



Input by civil society to the EASO Annual Report 2016

EASO has started production of the Annual Report on the Situation of Asylum in the European Union 2016, in line with Article 12 (1) of the EASO Regulation. The report aims to provide a comprehensive overview of important asylum-related developments at EU and national level, and the functioning of all key aspects of the Common European Asylum System (CEAS). The report will be finalised by collecting information from EU+ countries, civil-society stakeholders, UNHCR and other relevant sources on main developments in asylum policies and practices of EU+ countries in 2016.

Previous reports can be consulted on EASO's website: <https://www.easo.europa.eu/information-analysis/annual-report>

We would kindly like to ask you to provide your **observations**, - preferably bullet points to facilitate further processing of your input - **on developments in asylum law or practice in 2016 (and early 2017) in the areas listed below, reflecting the usual structure of the report**. Observations may concern national practices of specific EU+ countries or the EU as a whole.

The EASO Annual Report will not describe the national asylum systems in detail but present key developments in 2016, including **improvements and new/remaining concerns**. The topics listed below reflect the structure of chapter 4 of the EASO report on the 'Functioning of the CEAS'. We kindly ask all contributors to provide brief summaries only on those topics/issues that have seen important **improvements/deterioration as well as new concerns or where previous relevant concerns remained in 2016**.

Please bear in mind that the EASO Annual Report is a public document. Therefore, your input should be, whenever possible, supported with references to written sources to ensure transparency. That can be done by providing links to any documents such as position papers, important press releases, studies, comments, input to the other reports, public statements to government programs, etc.

While EASO endeavours to cover all relevant developments and strives to include as many references as possible, the final content of the EASO Annual Report remains bound by its terms of reference and volume. Therefore, while all contributions are gratefully received and recognised, EASO may edit contributions for length and clarity and use the submissions to best serve the objective of the Annual Report: to improve the quality, consistency and effectiveness of the CEAS.

Please provide your input by filling in this document (with attachments if required) and emailing it to ids@easo.europa.eu **AND** consultative-forum@easo.europa.eu **by 20 February 2017**.

Within the areas, please highlight the following **type of information**:

- NEW positive developments; improvements and NEW or remaining matters of concern;
- Changes in policies or practices; transposition of legislation; institutional changes; relevant national jurisprudence.
- Please use the topics listed below as a guide to providing input for each section. **DO NOT** provide information unrelated to relevant new developments.

Name of the contributing stakeholder:

Contact details:

1) Access to territory and procedure

2) Access to information and legal assistance

Upon arrival TCNs receive appropriate and sufficient information about the place they are, the reason they are there, the procedures due to take place in the following days, the facilities and services provided and most importantly their rights regarding international protection.

Reception and Identification Service (RIS) makes sure that all third country nationals (tcns), residing at the Reception and Identification Centres (RICs) have access to legal aid, actors of civil society involved in migration and human rights organizations. They are also facilitated to contact their relatives and family.

3) Providing interpretation services

In every step of procedures, from the very beginning till the completion of the procedures, interpretation is being used so that the communication between the authorities and the tcns, is conducted efficiently in a context of human respect.

During 2016 the interpretation services were provided by experienced and authorized interpreters, who are members of staff of NGOs and International Organizations, such as UNHCR, IOM and EASO.

4) Dublin procedure

5) Specific procedures (border, accelerated, admissibility)

6) Reception of applicant for international protection:

All necessary procedures take place at the Hotspots according to European and national legislation. Third country nationals who are transferred there, are submitted to registration, identity and nationality identification and fingerprinting to Eurodac. They are provided with all the necessary information about their rights and obligations and all the circumstances, under which they can apply for international protection. Medical treatment and psychosocial support are provided to those in need and there is special care for persons with specific needs or vulnerabilities. Unaccompanied children, after all procedures are completed, are referred to special facilities with the collaboration of National Centre of Social Solidarity. Those who apply for international protection are referred to the Asylum Service and those due to be returned, readmitted or deported are referred to the Hellenic Police.

7) Detention:

Law 4375/2016 clearly defines the conditions and procedures for the issuance of restriction of liberty until completion of reception and identification procedures and subsequent referral to other appropriate reception structures and competent authorities.

While the mandate of detention remains under the Hellenic police, Reception and Identification Service (RIS) has the authority to issue restriction of liberty during reception and identification procedures.

After the apprehension and the referral of the third country nationals or stateless persons to the RIC, the Head of the Centre issues the restriction of liberty Decision within 3 days of their entry to the Centre. If the procedures are not completed within this time limit, an extension of the length of time is possible to occur, for an additional period of restriction of liberty up to 25 days till all reception and identification procedures are completed. The “restriction of liberty” for up to 25 days during reception and identification procedures is distinct from detention and regulated by the law.

8) Procedures at First instance:

9) Procedures at Second Instance:

10) Availability and use of Country of Origin Information:

11) Vulnerable applicants:

At the Reception and Identification Centres (RIC), unaccompanied minors stay in separate accommodation sections during reception and identification procedures. Following the completion of the procedures, all unaccompanied minors are referred to the National Centre for Social Solidarity (EKKA) that is responsible for finding suitable temporary accommodation in the next phase. However, due to the overwhelming number of arrivals over the past years, the availability of such reception facilities have been limited. As a result, unaccompanied minors have stayed in the RIC beyond the 25 days general limit of restriction of liberty. At this point it is useful to clarify that any restriction of liberty decision that has been taken regarding minors, occurs exclusively taking into consideration their own safety and wellbeing.

One of the initiatives taken to facilitate the duration of the stay of the minors within the Hotspot is to involve them to daily recreational activities such as art, sports and group excursions.

12) Content of protection – situation of beneficiaries of protection

In all circumstances, during all the reception and identification procedures the Head and the staff of the Reception and Identification Service, make sure that the following are ensured: a) dignified reception conditions, b) family unity, c) access to necessary medical assistance and potential treatment or psychosocial support, d) provision of special care to vulnerable groups, e) provision of sufficient information on their rights and obligations, f) access to legal aid, g) contact with actors of civil society involved in the field of migration and h) facilitation of contact with family and friends.

13) Return of former applicants for international protection

14) Resettlement and relocation

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15) Other relevant developments

Establishment of Ministry of Migration Policy

The Ministry of Migration Policy was established by Presidential Decree No 123 (National Gazette 208/A/2016).

On 3 April 2016, law 4375/2016 for the “Organisation and operation of the Asylum Service, the Appeals Authority, the Reception and Identification Service, the establishment of the Secretariat for Reception, the transposition into Greek legislation of the provision of directive 2013/32/EC (on common procedures for granting and withdrawing international protection)” entered into force.

The law establishes the autonomous Directorate “Reception and Identification Service” (RIS) in replacement of the First Reception Service within the Ministry of Interior and Administrative Reconstruction. RIS falls under the mandate of the General Secretariat of the Reception.

Special cases

Among tcns who arrive at the RICs, some of them are victims of torture, rape, genocide or other inhuman treatment or people who have fallen victims of human trafficking, any kind of exploitation and/or forced labour. The procedures followed provide the necessary medical care, support and protection to help their physical, psychological and social recovery. Access to legal assistance and interpretation services is provided for as long as necessary.

Tolerance for diversity

All the reception and identification procedures are conducted in a secure environment, respecting the sensitivities and diversities due to cultural differences, religious beliefs, origin, race, sexual orientation. Awareness is given of the migrants’ habits regarding worship and different cultural values, fact that helps avoid misunderstandings, misconceptions and even serious tensions.