for the first time and they are expected to favorably affect unaccompanied minors. In addition, all natural and legal persons to whom the actual care of the minor has been assigned must constructively work with the guardian in the minor's best interests (article 20).

The method for assessing the minor's best interests is enacted for the first time, as a requirement for any decision by any guardianship agent. These decisions shall be made on the basis of standard best interests' assessment and determination procedures, prepared by the Directorate of Protection of Unaccompanied Minors of EKKA and shall form an integral part of the contract for professional guardians and part of the Supervisory Board bylaws. It is explicitly mentioned that the opinion of the minor must be sought in advance, depending on his/her age and degree of maturity, in assessing his/her best interests (article 21).

The law also comprises provisions relating to the liability of professional guardians (article 23) and the procedure for their selection (article 28). Specifically, the register of professional guardians shall comprise professionals with knowledge or experience in matters relating to the protection of unaccompanied minors. Special provision is also made about the geographical allocation of professional guardians to the prosecution services at the first instance court, on the basis of specific needs. The same provision provides legislative authority for the issuance of a ministerial decision relating to the determination of formal and substantial qualifications for professional guardians, details of their education and continuous training, regular assessment, the content of the candidacy application form, the terms and content of their contract, as well as other matters laid down in the relevant article. Arrangements are also made for the suspension and termination of guardianship (article 29) and the removal of guardians from the relevant register (article 30).

As regards the organisation of the new guardianship system, three registers are required to be maintained: (a) the Register of Unaccompanied Minors, assigned to the EKKA, which shall comprise the particulars of all unaccompanied minors transferred to EKKA by any public agency or third party, always in compliance with the relevant laws on personal information data (article 24), (b) the Register of Professional Guardians, maintained by the EKKA (article 25), and (c) the Register of Accommodation Centres for Unaccompanied Minors, which must comprise all accommodation centres for unaccompanied minors.

The law also provides for the establishment of a Directorate of Protection of Unaccompanied Minors with powers such as maintaining the aforesaid Registers, implementing the procedure for the selection of professional guardians, managing the housing requests of unaccompanied minors etc. (article

27). For this reason, the EKKA regulations are being currently processed for the inclusion of the said Directorate, with its relevant Departments and powers, as provided for in the law.

The new guardianship system for unaccompanied minors established by Law 4554/2018, given the parameters and assurances required for its proper implementation ab initio, will be gradually implemented in the course of 2019, when the required ministerial decisions are expected to be issued.

In more detail, the competent authorities are currently processing the ministerial decisions that will stipulate operating and technical standards and any other detail required for the operation of these three Registers (articles 24, 25 and 26), the joint ministerial decision on the procedure for the selection of professional guardians (article 28), the content of the professional guardian's contract and the standard procedures for assessing and determining the minor's best interests. These procedures are expected to be completed in the course of the coming months.

The ministerial decision provided for by article 19 shall be then issued, relating to the establishment, composition and operation of the Supervisory Guardianship Board for Unaccompanied Minors, since its issuance shall be the starting point for the new regulatory framework of guardianship for unaccompanied minors to enter into force (article 32).

The implementation costs of guardianship shall be financed by the Special Project Coordination and Management Agency of the Asylum, Migration and Integration Fund and the Internal Security Fund, as well as other resources of the Ministry of Economy and Development.

In parallel with the preparation by national authorities of the necessary parameters to activate this regulatory framework, a tripartite agreement was signed between the Ministry of Labour, Social Security and Social Solidarity, the UN High Commission for Refugees and the NGO Metadrasi for the implementation of a transitional guardianship programme. EKKA is also a partner to this agreement.

This transitional programme was launched in January 2019 and shall run until August 2019, since the new regulatory guardianship framework is scheduled to enter into force in September 2019. The purpose of this programme is to meet the guardianship requirements of unaccompanied minors living in Greece (in protective custody, Reception and Identification Centres, hospitals,

accommodation centres, semi-autonomous apartments and in extraordinary housing solutions such as hotels and safe zones) and help the smooth and gradual transition to the new framework.

Moreover, the Register of Unaccompanied Minors is already a tool employed by EKKA (pilot implementation) for the registration of unaccompanied minors and the management of their housing requests on the basis thereof.

The Greek authorities shall provide information about the completion of the procedure of issuance of the ministerial decisions required for the activation of the new regulatory guardianship framework for unaccompanied minors (Law 4554/2018).

## **C. Asylum procedure**

### **I. Applications for international protection filed after 7-6-2013**

#### **1. Basic amendments of the legal framework related to asylum procedure (2017-2018)**

Pursuant to Law 4540/2018 (Official Gazette A/91/22.05.2018), there were amended the provisions of Law 4375/2016, on the organization of the Asylum Service<sup>18</sup>, in order to render faster and more effective the Asylum procedure.

Among the substantial amendments that the aforementioned law introduced, the following should be stated:

The definitions of the final decision and of the subsequent application were amended. The EASO participation was extended in the regular asylum procedure on the conditions on which it was applied in the framework of the special border procedure (article 60 par. 4 of L. 4375/2016). It was provided that the possibility of the continuation of the examination of the application for international protection, following the issue of a discontinuation act, exists only in the cases in which the applicant establishes with particular evidence that the discontinuation act was issued under conditions independent from his will. There

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<sup>18</sup> Law 4375/2016 "On the organization and operation of the Asylum Service, the Appeals Authority, the Reception and Identification Service, the establishment of the General Secretariat for Reception, the transposition into Greek legislation of the provisions of Directive 2013/32/EC 'on common procedures for granting and withdrawing international protection (recast) (L. 180/29.6.2013)'.

was abolished the possibility of the application for continuation following the filing of a withdrawal of the application for international protection.

Furthermore, there were defined abridged time limits for the completion of the examination of the applications for international protection, for the examination at the preliminary stage of the subsequent applications, for the lodging of an appeal in the cases of the non-service of the first-instance decision, as well as for the examination of the out-of-the-time limit appeals.

The possibility was provided of the referral of the applicants of international protection by the regional asylum services and the deciding authorities to medical and psychosocial units of the Reception and Identification Centres (RIC's) for the verification of the 'vulnerabilities' in case of the procedure of article 60 of Law 4375/2016. It was also provided the possibility for alternative methods for the service of the second - instance decision in the cases of the non-finding of the applicants.

The replacement of members of the Independent Appeals Committees, in the event of unjustified delays or in case of impediment of participation was provided.

The referral of a case to the first instance by the Appeals Committees was limited only in the event of the admission of a quasi-judicial appeal against the decision by which there was dismissed an application for the re-examination of a discontinued case.

The rehearing of cases of quasi-judicial appeals, in the event of the loss of the status of a Committee member (owing to resignation, revocation etc), is permitted only insofar such a loss of the status occurred prior to the deliberation on the adoption of the decision. Otherwise, the new decision is issued by the new composition of the Committee (upon the replacement of the member who has resigned, been revoked or deceased etc).

In parallel, by a decision of the Minister for Migration Policy, the Statute of the Asylum Service was amended (Official Gazette B/417/14.02.2018), in order to overcome obstacles which had as a result mainly the delay in the asylum procedure. Indicatively, it is mentioned the addition of the possibility of the issue of a decision on an application for international protection by a case worker other than the one who conducted the interview, a provision which covered the gap which was created by the resignation or the expiry of the contract of case workers without them having completed the issue of decisions on applications

which had been assigned to them, as well as the possibility of double interpretation.

Furthermore, a Joint Ministerial Decision was issued on the procedure for the granting of a long-term visa to third-country nationals, or stateless persons in the framework of their family reunification with refugees (Official Gazette B/3678/28.08.2018) pursuant to which there was determined the procedure on the national visa procedure in the framework of family unification, while in parallel there was provided the possibility of DNA examination for the verification of family bonds in the event of doubt.

It is highlighted that pursuant to Law 4485/17 (Official Gazette A/11/04.08.2017) the application of the irregular procedure of article 60 par. 4 was extended until 31/12/2019.

## 2. First instance asylum procedure – Information concerning the Asylum Service

### a. Organizational structure of the Asylum Service (years 2017-2018)

In the Greek territory today operate twelve (12) Regional Asylum Offices (RAO's of Attica, Piraeus, Alimos, Thessaloniki, Thrace, Rhodes, Lesbos, Samos, Chios, Leros, Crete and Western Greece) and eleven (11) Autonomous Asylum Units (AAU's of Amygdaleza, for Penal Inmates, for the Examination of Applications for International Protection of Pakistani Nationals, for the Fast-Track Examination of Applications for International Protection of Nationals of Syria and of Beneficiaries of International Protection seated in Athens, for the Examination of Applications for International Protection of Nationals of Albania and Georgia seated in Thessaloniki and Fylakio, Xanthi, Kos, Corinth, Ioannina).

In particular, in 2017 there were established the Autonomous Asylum Units for the Examination of Applications for International Protection of Nationals of Albania and Georgia, for Beneficiaries of International Protection and for Penal Inmates, in order to decongest the large offices of Attica and Thessaloniki.

Furthermore, in 2017 there commenced the operation of the Regional Asylum Office of Crete, so as to facilitate the access of the applicants for international protection who resided on the island and who until then were served by the Regional Asylum Office of Attica.

In the same year, the Autonomous Asylum Units of Chios and Leros were converted into Regional Asylum Offices, with a parallel extension of their competence to all the residents in the area of their competence, in relation to the



until then competence for the applicants for international protection staying in the respective Reception and Identification Centres.

Last, the Autonomous Asylum Units of Relocation and Piraeus, were converted into Regional Asylum Offices, with a competence for the examination of applications for international protection which are lodged by nationals of Egypt, Syria and stateless persons of Palestinian origin (who do not fall under the competence of the Autonomous Asylum Unit for the Fast Track Examination of Applications for International Protection of Nationals of Syria) and also by nationals of Afghanistan and Bangladesh, respectively.

In December 2018 the Regional Asylum Office of Alimos undertook the examination of applications for international protection filed by nationals of countries of sub-Saharan Africa, with the aim of the further facilitation of the access to the regional services of Attica.

In 2018, there commenced the operation of the Autonomous Asylum Unit of Ioannina, with the main purpose of the facilitation of the access of the residents to accommodation areas of its region of competence, but also of all the persons staying in the said region.

#### b. Staffing of the Asylum Service (years 2017-2018)

The Asylum Service today is staffed by 681 employees, while within the first half year of 2019 it is anticipated for the recruitment of 133 further ordinary employees to be completed.

In particular, during the year 2017, 36 permanent employees were appointed and 63 employees were recruited under a fixed-term employment contract.

During the year 2018, 42 permanent employees were appointed and 137 employees were recruited under a fixed – term employment contract.

It is highlighted that in parallel, the Asylum Service is staffed by personnel of the European Asylum Support Office (EASO) by sending experts of the EU member states and by means of the disposal of officials, while simultaneously, the Asylum Service is assisted by the United Nations High Commissioner for Refugees (UNHCR), with the disposal of officials who are mainly employed in the area of quality assurance in the asylum procedure.

### c. Training of personnel of the Asylum Service (years 2017-2018)

During the years 2017 and 2018, Introductory Trainings were held for the totality of the newly recruited employees in the following thematic units: 'Human Rights, Refugee Law and Greek Asylum Procedure', 'Management of the Electronic Base of the Asylum Service – Alkyoni', 'Cooperation with Interpreters', 'Hygiene and Personnel Safety Conditions', 'Electronic Data Safety'. Furthermore, a training series were held of the hereinabove personnel in the understated units, which are based on the training units of EASO and are conducted via an electronic platform and by two-day seminars by accredited trainers: 'Subjection to the status of international protection', 'Interview techniques', 'Evidence assessment', 'Countries of Origin Information', 'Common European Asylum System', 'Administration of asylum services', 'Exclusion from international protection'.

Also, repeat trainings (refreshers) were held to personnel who was already employed in the offices of the Service, aiming at the continuous training/learning, as well as trainings in the units of 'Exclusion' and 'Drafting and Decision Making', as they have been formed in national level, in cooperation with the UN High Commissioner for Refugees.

Last, there were held trainings to the EASO personnel which was disposed to the Asylum Service and is employed in the border procedure, as well in the regular asylum procedure, in the units which concern the asylum procedure and the participation of EASO therein, such as in 'Interview techniques', 'Interview Techniques to Vulnerable persons' and 'Evidence Assessment', as well as in the practices observed in the border procedure and the ordinary procedure by the participation of personnel which is disposed by EASO. The relevant trainings are held by personnel of the Asylum Service in cooperation with the competent departments of EASO.

It should be noted, that during this two-year term, employees of the Asylum Service were accredited as national trainers via EASO in training units such as 'Interviews with minors', 'Interviews in vulnerable persons', 'Status withdrawal', 'Interview Techniques', 'Evidence assessment' etc. in order to extend the possibility of national trainings of the service, throughout the country, via accredited trainers of the Asylum Service.

d. Access of applicants for international protection to the asylum procedure (years 2017-2018)

The Asylum Service hands out to the concerned persons an information brochure in 19 languages in which is contained all the basic information concerning the access method, but also the procedure to be followed. This information is posted also on the webpage of the Asylum Service ([www.asylo.gov.gr](http://www.asylo.gov.gr)).

To third-country nationals or stateless persons who are in detention centres, Reception and Identification Centres or cross-border points, information is provided concerning the possibility of the lodging of an application for international protection, both by the Asylum Service, also by the other authorities which are active at these points.

Third-country nationals and stateless persons who express their desire for the filing of an application for international protection while they are in the reception and identification procedure or they are in detention are referred by the Director of the Reception and Identification Centre (RIC) or the Detention Authority to the *ratione loci* competent Regional Asylum Office. The notification of the service takes place via the connected to the hereinabove Authorities electronic application, pursuant to the standing legislation.

In the other cases the access to the service and the filing of an application for international protection is attained by the arrival of the concerned persons at the *ratione loci* competent Regional Asylum Office / Autonomous Asylum Units.

In parallel to the possibility of the in person presence in the Regional Asylum Offices and in the Autonomous Asylum Units, in order to file an application for international protection, the Asylum Service provides to the concerned persons the capability of the granting of a date for application registration (appointment) via the internet application "skype". The procedure for the granting of a registration date via the internet application "skype" is implemented primarily in the larger regional asylum services of the country, the ones of Attica and Thessaloniki, in which the service of the applicants with the formal procedure of the in person appearance is rendered difficult, owing to the especially large number of persons arriving and aims at the better service of the applicants. The operation of the "skype" application for the granting of a registration date in no case precludes the arrival of the applicant at the competent Regional Asylum Services.

It is highlighted that in Attica, the service of the cases of vulnerable persons by priority is possible, also without the procedure of the prior granting of a registration date via the hereinabove application, insofar as their vulnerability is manifest or arises from relevant reports. To this end, there operates at the Solidarity Centre of Athens, opposite Larisis Station, an office of the Regional Asylum Office of Attica, which serves vulnerable cases of applicants for international protection.

Furthermore, the Regional Asylum Office of Thessaloniki, in cooperation with the Accommodation Structures of Northern Greece falling under its competence, proceeded to the systematisation of the procedure for preregistration/registration of the applications for international protection, with the result that the residents in that Structures receive a preregistration/registration date, without being required to arrive at the Regional Office of Thessaloniki or to make use of the internet application "skype". Already there is being studied the possibility of the extension of the hereinabove described procedure for the residents in Accommodation Structures, also in the regional asylum services of Attica.

In any event, the Asylum Service constantly examines methods for the improvement of access. To this effect, the establishment of working groups of employees of the Asylum Service was decided, aiming at the increase in the number of the decisions on asylum applications, but also of any other relevant support action, in which there is included inter alia, also the registration of the greatest possible number of applications for international protection.

Following the full registration of the applications for international protection, there is granted to all applicants an International Protection Applicant's Card, in which is stated among others the date and the office of the interview. In the cases in which there is not granted a card pursuant to the law (applicants who are in detention or are in the process of reception and identification) a written call to an interview is granted.

#### e. Provision of interpretation services (years 2017-2018)

In application of the relevant contracts (Agreement 7354/11.5.16), as well as the Cooperation Agreement HOME/2017/AMIF/AG/EMAS/0057), the NGO "METAdrasi" provides interpretation services to the Asylum Service. METAdrasi has a list of interpreters, which during the years 2017 and 2018 numbered between 308 and 329 persons, who provided interpretation and translation

services in the following languages: English, Albanian, Amharic, Arabic, Armenian, Vietnamese, French, German, Georgian, Igbo, Indonesian, Spanish, Chinese, Kurmanji, Lingala, Moldavian, Bambala, Bengali, Dari, Oromo, Ukrainian, Wolof, Urdu, Punjabi, Pasto, Portuguese, Russian, Serbian, Sinhala, Somali, Sorani, Swahili, Tigrinya, Asante Twi, Turkish, Farsi, Hindi.

In the event of the impossibility of the satisfaction of a request for interpretation in a language outside the provided list, the utilisation of an external collaborator of METAdrasi is made.

Interpretation services are in parallel provided also by EASO, which disposed during the years 2017 and 2018 approximately 120 interpreters per year in the offices of the entire territory.

#### f. Examination of applications for international protection at first instance (years 2017-2018) – Statistical data

Asylum Applications: From the start of its operational function in June 2013 until 31.12.2018, the Asylum Service has received in total 204,097 applications for international protection, out of which 58,642 (31,697 of ordinary procedure and 26,945 applications in Reception and Identification Centres [RIC's]) were lodged in 2017 and 66,969 (36,026 of ordinary procedure and 30,943 applications in Reception and Identification Centres [RIC's]) in 2018.

The above figures show a continuous increase of the applications for international protection in Greece, that is a 14.9% increase in 2017 compared to 2016 (when 51,053 applications were lodged) and a 14.2% increase in 2018 compared to 2017.

First Instance Asylum Decisions: During 2017, a total of 22,481 decisions in substance were issued, out of which 10,348 grant international protection status (refugee status and subsidiary protection) and 12,133 were negative in substance. The recognition rate for cases examined was 46%<sup>19</sup>. In the same time period, 22,450 inadmissibility decisions were issued<sup>20</sup> and 6,668 decisions

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<sup>19</sup> Calculation based only on decisions in substance (Refugee Status, Subsidiary Protection, Negative in Substance).

<sup>20</sup> This category includes decisions:(a) due to the application of the safe third country principle (Border Procedures), (b) due to acceptance by another Member State (Relocation procedures), (c) due to acceptance by another Member State (Dublin Regulation procedures), (d) on subsequent (repeated) applications, (e) due to administrative reasons.

on implicit and explicit withdrawals<sup>21</sup> (out of which 4,963 due to implicit withdrawal). Therefore, a total of 51,599 decisions at first instance procedures were issued, during 2017.

During 2018, a total of 30,748 decisions in substance were issued, out of which 15,189 grant international protection status (refugee status and subsidiary protection) and 15,559 were negative in substance. The recognition rate for cases examined was 49.4%. In the same period of time, 4,834 inadmissibility decisions were issued and 10,616 decisions on implicit and explicit withdrawals (out of which 8,463 due to implicit withdrawal). Therefore, a total of 46,198 decisions at first instance procedures were issued, during 2018.

Lodging and examination of the Applications: The average time between the preregistration (filing) and the full registration (lodging) on the application for international protection, was in the year 2017, 122.46 (calendar) days and in the year 2018, 59.72 (calendar) days. The respective times for the applications which were filed and reviewed under the special border procedure in application of article 60 par. 4 of L. 4375/2016 (residents in RIC's) were 23.91 and 27.66 days, respectively.

The average time for the delivery of the 1st instance decision in the year 2017 was 153.27 days and in the year 2018, 235.41 days.

Application for international protection of third-country nationals in detention: In the years 2017 and 2018, there were lodged 4,542 and 7,009 applications respectively by persons who were in detention.

The average time between preregistration (notification of the detention Authority) and the full registration of the application for international protection in the above case (persons in detention) was 48.72 days for 2017 and 48.39 days for 2018, while the respective average time for the issue of a decision on the merits of the 1st instance was for 2017 76.53 days and for 2018 97.02 days.

Applications for international protection of unaccompanied minors: Last, in the years 2017 and 2018, there were lodged 2,460 and 2,639 applications respectively by unaccompanied minors.

The average time from preregistration to full registration of the application for international protection in the above case (unaccompanied minors) was 64.92

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<sup>21</sup> This category includes withdrawals that have not been revoked.

days and 30.30 days for 2017 and 2018 respectively, while the average time from full registration until the issue of a decision on the merits at the 1st instance was 193.22 days and 373.06 days for 2017 and 2018 respectively.

It is noted, that for the unaccompanied minors there is often the need for the adjournment of the interview owing to the change of competence following their placement in a structure for the accommodation of unaccompanied minors in the region of the competence of another asylum office, with a result that the completion of the examination of their application is delayed.

During 2017, a total of 683 decisions in substance were issued on applications for international protection of unaccompanied minors. Out of those, 188 decisions grant international protection status (refugee status and subsidiary protection) and 495 were negative in substance. They were, also, issued 738 inadmissibility decisions and 251 decisions on implicit and explicit withdrawals. Therefore, a total of 1,672 decisions at first instance procedures were issued on applications for international protection of unaccompanied minors, during 2017, more than double the number of such decisions issued in 2016 (795 decisions at first instance procedures concerning unaccompanied minors).

During 2018, a total of 908 decisions in substance were issued on applications for international protection of unaccompanied minors, out, of which 345 grant international protection status (refugee status and subsidiary protection) and 563 were negative in substance. They were, also, issued 350 inadmissibility decisions and 581 decisions on implicit and explicit withdrawals. Therefore, a total of 1,839 decisions at first instance procedures were issued on applications for international protection of unaccompanied minors, during 2018, that is more decisions than during 2017.

*Pending Applications for international protection:* Despite the large number of decisions issued at first instance procedures during the years 2017-2018, the number of the pending applications for international protection to be examined, at first instance, remains high, amounted on 28-2-2019, to 61,570 pending applications, in total, due to constant increase of applications lodged.

More analytical statistical data of the Asylum Service, from the time period from 7-6-2013 to 28-2-2019 are set out in the tables attached (Annex)<sup>22</sup>.

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<sup>22</sup> The statistical data of the Asylum Service for the time period from 7-6-2013 to 28-2-2019 are posted on the link of the Asylum Service (<http://asylo.gov.gr>) in Greek and in English languages.

In general, it is worth noting that the Asylum Service on the basis of the statistical data of EUROSTAT and EASO, finds itself in the 3rd rank on a pan-European level as to the absolute number of applications for international protection, in the 4th rank as to the absolute number of decisions of 1st instance and in the 2nd rank, as to the proportion of applications for international protection, in proportion to the size of the population, after Cyprus. Consequently, the Asylum Service has been paying any and every effort, with the existing personnel to cope with the disproportionate pressures created by the increase of the applications.

### 3. Second instance asylum procedure – Information concerning the Appeals Authority

#### a. Access to the asylum procedure at second instance

The access of the asylum applicants to the asylum procedure at a second instance, provided for in articles 61 and 62 of Law 4375/2016, as well as in article 60 of the same Law, concerning the procedure at the borders, is secured via the lodging of a quasi-judicial appeal, provided for by article 7 par. 5 of Law 4375/2016. This appeal is submitted at the Regional Asylum Office or an Autonomous Asylum Unit (Receipt Authorities), which served the contested decision. The appeal is submitted in person, with the assistance of an interpreter in the language which the applicant speaks and understands. During the filing of the appeal, the appellant is informed on the same day for the hearing date of his appeal, and for the competent Appeals Committee before which the appeal will be heard. He is also informed on his right to submit supplementary evidence or a memorandum no later than two (2) days prior to the hearing of the appeal, in accordance with the stipulations in par. 4 or article 62 of L. 4375/2016, as amended by article 28 par. 18 of L. 4540/2018, as well as for his right to petition legal assistance.

The possibility for a second instance administrative examination of the asylum application before the Appeals Committees, provided for by Law 4375/2016, but also by the previous Presidential Decree no 114/2010, resolved the issue of the lack of an effective remedy, found by the Court in some cases of the group MSS, due to deficiencies in the examination of the applicants' asylum applications and the risk of being removed to their country of origin, without serious consideration

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of the merits of their asylum application and without access to an effective remedy (violation of article 13, in combination with article 3, of the Convention).

b. Organizational structure of the Appeals Authority – Training of the members of the Appeals Committees

By Joint Ministerial Decision 127/4.1.2019 (Official Gazette YOΔΔ 5/8.1.2019), the number of Independent Appeals Committees was increased from twelve (12) to twenty (20).

By an amendment of par. 6 of article 62 of L. 4375/2016, pursuant to article 101 par. 2 of L. 4461/2017, there was provided the possibility that the Committees are assisted by personnel which is disposed by EASO as rapporteurs. Their duties are designated in the hereinabove provision and consist in the drafting of reports in the Greek language, which includes the registration and processing of the facts of the cases, and the allegations brought forward by the applicants, as well as the correspondence of these allegations with the information on the country of origin, which subsequently are placed under the judicial judgement of the Independent Appeals Committees.

During the years 2017-2018, training of the committee members was held by experts of EASO, UNHCR and international associations of judges.

c. Oral hearings before the Appeals Committees (2017-2018) – Provision of Interpretation services- Provision of legal assistance

When there is followed a procedure of the hearing of the appeal in an oral hearing, the Appeals Authority summons the appellant before the competent Independent Appeals Committee at least five (5) working days prior to the designated date, in a language which he understands, to appear in person or with his lawyer or another counsellor of his, in accordance with the stipulations in article 62 pars. 1, 3 of Law 4375/2016.

During the years 2017-2018, out of a total of 26,999 lodged quasi-judicial appeals, there were scheduled around 120 oral hearings of asylum applicants, at second instance, out of which there attended in the oral hearing around 50. The oral hearing is conducted either in the physical presence of the appellant, or via teleconference.

The criteria on the basis of which there was decided the conduct of oral hearing, are determined in article 62 par. 1 of L. 4375/2016, wherein it is provided that

the procedure before the Independent Appeals Committees is, as a rule, written and is conducted on the basis of the documents of the file, while the appellant is summoned obligatorily to his oral hearing when: a. by the appeal, there is contested a decision on the withdrawal of the status of international protection, b. there arise matters or doubts as to the completeness of the interview taken at the first instance of examination, c. the appellant submits serious new evidence which pertain to subsequent allegations, d. the case is particularly complex.

For the conduct of the oral hearing, the Appeals Authority takes care for the provision of appropriate interpretation, via accredited interpreters of "METADRASI".

Additionally, interpretation services are, also, provided a) for the information of the appellant in the event in which there is adjourned the date of the hearing of his case at the 2nd instance, b) when the Appeals Committees (Decision Authorities) desire to receive cognizance of the content of foreign language documents which possibly are submitted before them, and c) when the Appeals Committees (Decision Authorities) grant a certificate by which the case is referred to the competent authorities for the examination of the conditions for the granting of a residence permit on humanitarian grounds, in accordance with the stipulations in article 67 of L. 4375/2016.

Legal assistance at the second instance is provided by the Lawyers of the Record of Lawyers kept the Asylum Service, according to the provisions of the Joint Ministerial Decision no 12205/16-8-2016 (Official Gazette B2864).

Such legal assistance consists, among others, in the drafting and the submission of an appeal, memorandums and in the general representation of the appellant.

In 2017, legal assistance at second degree was provided by the 22 lawyers of the Record of Lawyers of the Asylum Service in 941 cases, while respectively in the year 2018, there was provided legal assistance to 3,351 cases by the 31 lawyers of the Record of Lawyers, recording a significant increase.

Already from the summer of 2016 until the full assumption of the relevant obligation by the Greek State, in accordance with the terms of the hereinabove Joint Ministerial Decision, free legal assistance was provided by operational partners of the UNHCRs, in the framework of a Memorandum of Understanding with the Ministry for Migration Policy, which was signed on 29.7.2016.

d. Examination of applications for international protection at second instance (years 2017-2018) – Statistical data

During the years 2017-2018, 26,999 quasi-judicial appeals were lodged before the Appeals Authority, out of which 11,644 appeals in the year 2017 and 15,355 in the year 2018. The figures above show a 31.67% increase of appeals lodged from January to December 2018 compared to the respective period of 2017.

On the above 26,999 appeals, there were issued 847 decisions for the granting of international protection, out of which in 146 cases refugee status was granted, in 256 subsidiary protection was granted and in 445 cases, they were referred for the granting of humanitarian protection status.

In total, 16,000 decisions were issued by the Appeals Committees, during the years 2017-2018, on appeals lodged from 20-7-2016<sup>23</sup> to 31-12-2018. A percentage of 25-30% of the above 16,000 decisions, that is approximately 4,500 decisions, were issued on the merits of the appeals. The rest are decisions for discontinuation after explicit or implicit withdrawals following the discussion of the appeals, decisions on inadmissibility, due to out of date lodging of the appeal and decision for referral to the first instance.

Concerning the above 4,500 cases examined on the merits, the average time between the lodging of the appeals and the issue of the second instance decision was, in the year 2017, 140 days. Specifically, for the appeals lodged on the Aegean islands (Lesvos, Samos, Kos, Chios etc), the average time was 116 days, while for the appeals lodged in the mainland the average time was 150 days.

Respectively, in the year 2018, the average time between the lodging of the appeals and the issue of the second instance decision was 235 days. Specifically, for the appeals lodged on the Aegean islands (Lesvos, Samos, Kos, Chios etc.), the average time was 171 days, while for the appeals lodged in the mainland the average time was 243 days.

Concerning unaccompanied minors, during the two years term 2017-2018, out of a totality of 1,061 asylum applicants, who at the time of the filing of the asylum application at the 1st instance were unaccompanied minors and following lodged

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<sup>23</sup> Date of publication of the Joint Ministerial Decision for the constitution of the first five Appeals Committees.

a quasi-judicial appeal, it is noted that the 483 out of them have already become adults at the time of the lodging of the quasi-judicial appeal. On the rest 578 cases of unaccompanied minors, there was granted international protection status to 16 of them, while in 36 cases there was presumed the fulfilment of the requirements for the granting of residence permit on humanitarian grounds and the cases were referred to the competent authorities.

#### 4. EU Relocation Programme

According to the statistical data of the Asylum Service on the relocation procedures, by the end of the European Relocation programme (30-3-2018), 24,911 relocation – take charge- requests were submitted by the Asylum Service, 22,822 relocation requests were accepted and 21,999 asylum seekers were relocated.

Twenty four European countries participated in the programme, three of which are not members of the European Union. Three Member States did not accept migrants or refugees.

## **II. Applications for international protection filed before 7-6-2013 (under Presidential Decree no 114/2010)**

a. The number of the pending cases at the second instance amounts to 430. It is noted that the operation of the Appeals Committees of Presidential Decree 114/10 ceased on 30/6/2017, while their reestablishment under the competence of the Ministry of Migration Policy is provided for in article 28 par. 22 of Law 4540/2018 and for their reoperation the issue of the relevant decision of the competent Ministry is expected.

b. In the time period as from 1-1-2017 and ever since, at the 2nd instance, 5,113 cases were examined and completed, on which they have been issued:

- 181 decisions on the granting of refugee status.
- 23 decisions on the granting of subsidiary protection status.
- 1,041 decisions on the granting of humanitarian status.
- 2,262 rejecting decisions.
- 1,606 discontinuation acts.

c. - In the time period as from 1-1-2017 and ever since, 3,982 applicants were summoned for examination, out of which 2,909 came before the Appeals Committees of Presidential Decree 114/10.

d. - In total, decisions on 83,002 applications of international protection at the 2nd instance have been issued by the Appeals Committees of Presidential Decree 114/10, out of which:

- 42,595 rejecting decisions.
- 27,914 discontinuation acts.
- 12,493 positive decisions (refugee status, subsidiary protection, humanitarian status).

#### **IV. Conclusion**

The above information proves that Greek authorities took and continues to take all the necessary measures, to the extent possible, in order to improve the detention conditions of irregular migrants, asylum seekers and unaccompanied minors, with particular emphasis to healthcare services.

At the same time, living conditions of asylum seekers are constantly improving and programmes, actions and initiatives are developing for their effective integration. All required legislative regulations have been adopted in order for the Greek legislation to comply with the related European Directives.

The issues of unaccompanied minors are treated with particular care and sensitivity, as the new legal framework for their guardianship shows. Nevertheless, the large number of unaccompanied minors does not allow their immediate and complete placement in appropriate accommodation facilities despite the ongoing efforts to this end.

The Greek asylum system, which has been radically reformed in 2016, has been recently amended in order to render faster and more effective the asylum procedure. In parallel, constant organizational improvements and educational programmes take place to this end. Despite these ongoing efforts, the results of which are depicted in the statistical data concerning the number of cases examined by the competent authorities, the Greece continues to be under disproportionate pressure in the area, due to the constant increase in the number of asylum applications in the country, while, at the same time, the figures show an overall decrease of the number of asylum applications in Europe. This reality makes necessary the revision of the European asylum system, in order to ensure a fair burden sharing across EU countries.

The continuing high migratory flows to Greece, which were increased during 2018, the high number of pending asylum applications, due to the very high and

increasing number of such applications lodged, that inevitably extends the time of provision of accommodation services and of fulfillment of housing requests of asylum seekers, as well as the high vulnerabilities of asylum seekers and consequently the increased needs for access to healthcare are challenges that the authorities have to face in the fields of reception and asylum procedure.

In addition, given the unpredictable character of the refugee and migration crisis, the needs are constantly changing and therefore they cannot be fully predicted.

In view of the above, the Greek Government is aware that it will be needed to provide additional information on the presented measures being in progress for their full application. In addition, Greek Government reserves itself to provide updated information and data in relation to the measures which are planned or will be taken for the issues that arise every day in the context of the changing reality of the refugee and migration crisis.



**Statistical Data of the Greek Asylum Service (from 7.6.2013 to 28.02.2019)**

Asylum Applications														
	2013	Difference % (2013-2014)	2014	Difference % (2014-2015)	2015	Difference % (2015-2016)	2016	Difference % (2016-2017)	2017	Difference % (2017-2018)	2018	Difference % (2018-2019)	2019	Total
<b>Total</b>	<b>4814</b>		<b>9431</b>		<b>13187</b>		<b>51053</b>		<b>58642</b>		<b>66969</b>		<b>10987</b>	<b>215083</b>
<b>Monthly average</b>	<b>688</b>	<b>↑ 14,3%</b>	<b>786</b>	<b>↑ 39,8%</b>	<b>1099</b>	<b>↑ 287,1%</b>	<b>4254</b>	<b>↑ 14,9%</b>	<b>4887</b>	<b>↑ 14,2%</b>	<b>5581</b>	<b>↓ 1,6%</b>	<b>5494</b>	<b>3117</b>

Asylum Applications - Gender										
	2013	2014	2015	2016	2017	2018	2019	2019 (February)	Total	%
<b>Men</b>	3652	7645	9857	31996	40116	45218	7647	3803	<b>146131</b>	67,9%
<b>Women</b>	1162	1786	3330	19057	18526	21751	3340	1655	<b>68952</b>	32,1%
<b>Total</b>	<b>4814</b>	<b>9431</b>	<b>13187</b>	<b>51053</b>	<b>58642</b>	<b>66969</b>	<b>10987</b>	<b>5458</b>	<b>215083</b>	<b>100,0%</b>
Unaccompanied Minors (included in the above total)										
<b>Men</b>	177	385	332	1664	2318	2445	506	259	<b>7827</b>	90,9%
<b>Women</b>	12	35	51	314	142	194	39	15	<b>787</b>	9,1%
<b>Total</b>	<b>189</b>	<b>420</b>	<b>383</b>	<b>1978</b>	<b>2460</b>	<b>2639</b>	<b>545</b>	<b>274</b>	<b>8614</b>	<b>100,0%</b>

Asylum Applications - Age range										
	2013	2014	2015	2016	2017	2018	2019	2019 (February)	Total	%
<b>0-13</b>	437	694	1711	14786	14335	16302	2432	1215	<b>50697</b>	23,6%
<b>14-17</b>	309	653	776	4922	5442	5468	992	481	<b>18562</b>	8,6%
<b>18-34</b>	2970	6092	7663	21874	28635	33515	5531	2768	<b>106280</b>	49,4%
<b>35-64</b>	1086	1970	2954	9150	9992	11402	1988	976	<b>38542</b>	17,9%
<b>65 and over</b>	12	22	83	321	238	282	44	18	<b>1002</b>	0,5%
<b>Total</b>	<b>4814</b>	<b>9431</b>	<b>13187</b>	<b>51053</b>	<b>58642</b>	<b>66969</b>	<b>10987</b>	<b>5458</b>	<b>215083</b>	<b>100,0%</b>

Asylum Applications - Region of registration									
	2013	2014	2015	2016	2017	2018	2019	2019 (February)	Total
<b>ATTICA</b>	4398	6357	7830	14141	8838	8377	1223	640	<b>51164</b>
<b>LESVOS</b>	30	209	692	5091	11949	17270	1893	806	<b>37134</b>
<b>THESSALONIKI</b>	0	412	1190	11410	7625	7369	1292	704	<b>29298</b>
<b>SAMOS</b>	0	0	0	2432	5109	6743	1480	810	<b>15764</b>
<b>CHIOS</b>	0	0	0	3394	6509	4082	612	266	<b>14597</b>
<b>THRACE</b>	166	900	829	4458	2040	2385	518	236	<b>11296</b>
<b>ALIMOS</b>	0	0	0	3141	3258	2572	499	225	<b>9470</b>
<b>PIRAEUS</b>	0	0	0	2472	3976	2053	323	194	<b>8824</b>
<b>FYLAKIO</b>	122	399	412	448	955	4182	990	492	<b>7508</b>
<b>AMYGDALAZA</b>	98	606	588	451	1544	1901	422	219	<b>5610</b>
<b>KOS</b>	0	0	0	685	1696	2141	235	113	<b>4757</b>
<b>LEROS</b>	0	0	0	871	1389	1784	563	327	<b>4607</b>
<b>RHODES</b>	0	454	803	931	698	727	96	45	<b>3709</b>
<b>KORINTHOS</b>	0	0	0	324	1065	1972	232	92	<b>3593</b>
<b>XANTHI</b>	0	40	578	386	689	1232	201	97	<b>3126</b>
<b>PATRA</b>	0	54	265	414	987	775	129	61	<b>2624</b>
<b>HERAKLION</b>	0	0	0	4	315	765	121	53	<b>1205</b>
<b>IOANNINA</b>	0	0	0	0	0	639	158	78	<b>797</b>
<b>Total</b>	<b>4814</b>	<b>9431</b>	<b>13187</b>	<b>51053</b>	<b>58642</b>	<b>66969</b>	<b>10987</b>	<b>5458</b>	<b>215083</b>

Asylum Applications - Countries of Origin										
	2013	2014	2015	2016	2017	2018	2019	2019 (February)	Total	%
<b>SYRIA</b>	252	773	3490	26677	16398	13390	994	486	<b>61974</b>	28,8%
<b>AFGHANISTAN</b>	803	1709	1720	4362	7566	11926	2910	1287	<b>30996</b>	14,4%
<b>PAKISTAN</b>	610	1618	1822	4692	8922	7743	1188	588	<b>26595</b>	12,4%
<b>IRAQ</b>	107	174	661	4810	7920	9731	1178	602	<b>24581</b>	11,4%
<b>ALBANIA</b>	419	569	1003	1420	2450	3319	442	220	<b>9622</b>	4,5%
<b>TURKEY</b>	17	41	42	189	1826	4834	786	498	<b>7735</b>	3,6%
<b>BANGLADESH</b>	230	633	738	1215	1383	1552	323	176	<b>6074</b>	2,8%
<b>IRAN</b>	131	361	241	1096	1316	1763	421	205	<b>5329</b>	2,5%
<b>GEORGIA</b>	342	350	386	687	1107	1460	225	129	<b>4557</b>	2,1%
<b>PALESTINE</b>	17	74	60	850	1304	1519	553	301	<b>4377</b>	2,0%
<b>OTHER COUNTRIES</b>	1886	3129	3024	5055	8450	9732	1967	966	<b>33243</b>	15,5%
<b>Total</b>	<b>4814</b>	<b>9431</b>	<b>13187</b>	<b>51053</b>	<b>58642</b>	<b>66969</b>	<b>10987</b>	<b>5458</b>	<b>215083</b>	100,0%



1st Instance Procedures									
	2013	2014	2015	2016	2017	2018	2019	2019 (February)	Total
<b>Refugee Status</b>	<b>229</b>	<b>1223</b>	<b>3647</b>	<b>2451</b>	<b>9303</b>	<b>12611</b>	<b>2419</b>	<b>1311</b>	<b>31883</b>
<b>Subsidiary Protection</b>	<b>93</b>	<b>487</b>	<b>347</b>	<b>249</b>	<b>1045</b>	<b>2578</b>	<b>545</b>	<b>298</b>	<b>5344</b>
<b>Negative in substance</b>	<b>1754</b>	<b>4254</b>	<b>4434</b>	<b>6585</b>	<b>12133</b>	<b>15559</b>	<b>2448</b>	<b>1286</b>	<b>47167</b>
<b>Inadmissible decisions</b>	<b>261</b>	<b>1453</b>	<b>2019</b>	<b>15231</b>	<b>22450</b>	<b>4834</b>	<b>766</b>	<b>406</b>	<b>47014</b>
<i>a) due to the application of the safe third country principle (Border Procedures)</i>				1305	912	399	9	3	
<i>b) due to acceptance by another Member State (Dublin Regulation procedures)</i>				2069	8297	3236	549	298	
<i>c) due to acceptance by another Member State (Relocation procedures)</i>				10999	12316	33			
<i>d) on subsequent (repeated) applications</i>				774	915	1157	207	105	
<i>e) due to administrative reasons</i>	84	10	9	1					
<b>Implicit &amp; Explicit withdrawals <sup>1</sup></b>	<b>243</b>	<b>1078</b>	<b>2373</b>	<b>2389</b>	<b>6668</b>	<b>10616</b>	<b>2329</b>	<b>1372</b>	<b>25696</b>
<b>Total</b>	<b>2580</b>	<b>8495</b>	<b>12820</b>	<b>26905</b>	<b>51599</b>	<b>46198</b>	<b>8507</b>	<b>4673</b>	<b>157104</b>
<b>Monthly average</b>	<b>369</b>	<b>708</b>	<b>1068</b>	<b>2242</b>	<b>4300</b>	<b>3850</b>	<b>4254</b>		<b>2277</b>
<b>Recognition Rate (%) <sup>2</sup></b>	<b>15,5%</b>	<b>28,7%</b>	<b>47,4%</b>	<b>29,1%</b>	<b>46,0%</b>	<b>49,4%</b>	<b>54,8%</b>	<b>55,6%</b>	<b>44,1%</b>

1st Instance Procedures - Unaccompanied Minors									
	2013	2014	2015	2016	2017	2018	2019	2019 (February)	Total
<b>Refugee Status</b>	<b>8</b>	<b>51</b>	<b>73</b>	<b>65</b>	<b>161</b>	<b>279</b>	<b>71</b>	<b>37</b>	<b>708</b>
<b>Subsidiary Protection</b>	<b>4</b>	<b>24</b>	<b>22</b>	<b>17</b>	<b>27</b>	<b>66</b>	<b>8</b>	<b>5</b>	<b>168</b>
<b>Negative in substance</b>	<b>55</b>	<b>153</b>	<b>98</b>	<b>222</b>	<b>495</b>	<b>563</b>	<b>88</b>	<b>50</b>	<b>1674</b>
<b>Inadmissible decisions <sup>3</sup></b>	<b>15</b>	<b>77</b>	<b>78</b>	<b>427</b>	<b>738</b>	<b>350</b>	<b>74</b>	<b>40</b>	<b>1759</b>
<b>Implicit &amp; Explicit withdrawals <sup>1</sup></b>	<b>14</b>	<b>85</b>	<b>116</b>	<b>64</b>	<b>251</b>	<b>581</b>	<b>120</b>	<b>75</b>	<b>1231</b>
<b>Total</b>	<b>96</b>	<b>390</b>	<b>387</b>	<b>795</b>	<b>1672</b>	<b>1839</b>	<b>361</b>	<b>207</b>	<b>5540</b>

(1): This category includes withdrawals that have not been revoked

(2): Calculation based only on decisions in substance (Refugee Status, Subsidiary Protection, Negative in substance)

(3): This category includes decisions:(a) due to the application of the safe third country principle (Border Procedures), (b) due to acceptance by another Member State (Relocation procedures), (c) due to acceptance by another Member State (Dublin Regulation procedures), (d) on subsequent (repeated) applications, (e) due to administrative reasons

<b>1st Instance Procedures - Recognition Rates (%) <sup>2</sup> (Countries with more than 300 Decisions in substance)</b>			
<b>10 Countries of Origin with the highest recognition rates</b>		<b>10 Countries of Origin with the lowest recognition rates</b>	
<b>SYRIA</b>	<b>99,6%</b>	<b>GEORGIA</b>	<b>0,0%</b>
<b>YEMEN</b>	<b>99,0%</b>	<b>ALBANIA</b>	<b>0,2%</b>
<b>PALESTINE</b>	<b>97,1%</b>	<b>PAKISTAN</b>	<b>2,4%</b>
<b>STATELESS</b>	<b>89,9%</b>	<b>INDIA</b>	<b>2,4%</b>
<b>ERITREA</b>	<b>88,0%</b>	<b>BANGLADESH</b>	<b>3,2%</b>
<b>SOMALIA</b>	<b>85,7%</b>	<b>ALGERIA</b>	<b>3,6%</b>
<b>AFGHANISTAN</b>	<b>71,3%</b>	<b>CHINA</b>	<b>7,8%</b>
<b>IRAQ</b>	<b>69,0%</b>	<b>EGYPT</b>	<b>9,3%</b>
<b>SUDAN</b>	<b>60,5%</b>	<b>NIGERIA</b>	<b>12,0%</b>
<b>IRAN</b>	<b>60,1%</b>	<b>MOROCCO</b>	<b>13,4%</b>

<b>1st Instance Procedures - Appeals - Countries of Origin</b>									
	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2019 (February)</b>	<b>Total</b>
<b>PAKISTAN</b>	187	977	1044	1872	4847	5419	878	473	<b>15224</b>
<b>ALBANIA</b>	189	618	381	842	1510	2470	389	246	<b>6399</b>
<b>BANGLADESH</b>	98	338	491	525	860	941	233	124	<b>3486</b>
<b>SYRIA</b>	3	10	4	1173	963	443	21	12	<b>2617</b>
<b>GEORGIA</b>	119	327	195	365	518	877	137	95	<b>2538</b>
<b>IRAQ</b>	23	41	35	46	353	1419	246	135	<b>2163</b>
<b>AFGHANISTAN</b>	28	290	180	210	447	826	168	72	<b>2149</b>
<b>EGYPT</b>	52	308	136	327	359	560	102	44	<b>1844</b>
<b>NIGERIA</b>	36	242	250	242	151	123	18	10	<b>1062</b>
<b>ALGERIA</b>	9	88	61	357	287	235	25	10	<b>1062</b>
<b>OTHER COUNTRIES</b>	308	1008	935	1288	1394	1979	329	161	<b>7241</b>
<b>Total</b>	<b>1052</b>	<b>4247</b>	<b>3712</b>	<b>7247</b>	<b>11689</b>	<b>15292</b>	<b>2546</b>	<b>1382</b>	<b>45785</b>

<b>1st Instance Procedures - Pending Applications - Countries of Origin</b>	
<b>AFGHANISTAN</b>	<b>14361</b>
<b>SYRIA</b>	<b>13192</b>
<b>IRAQ</b>	<b>7777</b>
<b>OTHER COUNTRIES</b>	<b>26240</b>
<b>Total</b>	<b>61570</b>