

Input by civil society to the EASO Annual Report 2018

Fields marked with * are mandatory.

Input by civil society to the EASO Annual Report on the Situation of Asylum in the EU+ 2018

EASO has started the production of the 2018 Annual Report on the Situation of Asylum in the European Union, 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). [Previous reports are available at EASO's website](#)

While the final product comes out of an analytical and synthetic process that takes place in-house, a critical part of information is elicited through valuable contributions by a multiplicity of stakeholders from EU+ countries, civil society organizations, UNHCR, and other actors possessing in-depth knowledge on main developments in asylum policies and practices in EU+ countries.

We would like to kindly invite you to take part in this process, by sharing your observations on developments in asylum law, policy or practice in 2018 (and early 2019) in the areas listed on the online survey. The topics listed there reflect the structure of Chapter 4 of the EASO Annual Report, which focuses on the 'Functioning of the CEAS'. To this end, your observations may concern national practices of specific EU+ countries or the EU as a whole. You can fill in all or only some of the points. Overall, the EASO Annual Report is not meant to describe the national asylum systems in detail, but present key developments in 2018, including improvements and new/remaining concerns. In terms of format, your contributions would be preferably offered in the form of bullet points, which would facilitate further processing of your input.

Please, bear in mind that the EASO Annual Report is a public document. Accordingly, it would be desirable that your contributions, whenever possible, be supported by references to relevant sources. Providing links to materials such as analytical studies, articles, reports, websites, press releases, position papers/statements, and press releases, would allow for maintaining transparency. For your reference, you may review the [contributions offered by civil society actors for the 2017 Annual Report](#). If you do not consent on EASO making your submission available, please indicate so in the relevant part of the online survey.

In our effort to provide an inclusive overview of all relevant developments, we strive to incorporate as

many contributions as possible. At the same time, the final content of the EASO Annual Report is subject to its set terms of reference and volume limitations. To this end, your submissions, which are gratefully received and acknowledged, may be edited for length and clarity so that the final product concisely serves the objectives of the Annual Report: to improve the quality, consistency, and effectiveness of CEAS. From our side, we can assure you that the valuable insights you offer feed into EASO's work in multiple ways and inform reports and analyses beyond the production of the Annual Report.

Please, kindly provide your input completing the online survey by **Thursday, 28 February 2019**.

Instructions

Within each area, 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.**

You are kindly requested to make sure that your input falls within each section's scope. Please, refrain from including information that goes beyond the thematic focus of each section or is not related to recent developments. Feel free to use Section 16 to share information on developments you consider important that may have not been covered in previous sections.

Prior to completing the survey, please take a moment to review the list of areas and the types of information that needs to be included in each area.

Please contribute your feedback online or copy and paste your answers from an editable type document

Questions

1. Access to territory and access to asylum procedure (including first arrival to territory and registration)

It is important to mention that especially in borders of Evros there is a shadow number composed of unaccompanied minors and also of the general population. The number cannot be counted because those asylum seekers cannot be identified and neither by an NGO nor by police or a State agency.

Regarding the access to the territory it has been noticed that after April 2018 the number of people and children passing through the borders of Evros has increased.

source : <http://www.onalert.gr/stories/ayksanontai-oi-eisroes-prosfygon-kai-metanaston-apo-ton-evro/76068>

Regarding the access to the asylum procedure in the mainland and especially in the RAO of Attica an average time for the full registration of an unaccompanied minor is 5 months. Furthermore, from the moment that an NGO sends a request to the responsible RAO until the day of the full registration no official document which proves the submission for the request for international protection is issued from the Asylum Service. In that case all there is a violation regarding all the rights of the child. Also at the same time there is a high possibility for the minors to be detained and to pass through age assessment without any support and protection.

Finally in the islands the role of Frontex is very controversial.

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

We have observed that a huge gap existing regarding the access to information and legal assistance. From our work on the field we have observed that many minors we support who have passed from a hotspot, have not been informed regarding their rights and the asylum procedure properly or sometimes they have not been informed not at all.

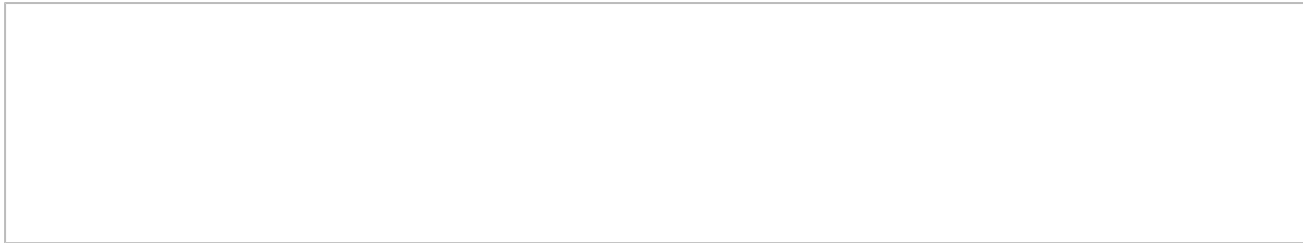
4. Providing interpretation services

A lack of interpretation has been observed in the languages of Bangla and Tigrinia and other "rare" speaking languages. Regarding Bangla an average time for an unaccompanied minor to submit his request for international protection and to complete his full registration in the RAO of Piraeus is 6 months.

4. Dublin procedure (including the organisational framework, practical development and suspension of transfers to selected countries, detention in the framework of Dublin procedures)

Regarding the Dublin Procedure we have observed many obstacles from the Dublin Units of the other European Member States and the Procedure is becoming more difficult, since all the States require more documentation and requirements. Also the Asylum Service has issued a new BIA form, available at: http://asylo.gov.gr/?page_id=113

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



6. Reception of applicants for international protection (including information on reception capacities – rise/fall/stable, material reception conditions, i.e. housing, food and clothing and financial support, contingency planning in reception, access to labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

The reception conditions in the hotspots still do not meet even some minimum living standards. Moreover the capacity of the camps is very low in order to cover the needs of the incoming flows. Regarding the children, there is oversaturation of reception facilities which are meant to assure basic care and protection of children, the deleterious conditions that children are subject to for lengthy periods of time as a result of the serious shortcomings in reception and care and the danger that such conditions pose for children's mental and physical health.

Many reports present the issue of reception and the living conditions. More important from the Commissioner for Human Rights of the European Council and observations made by the delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), available at :

https://www.ecoi.net/en/file/local/1450482/1226_1542121278_commdh-2018-24-greece-report-en-docx.pdf

https://www.ecoi.net/en/file/local/1434963/1226_1528810659_2018-20-inf-eng-docx.pdf

https://d1tn3vj7xz9fdh.cloudfront.net/s3fs-public/file_attachments/2019-01_greece_media_briefing_final.pdf?utm_source=ECRE+Newsletters&utm_campaign=c59279763c-EMAIL_CAMPAIGN_2019_01_09_02_32&utm_medium=email&utm_term=0_3ec9497afd-c59279763c-422317185

<https://www.ecoi.net/en/document/1452978.html>

Furthermore, many illegal returns to Turkey from the borders of Evros have been observed. More available at :

https://www.humanrights360.org/wp-content/uploads/REPORT_GR.pdf

7. Detention of applicants for international protection (including detention capacity – rise/fall /stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

Regarding detention of children according to the latest statistics 82 minors are in protective custody. It is noted that minors remain in protective custody for more than two months. More details available at :

http://www.ekka.org.gr/images/PDF_ARXEIA/GR_EKKA_Dashboard_15-2-2019.pdf

<https://www.gcr.gr/el/news/press-releases-announcements/item/1057-na-termatistei-amesa-i-kratise-ton-asynodefton-paidion-stin-ellada>

There are no interpreters in the detention centers.

8. Procedures at First Instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, international protection status determination, decision making, timeframes, case management, including backlog management)

At the First Instance there is not a state legal aid so all the support and representation has been covered from NGO's. Although the capacity of the lawyers is decreasing.

9. Procedures at Second Instance (including organisation of the process, hearings, written procedures, timeframes, case management, including backlog management)

There is a very problematic situation regarding the Second Instance. According to the Greek State Free legal aid is provided from the State at the second Instance, although there are no lawyers in the islands in the State lawyers register. More information available at :
<https://www.asylumineurope.org/news/04-12-2018/greece-asylum-seekers-left-without-legal-aid-islands>

10. Availability and use of Country of Origin Information (including organisation, methodology, products, databases, fact-finding missions, cooperation between stakeholders)

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

There is not common age assessment procedure in the islands and in the mainland. The responsible units of KEELPNO does not exist in order to handle the procedure. The police can also start the procedure without informing the public prosecutor.

Regarding fostering Greece has issued in the official gazette the law 4538/2018, available at : http://www.elanet.gr/wp-content/uploads/2018/06/n.-4538_2018_article-33_trop_-4314_2014.pdf

Regarding legal guardianship Greece has issued in the official gazette the law 4538/2018 4554/2018, available at : http://www.opengov.gr/minlab/wp-content/uploads/downloads/2018/07/nomos-4554_2018-1.pdf

Both of the laws are giving only a general background and are setting only the framework by which adoption and guardianship for unaccompanied minors will function in Greece, although still there are gaps and many details need to be confirmed. Furthermore, for these two laws the ministerial decisions which will explain and give the practical details are pending.

12. Content of protection – situation of beneficiaries of protection (including access to social security, social assistance, healthcare, housing and other basic services; Integration into the labour market; Measures to enhance language skills; Measures to improve attainment in schooling and/or the education system and/or vocational training)

Regarding the host of unaccompanied minors according to the latest statistics the estimated number is 3.708. Of those 1.045 have been hosted in shelters, 930 in safe zones or in hotels for unaccompanied minors, 82 in protective custody, 705 in RICs, 20 in semi-independent living program and around 1.000 are homeless or in unsafe conditions. So the accommodation of unaccompanied minors is a huge issue.

There are many problems regarding protection. Mostly regarding the accommodation, but also in health care social assistance - security. About housing the ESTIA program can host around 26.000 people and the sites an estimated number of 32.000 people. As a result many families are homeless because and cannot have accommodation and they live on squats or in the street and in general in unsafe living conditions. Moreover, from March 2019 until the end of 2019 recognized refugees should leave their accommodation. More information available at : <https://www.feantsa.org/download/feantsa-joint-declaration-012019-31217046609951423028.pdf>

Furthermore, there is a lack of interpretation in public hospital and services, only in some hospitals interpretation is being covered by NGOs. Only some Central Services for Citizens (KEP) and Migrants (KEM) occasionally have interpreters. There are problems regarding issuing social registry number and tax registry number.

Extra information available on : https://ddp.gr/wp-content/uploads/2018/07/Report_NCR_ENG.pdf

13. Return of former applicants for international protection

14. Resettlement and humanitarian admission programmes including EU Joint Resettlement Programmes; national resettlement programme (UNHCR); National Humanitarian Admission Programme; Private sponsorship programme/scheme and Ad-hoc special programmes)

15. Relocation (any relevant developments concerning persons transferred under the EU relocation programme and relocation activities organised under national schemes/on bilateral basis)

* 16. Other relevant developments

1 character(s) minimum

The National Strategy for Inclusion is pending. On 15th of February the public consultation was closed. Below find the link with the comments made :

<http://www.opengov.gr/immigration/?p=801>

References and Sources

* 17. Please provide links to references and sources and/or upload the related material in pdf format using the following box

https://www.asylumlawdatabase.eu/sites/default/files/aldfiles/CC%20v%20Greece_final_signed.pdf
https://ddp.gr/wp-content/uploads/2018/07/Report_NCR_ENG.pdf
<https://www.feantsa.org/download/feantsa-joint-declaration-012019-31217046609951423028.pdf>
http://www.elanet.gr/wp-content/uploads/2018/06/n.-4538_2018_article-33_trop_.-4314_2014.pdf
http://www.opengov.gr/minlab/wp-content/uploads/downloads/2018/07/nomos-4554_2018-1.pdf
<https://www.asylumineurope.org/news/04-12-2018/greece-asylum-seekers-left-without-legal-aid-islands>
http://www.ekka.org.gr/images/PDF_ARXEIA/GR_EKKA_Dashboard_15-2-2019.pdf
<https://www.gcr.gr/el/news/press-releases-announcements/item/1057-na-termatistei-amesa-i-kratisei-ton-asynodefton-paidion-stin-ellada>
https://www.ecoi.net/en/file/local/1450482/1226_1542121278_commdh-2018-24-greece-report-en-docx.pdf
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<https://www.ecoi.net/en/document/1452978.html>
https://www.humanrights360.org/wp-content/uploads/REPORT_GR.pdf
<http://www.onalert.gr/stories/ayksanontai-oi-eisroes-prosfigon-kai-metanaston-apo-ton-evro/76068>
<http://www.opengov.gr/immigration/?p=801>

Please upload your file

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Consent for making the input publicly available

* Do you consent on making your input available on the EASO website?

- Yes
 No

Case law

Please include relevant case law and/or submit cases to [EASO Portal IDS on Caselaw](#)

Contact details

* Name of the contributing stakeholder

Network for Children's Rights

Contact person, Role

* Email

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

Contact

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