



## **Beneficiaries of international protection in Greece**

Access to documents and socio-economic rights

March 2022

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## List of Abbreviations

<b>AADE</b>	Independent Authority for Public Revenue   Ανεξάρτητη Αρχή Δημοσίων Εσόδων
<b>AAU</b>	Autonomous Asylum Unit   Αυτοτελές Κλιμάκιο Ασύλου
<b>ADET</b>	Residence permit   Άδεια Διαμονής Ενιαίου Τύπου
<b>AFM</b>	Tax Identification Number   Αριθμός Φορολογικού Μητρώου
<b>AMKA</b>	Social Security Number   Αριθμός Μητρώου Κοινωνικής Ασφάλισης
<b>DAA</b>	Aliens Directorate of Attica   Διεύθυνση Αλλοδαπών Αττικής
<b>DADP</b>	International Protection Applicant Card   Δελτίο Αιτήσαντος Διεθνούς Προστασίας
<b>DOY</b>	Tax Office   Διεύθυνση Οικονομικών Υποθέσεων
<b>ECHR</b>	European Convention on Human Rights
<b>EODY</b>	National Public Health Organisation   Εθνικός Οργανισμός Δημόσιας Υγείας
<b>ESTIA</b>	Emergency Support to Integration & Accommodation
<b>EU</b>	European Union
<b>HELIOS</b>	Hellenic Integration Support for Beneficiaries of International Protection
<b>KEA</b>	Social Solidarity Income   Κοινωνικό Επίδομα Αλληλεγγύης
<b>KEM</b>	Migrant Integration Centre   Κέντρο Ένταξης Μεταναστών
<b>KEP</b>	Citizens' Service Centre   Κέντρο Εξυπηρέτησης Πολιτών
<b>KYADA</b>	Centre for Reception and Solidarity of the Municipality of Athens   Κέντρο Υποδοχής και Αλληλεγγύης Δήμου Αθηναίων
<b>OAED</b>	Hellenic Manpower Organisation   Οργανισμός Απασχόλησης Εργατικού Δυναμικού
<b>OPEKA</b>	Organisation of Welfare Benefits and Social Solidarity   Οργανισμός Προνοιακών Επιδομάτων και Κοινωνικής Αλληλεγγύης
<b>PAAYPA</b>	Provisional Foreigner's Insurance and Health Care Number   Προσωρινός Αριθμός Ασφάλισης και Υγειονομικής Περίθαλψης Αλλοδαπού
<b>RAO</b>	Regional Asylum Office   Περιφερειακό Γραφείο Ασύλου

## Introduction\*

1. This report provides an update on the situation of beneficiaries of international protection in Greece, including readmitted status holders from other European countries. As highlighted in previous reports,<sup>1</sup> the Greek government maintains a policy expecting immediate autonomy and self-sufficiency of persons granted international protection. This policy, in conjunction with chronic legal and practical barriers to access to basic socio-economic rights may in many cases result in homelessness and extreme deprivation contrary to the prohibition on inhuman and degrading treatment under Article 3 of the European Convention on Human Rights (ECHR) and Article 4 of the Charter of Fundamental Rights of the European Union.
2. In the past year, the Greek government has stressed the “structural imbalances between Member States as regards the prospects of integration and the level of benefits associated therewith, as well as the prospects of access to the labor market considering the persisting high unemployment rate in Greece”. The government has particularly emphasised that “we have however, since 2010, to restrict our welfare state provisions” and that support programmes for beneficiaries of international protection “are at risk given substantial reduction to funding”.<sup>2</sup>
3. As a rule, readmission of beneficiaries of international protection from other European countries to Greece is carried out via Athens International Airport.<sup>3</sup> Upon arrival at the airport, beneficiaries of international protection are provided with no information or referral regarding accommodation possibilities or steps to access their rights in Greece, though they may sometimes be given a note (υπηρεσιακό σημείωμα) written in Greek, instructing them to approach the Asylum Service if they do not hold documents. Some of the returnees represented by RSA have received notes from the Athens Airport Police Directorate directing them to different offices in Attica.

**Case study: Nasim\***, a man granted asylum in Greece in 2018, was readmitted from Germany in February 2022. After being briefly detained at Athens International Airport, he was released by the Hellenic Police and told to leave, without being given any documentation or any information on who to refer to in order to access his documents and rights.

**Case study: George\***, a man granted asylum in Greece in 2015 and readmitted from Germany in October 2021, received a note instructing him “to appear before the Asylum Service of Attica (P Kanellopoulou 2, Athens) within ten (10) days for the continuation of his case.”

**Case study: Farhad\***, a man granted asylum in Greece in 2016 and readmitted from Germany in July 2021, received a note requiring him “to appear before the Asylum Service of Piraeus (Navarhou Notara 106, Piraeus) within ten (10) days for the continuation of his case.”

**Case study: Mina\***, a woman readmitted from Germany in January 2021, received a note requiring her “to appear before the Asylum Service (Regional Asylum Office of Attica, P Kanellopoulou 2, Athens) as she does not hold any document for her residence in the country...”

\* Names of persons cited in this report have been changed to protect safety and privacy.  
<sup>1</sup> RSA & Stiftung PRO ASYL, *Beneficiaries of international protection: Access to documents and socio-economic rights*, March 2021, available at: <https://bit.ly/3KB5EmX>.

<sup>2</sup> Ministry of Migration and Asylum, Letter No 135, 4 June 2021, available at: <https://bit.ly/3ubOky7>.

<sup>3</sup> Information provided by the Directorate of Migration Management, Hellenic Police, 11 May 2020.

**Case study: Adnan\*** was readmitted from Germany in August 2020 without any documentation, as his Greek residence permit was lost and had expired. Upon arrival at Athens International Airport, he received a note directing him to the Regional Asylum Office of Attica on P Kanellopoulou 2, Athens.

4. In light of the above, RSA and Stiftung PRO ASYL recall that Attica is the main region in which status holders are likely to find themselves upon return to Greece. It is equally worth noting that the Attica region accounts for 43% of the total number asylum applications lodged in Greece last year and for nearly 40% of the national reception system occupancy.<sup>4</sup> This means that most of the country's newly recognised status holders are likely to be present in Attica as well.
5. Accordingly, obstacles prevailing predominantly in the Attica region are liable to particularly affect returnees as regards access to social welfare, housing, health care and employment. Moreover, Migrant Integration Centres (Κέντρα Ένταξης Μεταναστών, KEM) run by municipalities and offering information and counselling to beneficiaries on how to access documentation and certain social rights do not have sufficient interpretation services in Attica and are thereby only accessible to those who speak Greek, English or Urdu.<sup>5</sup>

### Residence permit (ADET)

6. Status holders in Greece continue to face specific challenges posed by severe administrative barriers to access to different categories of official documentation. These obstacles prevent people from fulfilling the necessary documentation prerequisites for accessing key rights such as health care, housing, social welfare, access to the labour market and even legal representation under equal conditions to nationals.
7. Most difficulties are encountered vis-à-vis access to a residence permit (Άδεια Διαμονής Ενιαίου Τύπου, ADET), a prerequisite for obtaining a Social Security Number (Αριθμός Μητρώου Κοινωνικής Ασφάλισης, AMKA) and social benefits.

### Asylum Service stage: ADET Decision / ADET Renewal Decision

8. The procedure for the issuance of ADET to persons granted international protection starts with the issuance of an "ADET Decision" by the Asylum Service. This is a decision of the competent Regional Asylum Office (RAO) or Autonomous Asylum Unit (AAU) calling for the issuance of the permit. The asylum decision alone does not entitle the person to obtain a residence permit.

**Case study: George\***, cited above, was granted asylum in 2015 but had already left Greece when a decision was taken on his claim. He was readmitted from Germany to Greece in October 2021. Upon his return, he approached the Asylum Service to obtain his documents. The RAO of Attica provided him with a copy of his asylum decision, without, however, handing him an ADET Decision. As a result, George was refused an appointment with the Hellenic Police for the issuance of the permit and was unable to apply for an ADET for several months.

9. The ADET Decision is not always notified upon the granting of status, in which case beneficiaries have to book an appointment with the RAO or AAU to obtain an ADET

<sup>4</sup> RSA, *The Greek asylum procedure in numbers: The majority of applicants continue to be in need of international protection in 2021*, March 2022, available at: <https://bit.ly/3tPNCqt>.

<sup>5</sup> Municipality of Athens, *Κέντρο Ένταξης Μεταναστών*, available at: <https://bit.ly/3pFN7ek>.

Decision. Importantly, the RAO or AAU issuing the ADET Decision must have the same territorial competence as the Passport Office of the Hellenic Police which will subsequently carry out the issuance of the ADET, as described below. Otherwise, the Hellenic Police does not accept the application. In such a case, beneficiaries of international protection have to apply again to a territorially competent RAO or AAU to receive an official copy of their asylum decision and ADET Decision, stamped by that office.

**Case study: Saïd\*** received international protection in February 2022 whilst in detention in the pre-removal centre of Corinth. Upon his release, he was directed by the Hellenic Police to the Attica region to proceed with the issuance of his documents. Due to this, he was not allowed to directly proceed with the issuance of his ADET in Athens due to the fact that the Aliens Directorate of Attica (Διεύθυνση Αλλοδαπών Αττικής, DAA) of the Hellenic Police only accepts asylum decisions and ADET Decisions issued by RAO or AAU in Attica. Saïd's lawyers secured the notification of new copies of his decisions by the RAO of Piraeus in mid-March 2022. This was necessary for Saïd to be able to initiate the procedure before the DAA to obtain his ADET.

**Case study: Gul\***, an elderly woman, received her international protection status and ADET Decision by the RAO of Crete in October 2021. Accordingly, she was also unable to directly proceed with the issuance of her ADET in Athens. Gul's lawyers secured the notification of new copies of her decisions by the RAO of Piraeus in December 2021. This allowed Gul to initiate the issuance procedure before the DAA and to eventually obtain her ADET.

10. Another challenge relates to children born in Greece after their family has lodged an asylum application. These children are often registered by the Asylum Service under a different case number from the rest of their family. This leads to additional delays and hurdles in the issuance of ADET for all family members.

**Case study: Ismail\*** and his wife have five minor children. Their youngest daughter was born after they had applied for asylum in Greece and therefore received a different case number. Due to this, she remained an asylum seeker even though the family had received subsidiary protection in July 2021. The RAO of Piraeus informed them that their youngest daughter would only be granted international protection after they had obtained their ADET.

11. As regards renewals of ADET, applications must be lodged with the Asylum Service no later than 30 days prior to the expiry of the ADET. Following a reform adopted in September 2021, beneficiaries of international protection face a €100 fine for late renewal applications.<sup>6</sup>
12. Beneficiaries of international protection seeking to renew their ADET must submit an "Application for Residence Permit Renewal" to the competent RAO or AAU. Renewal applications are submitted to the Asylum Service via email. Regular Ministry of Migration and Asylum announcements indicate that applications should be sent to the following address: [GAS.residencepermits@migration.gov.gr](mailto:GAS.residencepermits@migration.gov.gr).<sup>7</sup> However, the actual downloadable application form available on the Ministry webpage refers to [residecepermits@migration.gov.gr](mailto:residecepermits@migration.gov.gr), an email address no longer in use by the Asylum Service. As a result, through no fault of their own, many persons continue to use the latter address and encounter further barriers to renewing their ADET.

<sup>6</sup> Article 24(1) L 4636/2019 (IPA), Gov. Gazette A' 169/1.11.2019, as amended by Article 17 L 4825/2021, Gov. Gazette A' 157/04.09.2021.

<sup>7</sup> See e.g. Ministry of Migration and Asylum, 'ΑΔΕΤ που λήγουν μέχρι 30 Απριλίου 2022', 3 March 2022, available at: <https://bit.ly/3irGpHQ>.

**Case study: Majid\*** and his family are beneficiaries of subsidiary protection. In May 2021, the family applied for the renewal of their ADET to the [residecepermits@migration.gov.gr](mailto:residecepermits@migration.gov.gr) email address and never received a response. The eldest daughter of the family wrote to the RAO of Piraeus in September 2021 only to be directed to the Ministry of Migration and Asylum website. She wrote again to the [residecepermits@migration.gov.gr](mailto:residecepermits@migration.gov.gr) email address to inquire about the renewal procedure, without receiving a reply. The family had not received an ADET Renewal Decision for eight months after the submission of their application.

13. Similar to the process described above for the initial residence permit, the Asylum Service issues an "ADET Renewal Decision", i.e. a decision calling for the permit to be renewed. Prior to taking the decision, the Asylum Service requests information from police and judicial authorities to verify whether any criminal charges or convictions have been issued against the person. This stage can take several months in practice.

**Case study: Zahra\***, her husband and minor daughter are beneficiaries of subsidiary protection, whose ADET expired in April 2021. They informally live in the Elaionas camp in Athens and the camp management has applied to the Asylum Service for the renewal of the ADET. However, the family have been waiting for over ten months for the delivery of their ADET Renewal Decisions.

**Case study: Mariam\*** and her family are beneficiaries of subsidiary protection whose ADET expired in September 2021. They informally live in the Elaionas camp in Athens as well. The family had already applied for the renewal of their ADET in July 2021 but have been waiting for an ADET Renewal Decision for nine months. In early March 2022, the AAU for Beneficiaries of International Protection indicated in writing that it was still expecting replies from the competent police and judicial authorities in order to verify whether the ADET Renewal Decisions can be issued.

**Case study: Kabir\*** applied for the renewal of his ADET in September 2021, three months before the expiry of the document. More than six months later, however, he has still not received an ADET Renewal Decision. A request was sent to the AAU for Beneficiaries of International Protection by Kabir's lawyer in February 2022. In mid-March, the AAU for Beneficiaries of International Protection replied that it was still waiting for replies from the competent police and judicial authorities.

**Case study: Omar\***, his wife and two minor children were readmitted from the Netherlands in November 2020. They applied for the renewal of their ADET at the RAO of Alimos in December 2020 but waited for ten months before they could receive their ADET Renewal Decisions in September 2021.

14. Finally, serious obstacles arise in many cases due to a persisting lack of clarity as to the competent RAO or AAU to handle the process, in particular for returnees from other countries.

**Case study: George\***, cited above, was readmitted from Germany in October 2021. Following his return, he obtained a copy of his asylum decision and an International Protection Applicant Card (Δελτίο Αιτήσαντος Διεθνούς Προστασίας, DADP) from the RAO of Attica, though no ADET Decision was handed to him. George lost his DADP and requested a new card from the RAO of Attica in February 2022. As no response had been given after one month, George's lawyer called the RAO of Attica to inquire into the process but was



told that the competent Office was the RAO of Alimos. The latter office stated in turn that it lacked competence, given that the DADP had been issued by the RAO of Attica. Following further contact of his lawyer with the RAO of Attica, George was instructed to reiterate his request thereto in writing. Eventually, however, his lawyer obtained an appointment with RAO of Alimos which issued him a new DADP and delivered him his ADET Decision.

**Case study: Farhad\***, cited above, was readmitted from Germany in July 2021. However, despite repeated visits to the Asylum Service, Farhad remained without any documentation for nearly eight months due to a disagreement between the RAO in Attica as to the competent Asylum Office for his case. In December 2021, the RAO of Attica stated that a different office, the AAU for Beneficiaries of International Protection, was competent to receive the application, however that Office replied that the RAO of Attica was competent. In January 2022, the Attica Directorate of the Asylum Service noted that the competent office may be the RAO of Piraeus. Only at the end of February 2022 did Farhad receive the documents needed to start the process to obtain his residence permit.<sup>8</sup>

**Case study: Adnan\***, cited above, was readmitted from Germany in August 2020. When he appeared before the RAO of Attica, as instructed upon arrival, he was turned away without receiving any document and was told to refer to the RAO of Alimos. That Office, however, refused to provide him with a copy of his lost residence permit and only gave him the permit number. In February 2022, Adnan wrote to the AAU Fast-Track for Syrian nationals to request that he be provided with a document, pending the renewal of his lost ADET. He reiterated his request in March 2022 but has still not obtained any document at the time of writing.

#### Hellenic Police stage: submission of documents and fingerprints

15. Only following the notification of the ADET Decision or ADET Renewal Decision can beneficiaries of international protection email the territorially competent Passport Office of the Hellenic Police to request an appointment to apply for the permit.<sup>9</sup> The competent office for Attica is the Aliens Directorate of Attica (Διεύθυνση Αλλοδαπών Αττικής, DAA). The appointment has to be requested within six months of the issuance of the ADET Decision or ADET Renewal Decision, otherwise a new Decision has to be obtained.
16. On the appointment day given by the Passport Office, the beneficiary has to appear in person at the Office and to submit the ADET Decision, together with the International Protection Applicant Card (Δελτίο Αιτήσαντος Διεθνούς Προστασίας, DADP) or the expired ADET and photographs. Fingerprints are also taken at the Passport Office.<sup>10</sup>

**Conditions at the Aliens Directorate of Attica:** Appointments with the DAA at Petrou Ralli, Athens are set for 7am. On her appointment day in January 2022, **Gul\***, cited above, queued for four hours along with more than 50 people before being called in to give her fingerprints, without any COVID-19 prevention and social distancing measures. No special arrangements or measures are taken by the Police for vulnerable persons, including the elderly. No interpretation services are available either.

<sup>8</sup> RSA, 'Recognised refugee returned to Greece, destitute, forgotten and undocumented', 4 March 2022, available at: <https://bit.ly/3I1JtV8>.

<sup>9</sup> On the islands, this is usually handled by the Reception and Identification Centres.

<sup>10</sup> Ministry of Migration and Asylum, Άδειες διαμονής, available at: <https://bit.ly/3bp9VKd>.



17. Following the appointment with the Passport Office of the Hellenic Police, beneficiaries wait until their ADET is ready for collection at the Asylum Service. The Asylum Service does not notify people individually. It uploads on its website a daily list of case numbers for which ADET are ready for collection on the indicated day.<sup>11</sup> Therefore, beneficiaries have to regularly consult the daily lists online until they find an entry corresponding to their individual case number.

#### Chronic delays in the issuance and renewal of ADET

18. The issuance and renewal of the residence permit in practice is marred by serious delays reaching several months and even exceeding one year in some cases, due to a substantial backlog of pending applications and slow processing.<sup>12</sup> The Ombudsman has reported cases facing delays of over one year.<sup>13</sup> More recently, the National Commission for Human Rights has also denounced systemic deficiencies in the ADET issuance and renewal process, which expose beneficiaries to acute risks of loss of employment and inability to apply for social welfare.<sup>14</sup> The European Commission “remains concerned about difficulties and administrative delays in Greece which hamper access to beneficiaries’ rights, as stipulated under the Qualifications Directive”,<sup>15</sup> while the European Union Agency for Asylum (EUAA) has echoed “administrative hurdles and delays” especially in large cities.<sup>16</sup> The above deficiencies affect returnees from other European countries as well.
19. Until the issuance of the first ADET, the person retains their DADP and may renew it if it has expired.<sup>17</sup> However, this does not apply to procedures for renewal of an expired ADET, in which case persons with expired ADET normally receive no documentation pending the delivery of the new ADET and have no means to demonstrate their status.<sup>18</sup>

**Case study: Yusra\***, a transgender refugee returned from Germany in August 2020, applied to the RAO of Attica for the renewal of her ADET in September

<sup>11</sup> Ministry of Migration and Asylum, *Initial Residence Permits that are Ready*, available at: <https://bit.ly/3w1La2H>. Note that the same list is used for ADET renewals, even though the website has a separate page for ADET renewals: <https://bit.ly/3qkhkmk>. This creates additional confusion for persons awaiting the collection of their documents.

<sup>12</sup> Practice so far dispels the Asylum Service’s view that six-month waiting periods will rarely be witnessed: Asylum Service, *Αιτούντες και Δικαιούχοι Διεθνή Προστασία – πρόσβαση στην εργασία*, 90298/2021, 15 February 2022.

<sup>13</sup> Ombudsman, ‘Ανανέωση αδειών διαμονής δικαιούχων διεθνούς προστασίας’, 28 May 2020, available at: <https://bit.ly/3nqhKUT>.

<sup>14</sup> National Commission for Human Rights, ‘Επιστολή της ΕΕΔΑ προς τα συναρμόδια Υπουργεία για το θέμα της ανανέωσης των αδειών διαμονής δικαιούχων διεθνούς προστασίας’, 27 July 2021, available at: <https://bit.ly/3Gz5mv9>.

<sup>15</sup> European Commission, Ares(2021)8048555, 7 December 2021, available at: <https://bit.ly/3KRgHsk>.

<sup>16</sup> EUAA, *Residence permits for third-country nationals in the context of asylum*, EUAA/IAS/2022/6, January 2022, 2, available at: <https://bit.ly/3fZ6eO7>.

<sup>17</sup> DADP previously carried a blue stamp indicating a grant of international protection. However, no such mention is indicated on the new format of DADP.

<sup>18</sup> Only in case a valid ADET or a DADP is lost, as in the cases of **Omar\***, **George\*** and **Adnan\*** cited above, does the Asylum Service issue a time-limited “certificate of beneficiary of refugee status” or “certificate of beneficiary of subsidiary protection”, solely for the person to report the loss of the document to the police. The document usually has a two- to four-month validity. This dispels the view of the Asylum Service that every person requesting the renewal of their ADET receives such a document: Asylum Service, *Αιτούντες και Δικαιούχοι Διεθνή Προστασία – πρόσβαση στην εργασία*, 90298/2021, 15 February 2022. Legal actors confirm that such a document is not issued upon the filing of a renewal application.

2020 and had her fingerprints taken at the DAA in May 2021.<sup>19</sup> Her ADET was not issued until October 2021, over one year after her application.

**Case study: Omar\*** and his family, cited above, were readmitted from the Netherlands in November 2020. They applied for the renewal of their ADET in December 2020, shortly after their return. However, Omar and his first son did not receive their ADET until October 2021, while his wife and second son received theirs in December 2021.

20. In addition to denial of socio-economic rights, these deficiencies restrict the right to legal representation as they effectively prevent beneficiaries of international protection from granting authorisation (εξουσιοδότηση) to a lawyer, since they cannot fulfil the requirement of certification of their signature (θεώρηση του γνησίου της υπογραφής) before a public authority for want of valid documentation.

**Case study: Adnan\***, cited above, was readmitted from Germany in August 2020 and is waiting for his expired ADET to be renewed. In February 2022, he sought to certify his signature in order to authorise a legal representative at a Citizens' Service Centre (Κέντρο Εξυπηρέτησης Πολιτών, KEP) but has still not been allowed to do so, on the ground that he lacks valid documentation.

**Case study: Mariam\*** and her family, cited above, applied for renewal of their ADET in July 2021 and are still waiting for an ADET Renewal Decision at the time of writing. Since their ADET expired in September 2021, they have been unable to authorise a legal representative. In December 2021, the family was denied the possibility to have their signature certified by the Elaionas camp, a Ministry of Migration and Asylum facility, on the ground that the facility does not offer such a service. In January 2022, different police stations across Athens also refused to certify their signature, due to the lack of valid documentation.

21. Importantly, the start date of validity of the ADET corresponds to the date of issuance of the ADET Decision or ADET Renewal Decision by the Asylum Service, not to the delivery of the ADET itself. This creates serious risks for holders of subsidiary protection whose ADET has a one-year validity period,<sup>20</sup> given that the ADET issued to them are often close to expiry or already expired and need to be immediately renewed due to the delays described above.

**Case study: Farhad\***, cited above, had already received a first ADET Decision in 2019 but had never obtained an ADET prior to his departure to Germany. Eight months after his readmission to Greece in July 2021, he finally obtained a new ADET Decision at the end of February 2022. However, the validity date of his prospective ADET runs from April 2019 to April 2022. However, his appointment at the Passport Office is set for early April 2022. This means that Farhad's ADET will most likely have expired by the time he receives it.

**Case study: Zahra\*** and her family, cited above, received their first ADET nine months after the start of their validity. They therefore had to apply for renewal almost immediately after receiving them. Yet, the family currently lacks valid documents, as the renewal process has been pending for ten months.

**Case study: Mariam\*** and her family, cited above, received their first ADET eight months after the start of their validity. They therefore had to apply for renewal three months after receiving them. The family currently lacks valid documents, as the renewal process has been pending for nine months.

<sup>19</sup> Ombudsman, 306525/64048/2021, 23 November 2021.

<sup>20</sup> Article 24(1) IPA.

22. Drawing on the above observations, RSA and Stiftung PRO ASYL conclude that beneficiaries of international protection in Greece face an array of administrative barriers, a lack of clear information and slow processing times at both stages of the ADET issuance and/or renewal procedure (Asylum Service, Hellenic Police). As a result, beneficiaries are liable to face particularly lengthy periods without a valid ADET, in the absence of which they cannot access social benefits, health care, the labour market, or even authorise a legal representative. Recent recommendations by RSA on measures to streamline the process for issuing and renewing ADET have not been taken up by the government to date.<sup>21</sup>

## Other documents

### Tax Identification Number (AFM)

23. The Tax Identification Number (*Αριθμός Φορολογικού Μητρώου*, AFM) is a prerequisite for acts such as opening of a bank account, rental of property and access to the labour market and social assistance in Greece, including under the HELIOS programme mentioned below.
24. Individuals wishing to register with a Tax Office (*Διεύθυνση Οικονομικών Υποθέσεων*, DOY) with a view to obtaining AFM are required to certify their residence address through a certificate from a reception centre, an electricity bill or a copy of a rental contract in their name. Accordingly, beneficiaries of international protection who do not hold a residence certificate and/or are homeless are unable to obtain AFM. As a result, they cannot submit a tax declaration or obtain a tax clearance certificate.
25. Pursuant to a Decision of the Independent Authority for Public Revenue (*Ανεξάρτητη Αρχή Δημοσίων Εσόδων*, AADE) which entered into force at the end of December 2020, new asylum seekers completing the lodging of their asylum application automatically receive an AFM.<sup>22</sup> At that stage, the asylum authorities shall complete the AFM issuance procedure online and issue an AFM certificate to the applicant.<sup>23</sup> An AFM is now automatically issued upon the issuance of a DADP. This is not the case for persons renewing an expired ADET who lack such a number, however.
26. Importantly, the AFM is automatically deactivated upon the expiry of the ADET and cannot be used until the ADET is renewed. This exposes individuals to risks of loss of acquired rights, including labour or unemployment benefits.

**Case study: Gholam\***, a recognised refugee, has been employed for several years as a seasonal worker in the tourism sector on Lesbos. He applied for the renewal of his ADET in July 2021 but had received no reply by the end of his seasonal work contract in November 2021, by which time his ADET had expired and his AFM had been deactivated. As a result, Gholam could not receive the unemployment benefits he was entitled to based on his previous employment.

### TAXISnet credentials

27. Online login credentials (*κλειδάριθμος*), also known as "TAXISnet" codes, are necessary for receiving tax clearance. The credentials are also necessary for persons who have AFM but do not hold their AFM issuance certificate (*Βεβαίωση Απόδοσης ΑΦΜ*).

<sup>21</sup> RSA, *Παρατηρήσεις επί του Σχεδίου Εθνικής Στρατηγικής για την Ένταξη*, January 2022, 4-8, available at: <https://bit.ly/3hikEtf>.

<sup>22</sup> Articles 1(3) and 8 AADE Decision A1270/2020, Gov. Gazette B' 5508/14.12.2020, available at: <https://bit.ly/2YVY4h0>.

<sup>23</sup> Article 2(1) AADE Decision A1270/2020.

28. Individuals wishing to obtain TAXISnet credentials have to first file an online application, available only in Greek. Importantly, the online form requires entry of a valid identification document, excluding ADET and DADP. It also requires a bank account and active online banking. Persons subsequently have to get an appointment with the competent DOY in order to obtain their credentials.

**Case study: Farhad\***, cited above, was accompanied by RSA in an appointment with the DOY of Piraeus in March 2022. The DOY did not issue him TAXISnet credentials and advised him to make an online application prior to appearing before the authority in person. However, Farhad lacks both an ADET and a bank account and online banking credentials. He is therefore unable to obtain TAXISnet codes.

### Social Security Number (AMKA)

29. AMKA is a prerequisite for access to both health care and the labour market. According to the Ministry of Labour and Social Affairs Circular in force since October 2019, beneficiaries of international protection can request AMKA from any Citizens' Service Centre (Κέντρο Εξυπηρέτησης Πολιτών, KEP) if they hold a residence permit, a correspondence address and AFM.<sup>24</sup> Asylum seekers are not eligible for AMKA,<sup>25</sup> but obtain a Provisional Foreigner's Insurance and Health Care Number (Προσωρινός Αριθμός Ασφάλισης και Υγειονομικής Περιθαλψής Αλλοδαπού, PAAYPΑ).<sup>26</sup> This number is automatically issued upon the issuance of the DADP, and shall be converted into AMKA within one month of the delivery of the ADET.<sup>27</sup> The obstacles to and prolonged waiting times for obtaining a residence permit affect the issuance of AMKA, resulting in depriving beneficiaries of international protection who lack PAAYPΑ of the necessary documentation to access the health care system. Moreover, the conversion does not happen automatically; beneficiaries must appear before a KEP in order to obtain their AMKA.
30. In addition, PAAYPΑ holders cannot automatically access services such as COVID-19 vaccination, as a six-week period is required until the number is deemed to be activated.

### Travel document

31. Travel documents are issued by the Passport Offices of the Hellenic Police.<sup>28</sup> Beneficiaries of international protection are required to book an appointment, similar to the one for their ADET as described above.<sup>29</sup> In case of travel documents, however, the payment of a fee is a prerequisite to obtaining such an appointment.

<sup>24</sup> Ministry of Labour and Social Affairs, Circular 80320/42862/Δ18.2718 "specifications on the issuance of AMKA by EFKA and KEP", 1 October 2019, available at: <https://bit.ly/2VBYND6>. See also Annex to the Circular, 30, available at: <https://bit.ly/3bEXXuT>.

<sup>25</sup> Ministry of Labour and Social Affairs, Circular Φ.80320/οικ.31355/Δ18.2084 "on the issuance of AMKA to foreign nationals", 11 July 2019, available at: <https://bit.ly/2Ldd5ny>.

<sup>26</sup> Article 1 Joint Ministerial Decision 717/2020, Gov. Gazette B' 199/31.01.2020, available at: <https://bit.ly/2MOHddl>.

<sup>27</sup> Article 11 Joint Ministerial Decision 717/2020.

<sup>28</sup> Article 3 Joint Ministerial Decision 10302/2020, Gov. Gazette B' 2036/30.05.2020, available at: <https://bit.ly/37BAV17>.

<sup>29</sup> As of recently, DAA indicates that the appointments for ADET and the travel document may be requested simultaneously.

32. The Hellenic Police requires beneficiaries of international protection to issue travel documents at the same Passport Office which handled the issuance of their ADET, unless they are able to prove their new place of residence through a rental contract.

**Case study: Ali\*** was granted international protection on the island of Rhodes in September 2021. After moving to Chios, he sought to obtain a travel document, but the Hellenic Police refused to issue the document on the ground that Ali lacks a rental contract in his name. Ali's residence certificate on Chios is not accepted by the Police.

33. Travel documents may only be collected at the RAO of Attica and the RAO of Thessaloniki, similar to the process explained above for the collection of ADET. This means that beneficiaries of international protection on the islands have to travel either to Athens or to Thessaloniki to collect their document. Yet, if there is any error on their personal details or in the fingerprinting process affecting the document, they are required to return to the island where they were initially residing in order to repeat the procedure. However, they are again asked to prove their address in order for the document to be re-issued.

**Case study: Samuel\*** was granted international protection on Chios in November 2021. After obtaining his ADET, he proceeded to the issuance of his travel document, which he went to collect in Thessaloniki. However, due to a spelling error on his document, Samuel was instructed to return to Chios in order to restart the issuance procedure. Upon return, the Passport Office on Chios asked him to prove his address on the island for his fingerprints to be taken. Yet, Samuel no longer has any document proving his residence on Chios.

## Social welfare

34. There is no dedicated social benefit for status holders in Greece to guarantee their transition into the social welfare system in view of their particular circumstances. The financial allowance ("cash assistance") provided to asylum seekers as part of material reception conditions is automatically ceased as soon as the cash assistance operator is informed of a decision granting international protection is taken, even if it has not yet been notified to the person.<sup>30</sup>
35. The guaranteed minimum income (ελάχιστο εγγυημένο εισόδημα),<sup>31</sup> formerly known as Social Solidarity Income (Κοινωνικό Επίδομα Αλληλεγγύης, KEA),<sup>32</sup> is a €200 monthly allowance per household, plus €100 per additional adult and €50 per additional child. The guaranteed minimum income is formally available to beneficiaries of international protection.<sup>33</sup> However, the competent authority does not keep disaggregated statistics on the number of beneficiaries of international protection receiving the guaranteed minimum income.<sup>34</sup>
36. Eligibility for guaranteed minimum income is reserved to "households" with a registered address proven by a rental contract signed six months prior to the application, and to

<sup>30</sup> Point D(1)(i) Annex III Ministry of Migration and Asylum Decision 2089/2021, Gov. Gazette B' 3120/16.07.2021, inserted by Ministry of Migration and Asylum Decision 2857/2021, Gov. Gazette B' 4496/29.09.2021, available at: <https://bit.ly/3J8LlaN>.

<sup>31</sup> Article 29(2) Law 4659/2020, Gov. Gazette A' 21/3.2.2020, available at: <https://bit.ly/2zhWxZ0>.

<sup>32</sup> Article 235 Law 4389/2016, as last amended by Law 4830/2021, Gov. Gazette A' 169/18.09.2021, available at: <https://bit.ly/3w001J3>.

<sup>33</sup> OPEKA, Ελάχιστο Εγγυημένο Εισόδημα (KEA), available at: <https://bit.ly/3chQsdD>.

<sup>34</sup> Information provided by OPEKA, January 2021.



"homeless persons" living below the poverty line.<sup>35</sup> As highlighted by the Ombudsman, the reference to "households" in the law results in excluding from guaranteed minimum income many persons or families who, owing to a lack of resources, have to move in with a person or household living above the poverty line or are hosted without receiving any form of social welfare, without being members of the same household. Persons hosted in facilities due to homelessness are equally excluded from the scope of "household".<sup>36</sup> RSA has made similar recommendations to the Ministry of Migration and Asylum in the context of a recent consultation on the country's integration strategy.<sup>37</sup> The government has not responded to the above recommendations for legislative reform to ensure coverage of these groups at the time of writing.<sup>38</sup>

37. "Homeless persons" must provide a homelessness certificate by a municipality or a certificate of use of services of a municipality drop-in centre for the homeless or a municipality temporary shelter or women's shelter.<sup>39</sup> As a rule, a homelessness certificate is issued by the Municipality of Athens only to persons living on the streets as identified by Centre for Reception and Solidarity of the Municipality of Athens (Κέντρο Υποδοχής και Αλληλεγγύης Δήμου Αθηναίων, KYADA) staff in the course of their street work. This excludes the homeless living in 'squats', living unregistered in refugee camps, moving informally between houses of co-nationals under "extremely bad conditions" in order to avoid the streets,<sup>40</sup> or regularly changing locations along with their belongings for security reasons. In addition, KYADA issues a homelessness certificate only for specific purposes e.g. to apply for social benefits, only as long as all other conditions for access thereto are met. This includes possession of an AFM and TAXISnet credentials. Therefore, many homeless persons are unable to obtain such a certificate so as to fulfil the conditions for guaranteed minimum income.

**Case study: Yusra\***, cited, above, was returned from Germany in August 2020 and ended up homeless in the streets of Athens. In January 2021, her lawyers contacted KYADA to request that she be issued a homelessness certificate. KYADA stated that Yusra could not obtain such a certificate before fulfilling all other conditions for guaranteed minimum income, including TAXISnet credentials, which she lacked. Her ADET was not renewed until October 2021.

38. Access to the guaranteed minimum income is conditioned *inter alia* on possession of ADET, AFM, TAXISnet credentials, tax clearance, AMKA and a bank account. Families with children also have to provide schooling certificates.
39. The housing allowance (επίδομα στέγασης) is available to up to 600,000 households living in rented accommodation or paying a mortgage on their main family home.<sup>41</sup> Eligible persons must legally and permanently reside in Greece for a minimum of five years prior to applying for a rental allowance.<sup>42</sup> This condition renders the allowance inaccessible to beneficiaries who obtained status in recent years and/or to those who have not managed to submit tax declarations on time and/or who have not remained

<sup>35</sup> Article 235(1) Law 4389/2016.

<sup>36</sup> Ombudsman, Πρότασεις για τα προνοιακά προγράμματα «Ελάχιστο Εγγυημένο Εισόδημα» και «Επίδομα Στέγασης», 103/2020, 6 July 2020.

<sup>37</sup> RSA, Παρατηρήσεις επί του Σχεδίου Εθνικής Στρατηγικής για την Ένταξη, January 2022, 8-9.

<sup>38</sup> Ombudsman, No 253053/3945/2021, 20 January 2021.

<sup>39</sup> Article 5 Joint Ministerial Decision Δ13/οικ./33475/1935, Gov. Gazette B' 2281/15.06.2018, available at: <https://bit.ly/2WHfFHO>. See also Article 235(2)(c) Law 4389/2016, as amended by Law 4756/2020.

<sup>40</sup> Solomon, 'Masafarhána: Inside the invisible refugee houses in Athens', 10 March 2022, available at: <https://bit.ly/3u6Fpyj>.

<sup>41</sup> Article 3 Law 4472/2017, Gov. Gazette A' 74/19.05.2017, available at: <https://bit.ly/2zpEkZm>.

<sup>42</sup> Article 3(6) Law 4472/2017, inserted by Article 17 Law 4659/2020. Residence is established based on the submission of tax declarations within the requisite deadlines.

in Greece without interruption. The one-off child-birth allowance introduced in 2020 is available to mothers who are third-country nationals, including beneficiaries, upon condition that they establish twelve years of permanent and uninterrupted residence in Greece, as demonstrated through the submission of tax declarations.<sup>43</sup> Accordingly, the vast majority of status holders are excluded from this benefit. The monthly child support allowance – ranging from €28 to €70 per child according to income and household size – is expressly available to persons who fulfil 5 years of permanent and uninterrupted residence in Greece, as demonstrated through the submission of tax declarations.<sup>44</sup> Disability benefits are conditioned upon examination by the Disability Accreditation Centre and establishment of over 67% of disability for a person to be eligible for the severe disability allowance. The uninsured retiree benefit, up to a maximum of €360 for an uninsured person aged 67, is available to persons who have had permanent and uninterrupted residence in Greece for fifteen years.<sup>45</sup>

40. The lengthy residence requirements underpinning most benefits do not take into account the particular situation of refugees and thereby entail differential treatment against beneficiaries of international protection compared to nationals and effectively exclude them from most forms of social assistance. As concluded by the Asylum Information Database (AIDA) report on Greece, “except for the ‘guaranteed minimum income’, there are no other effective allowances in practice.”<sup>46</sup> It is worth highlighting that the guaranteed minimum income is not designed to cover the particular needs of status holders during their transition into the social welfare system.
41. Moreover, information on the existence of and eligibility criteria for guaranteed minimum income is rarely provided to beneficiaries of international protection. None of the persons supported by RSA over the past year were aware of the existence of that benefit.

## Housing

### HELIOS and housing support programmes

42. The only official integration programme currently operating in Greece from July 2019 to June 2022 is the Asylum, Migration and Integration Fund (AMIF) supported “Hellenic Integration Support for Beneficiaries of International Protection” (HELIOS),<sup>47</sup> implemented by the International Organisation for Migration (IOM) in partnership with several non-governmental organisations. The continuation of the programme under European Social Fund + support is not yet in operation.<sup>48</sup>
43. Enrolment on HELIOS has to be done within one year of the notification of a positive asylum decision.<sup>49</sup> Eligibility for enrolment on HELIOS is subject to the following criteria: (a) recognition as a refugee or beneficiary of subsidiary protection after 1 January 2018; and (b) official registration and residence in the reception system in an open reception facility (refugee camp), a Reception and Identification Centre (RIC), a

<sup>43</sup> Articles 1(2) and 7(1)(e) and (2) Law 4659/2020.

<sup>44</sup> Article 214(11) Law 4512/2012, as amended by Article 15(1) Law 4659/2020. The above observations on timely tax declarations are applicable.

<sup>45</sup> Article 93 Law 4387/2016.

<sup>46</sup> AIDA, *Country Report Greece, 2020 Update*, June 2021, 251, available at: <https://bit.ly/3NcoCCn>.

<sup>47</sup> IOM, *Hellenic Integration Support for Beneficiaries of International Protection (HELIOS)*, available at: <https://bit.ly/2S21ZFJ>.

<sup>48</sup> Greek Government, *Ενοποιημένο Σχέδιο Κυβερνητικής Πολιτικής 2022*, December 2021, 183, available at: <https://bit.ly/3n7zB4J>.

<sup>49</sup> IOM, *HELIOS Project Regulations Handbook*, January 2022, available at: <https://bit.ly/3gSZeTb>.



hotel,<sup>50</sup> or an accommodation place under the ESTIA programme or official municipality shelters or other housing programmes e.g. for victims of trafficking, at the time of notification of a positive decision on their asylum claim.<sup>51</sup> In light of this, beneficiaries of international protection who were not in Greece upon the approval of their asylum application or who have held international protection for over one year are not eligible for enrolment on the HELIOS programme. Similarly, refugees such as **Said\***, cited above, who obtained international protection whilst in detention, are not eligible for HELIOS either.

44. According to IOM statistics, 34,620 beneficiaries of international protection had been registered on the HELIOS programme from its launch to 1 March 2022. 36% were previously residents in mainland camps, 32% in ESTIA apartments and 17% in RIC.<sup>52</sup>
45. HELIOS does not offer accommodation *per se*. It offers rental subsidies to assist beneficiaries in finding an accommodation place, upon condition they already hold a rental agreement of a duration exceeding six months and a bank account. Assistance under HELIOS is offered for a period of six to twelve months, depending on the date of submission or the necessary documents; “the sooner a beneficiary submits all the necessary documents, the more months of rental subsidies he/she will receive”.<sup>53</sup> The level of the rental subsidy ranges from €162 for a single adult to €630 for a six-member family.<sup>54</sup> In addition to a monthly subsidy, beneficiaries receive retroactively a one-off sum ranging from €301 to €1,060 to cover the rental deposit and cover settling-in expenses they need in order to rent property.<sup>55</sup>

**Case study: Amal\***, her parents and two minor siblings received refugee status in February 2022. They were recently informed by their ESTIA accommodation provider that they need to vacate their apartment by the end of March 2022. In mid-March, Amal contacted IOM to enrol on the HELIOS programme. She was informed, however, that enrolment takes three to five weeks. She was also told that the family would need to cover the rental deposit and first rent instalment by their own means, prior to being able to receive rental subsidies under the programme. Yet, the family lacks the necessary resources to cover these expenses.

46. Beyond the precondition of possession of AFM and a bank account, access to housing is marred by severe barriers as described in previous reports, including discrimination and a lack of affordable housing. Recent reports confirm constantly rising rent prices due to high demand, particularly in the Attica region.<sup>56</sup> In addition to rent, beneficiaries have to cover utility bills and other expenses such as food on their own means. Therefore, the HELIOS rent subsidy alone is often insufficient to ensure their subsistence.

<sup>50</sup> Accommodation in hotels is provided under the “FILOXENIA - Temporary Shelter and Protection for the Most Vulnerable Migrants in Greece” implemented by IOM. The programme was terminated at the end of 2020.

<sup>51</sup> IOM, *HELIOS Project Regulations Handbook*, January 2022.

<sup>52</sup> IOM, *HELIOS Factsheet*, 1 March 2022, available at: <https://bit.ly/35H5Amu>.

<sup>53</sup> IOM, *HELIOS Project Regulations Handbook*, January 2022.

<sup>54</sup> General Secretariat for Migration Policy, ‘Μέτρα ένταξης ευάλωτων δικαιούχων προσφυγικού καθεστώτος / επικουρικής προστασίας κατόπιν έξωσης από τις παροχές του προγράμματος ESTIA’, Reply to the Ombudsman, 10848, 7 September 2020, available at: <https://bit.ly/34hbW8E>.

<sup>55</sup> IOM, *HELIOS Project Regulations Handbook*, January 2022.

<sup>56</sup> Capital, ‘Αγορά κατοικίας: Ανοδικά οι τιμές ακινήτων και ενοικίων’, 10 January 2022, available at: <https://bit.ly/3Bl7xRj>; Capital, ‘Στα ύψη οι τιμές των ενοικίων’, 13 December 2021, available at: <https://bit.ly/3gKllev>; Kathimerini, ‘Υψηλή ζήτηση για κατοικίες σε προάστια’, 16 October 2021, available at: <https://bit.ly/34WlurM>.

47. From its launch to 1 March 2022, HELIOS had provided rental subsidies to 6,579 households, totalling 16,530 beneficiaries.<sup>57</sup> There is no available breakdown of rental subsidies by duration. Based on the aforementioned figures, it remains clear that accommodation support under HELIOS has only been provided to a small fraction of the refugee population in Greece. From the start of the reference period covered by the programme, 1 January 2018, until the end of 2021, Greece has issued 90,253 international protection decisions at first and second instance; one decision may cover more than one person.<sup>58</sup> Therefore, less than one out of thirteen people granted status in Greece has been able to access rental subsidies under the HELIOS programme.
48. Importantly, rental subsidies are terminated after a six- to twelve-month period, as described above. The number of households currently benefitting from HELIOS subsidies is 692, corresponding to 1,533 persons.<sup>59</sup> This means that as many as 14,997 beneficiaries of international protection who went through HELIOS no longer receive rental subsidies under the programme.
49. No other such programmes exist outside HELIOS.<sup>60</sup> The only project by non-governmental organisations to support beneficiaries of international protection in accessing housing was a PRAKSIS project for 20 female-led single-parent families with minor children, launched in March 2021 and currently coming to an end. Therefore, no new cases are admitted.<sup>61</sup> There is no known list of organisations offering housing to status holders.<sup>62</sup>

### Homelessness & destitution

50. High risks of homelessness and destitution among people granted international protection in Greece have persisted since the previous RSA & Stiftung PRO ASYL report, given that access to the necessary documents and resources to secure accommodation is not possible within the 30-day deadline left to persons to vacate their reception places upon obtaining international protection.<sup>63</sup> Persons residing in ESTIA accommodation are served complaints (εξώδικα) by the organisations operating apartments, threatening them with legal action if they fail to vacate the premises.

**Case study: Ismail\*** and his family, cited above, were accommodated in an apartment under the ESTIA programme and obtained subsidiary protection in July 2021. While the procedure for the issuance of their ADET was still pending, the family was notified a complaint (εξώδικο) from their ESTIA apartment operator in November 2021, threatening them with legal action if they failed to vacate the premises within three working days. The family left their apartment and set up a makeshift tent in the rub hall of the Malakasa camp. They do not receive food from the camp management.

51. Even beneficiaries of international protection who have gone through the HELIOS programme are yet again at risk of homelessness after their rental subsidies come to an end. As mentioned above, as many as 14,997 beneficiaries have ceased receiving

<sup>57</sup> IOM, *HELIOS Factsheet*, 1 March 2022.

<sup>58</sup> AIDA, *Country Report Greece, 2018 Update*, March 2019, 8, 50; *Country Report Greece, 2019 Update*, June 2020, 8, 63; Ministry of Migration and Asylum, *Ετήσιο ενημερωτικό σημείωμα 2020*, January 2021, 12, 15, available at: <https://bit.ly/3aMzZP1>; *Ενημερωτικό σημείωμα 2021*, January 2022, 8, available at: <https://bit.ly/3gMtUWL>.

<sup>59</sup> IOM, *HELIOS Factsheet*, 1 March 2022.

<sup>60</sup> Information provided by the Greek Council for Refugees, 10 March 2022.

<sup>61</sup> Information provided by PRAKSIS, 14 March 2022. The project accommodated 20 families in 10 shared flats and included Greek language courses and job counselling.

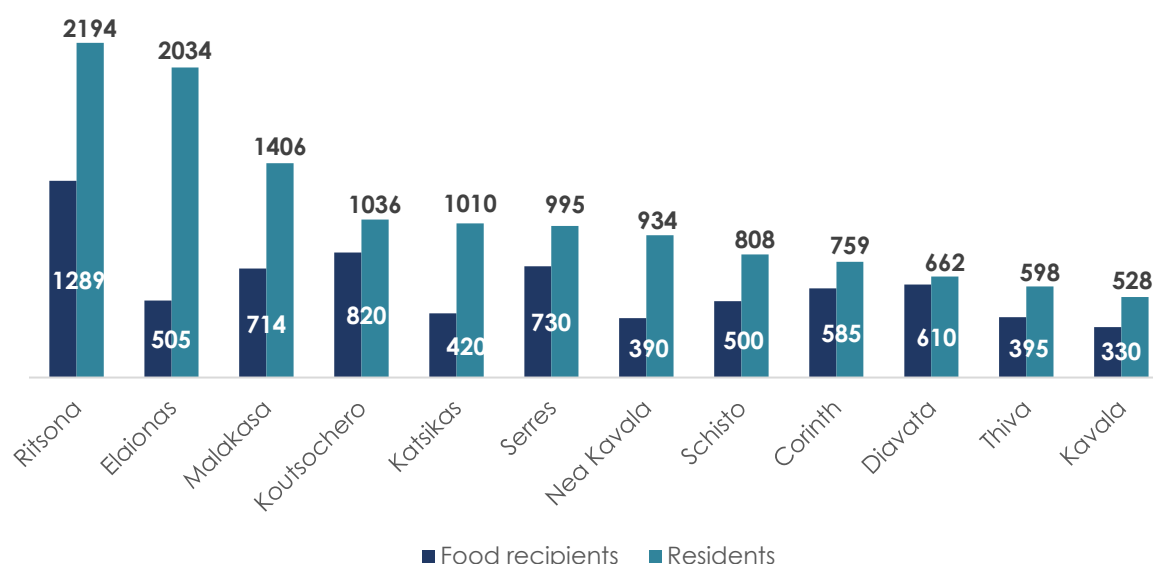
<sup>62</sup> Information provided by UNHCR, 29 January 2020.

<sup>63</sup> Article 114(1) IPA, as amended by L 4674/2020.

the subsidies. These persons are unable to continue renting property and most end up homeless on the street or return to camps as unregistered residents.<sup>64</sup>

52. Those beneficiaries of international protection who remain in camps as unofficial residents do not have access to food or other services provided there. As of November

**Residents receiving food in 12 largest refugee camps: November 2021**



2021, only 10,213 out of 16,559 persons residing in mainland camps were included in the Ministry of Migration and Asylum food provision plan.<sup>65</sup> A comparison of food recipient and resident figures across the 12 largest camps is available below:

53. Beneficiaries informally living in camps regularly receive orders by the camp management to leave, often accompanied by threats to involve the Police. They therefore live under constant fear of eviction.
54. This critical situation has been highlighted by the European Commission, which “has raised the issue of discontinuation of material reception support including food to protection status holders... with the Greek authorities on several occasions” and “has repeatedly called upon the Greek authorities to ensure all persons, particularly the vulnerable receive basic means of subsistence, notably, food and hygiene products.”<sup>66</sup>
55. Status holders could in theory seek access to short-term homeless shelters offering accommodation for three to six months. However, homeless shelters operating throughout the country do not specifically target beneficiaries of international protection, although some are open to them.<sup>67</sup> As set out in Annex I to this report, access to homeless shelters in the Attica region remains almost impossible at the time of writing, given that:

<sup>64</sup> See also Alterthess, ‘Άστεγοί... των προγραμμάτων στέγασης’, 3 February 2021, available at: <https://bit.ly/3qgUoCF>.

<sup>65</sup> The Guardian, ‘Greek government blamed for hunger crisis in refugee camps’, 24 January 2022, available at: <https://bit.ly/3hxe16u>.

<sup>66</sup> European Commission, Ares(2021)8048555, 7 December 2021, available at: <https://bit.ly/3KRgHsk>.

<sup>67</sup> Note that, according to Article 33 IPA, beneficiaries of international protection have a right to accommodation under the same conditions as other legally residing third-country nationals. The law does not guarantee them equal treatment to Greek nationals.

- The overwhelming majority of shelters only accept Greek or English speakers due to a lack of interpretation services;
  - The overwhelming majority of shelters do not admit families;
  - Almost no shelter admits persons with mental health conditions;
  - State-run shelters require AMKA, a homelessness certificate and medical examinations;
  - Almost all centres are at full capacity and operate long waiting lists.
56. Some of the shelters only offer dormitories and thus require residents to leave during daytime, while the period of stay in dormitories cannot exceed fifteen days to one month.<sup>68</sup> The Greek Housing Network has stressed the absence of measures in Athens to shelter the homeless "living on the street, at store entrances, in church yards, squares, tents and parks", including many arriving from other municipalities.<sup>69</sup>
57. Furthermore, there are no soup kitchens specifically addressed to beneficiaries of international protection, although some are open to them. However, access to food distributed by the few soup kitchens in operation in Attica is restricted in practice. According to information collected by RSA in March 2022:
- Soup kitchens often require documents described throughout this report. "Equal Society" requires a valid residence permit, AFM, AMKA, a tax declaration and a registered residence address or homelessness certificate. The KYADA soup kitchen requires a food card, issued to persons who have been identified and registered by its social service. The Caritas soup kitchen asks for a tax clearance. The UNESCO soup kitchen in Piraeus requires an identification document, a residence address in Piraeus, a tax clearance, AFM, AMKA or PAAYPA, as well as an unemployment card.
  - Most soup kitchens lack interpretation. "Helping Hands" only covers Farsi, while "Gefires" only covers Arabic and Kurdish. Caritas only covers English and French. UNESCO only covers English.
  - COVID-19 restrictions have affected the operation of certain soup kitchens. KYADA, for example, no longer offers hot food but only provides hard food every Wednesday.
58. In light of the above, beneficiaries of international protection, including those returned to Greece from other countries, run a real risk of destitution, extreme material deprivation and a complete lack of accommodation engaging Article 3 ECHR and Article 4 of the EU Charter.<sup>70</sup> This is confirmed by several cases of status holders returned from other European countries and represented by RSA, who are faced with protracted homelessness and destitution.

**Case study: Yusra\***, cited above, is a transgender refugee readmitted from Germany in August 2020. The process of her ADET renewal lasted over one year. Yusra has remained homeless for over one year, without access to employment or health care. Her homelessness has been compounded by exposure to gender-based verbal and physical abuse.<sup>71</sup> Yusra was denied a homelessness certificate from KYADA due to the fact that she lacked TAXISnet codes. She also never received a place in the Multi-Purpose Homeless Shelter where she had applied.

<sup>68</sup> RSA & Stiftung PRO ASYL, *Third party intervention in Kurdistan Darwesh v. Greece and the Netherlands*, 4 June 2020, paras 44-47, available at: <https://bit.ly/3qZXBHp>.

<sup>69</sup> Greek Housing Network, 'Μόνο ο καιρός αποφασίζει για τους άστεγους;', 19 February 2021, available at: <https://bit.ly/3bweGBL>.

<sup>70</sup> See *inter alia* (Netherlands) Council of State, 202006266/1/V3, 28 July 2021.

<sup>71</sup> Ombudsman, 306525/64048/2021, 23 November 2021.

**Case study: Farhad\***, cited above, is a man suffering from a mental health disorder who was readmitted from Germany in July 2021. Farhad's acute need of psychiatric assistance had already been highlighted by medical professionals in Germany prior to his deportation. Since his return, however, he has received no mental health support and has been living in the Elaionas camp in a state of destitution. Farhad has no access to food because he holds an international protection status. Farhad has still not obtained his residence permit at the time of writing.<sup>72</sup> His ADET will most likely have already expired by the time he receives it.

**Case study: Mina\***, cited above, is a woman suffering from a psychological condition, readmitted from Germany in January 2021. Upon her return, she travelled to the city of Ioannina and filed a written request to the Katsikas camp manager to be exceptionally accommodated in the camp, where she had previously resided as an asylum seeker, citing her lack of stable and safe housing environment since her return to Greece. She also wrote to the General Secretariat of Migration Policy of the Ministry of Migration and Asylum and requested to be referred to temporary accommodation. Neither application received a response from the authorities. Therefore, Mina informally stayed in the Katsikas camp and was repeatedly ordered to leave the premises under the threat of forced eviction by police authorities. Mina travelled to Athens in May 2021 but could not find any accommodation options and consequently returned to Ioannina once again. At the time of writing, she still struggles to find secure shelter.

**Case study: Omar\*** and his family, cited above, were readmitted from the Netherlands in November 2020. The family slept rough in Athens before being able to secure accommodation with friends and through private assistance. Their children have never attended school since their return.

**Case study: Adnan\***, cited above, was readmitted from Germany in August 2020. Since his return, he has been unable to seek employment as he is still waiting for the renewal of his ADET. Adnan is exposed to destitution as he lives in precarious conditions in informal arrangements in Athens and faces the threat of eviction due to arrears in rent.

**Case study: George\***, cited above, was readmitted from Germany in October 2021. Since he has no residence permit, no access to employment and no funds to rent property, George faces destitution as he lives in precarious conditions in informal arrangements in Athens and has to pay rent.

**Case study: Nasim\***, cited above, was readmitted from Germany in February 2022. Since his return, he lives in informal arrangements in Athens, as he is awaiting the renewal of his ADET.

59. Finally, homelessness and destitution inevitably affect the right to education. Children are often unable to attend school due to the absence of stable living conditions. In different cases supported by RSA, including the family of **Ismail\*** cited above, children previously enrolled and attending school as asylum seekers had to stop their education after obtaining international protection. This is partly due to the fact that families are often forced to relocate to different areas of Attica following eviction from their reception places, resulting in discontinuation of schooling for children.

<sup>72</sup> RSA, 'Recognised refugee returned to Greece, destitute, forgotten and undocumented', 4 March 2022, available at: <https://bit.ly/3I1JtV8>.

## Health care

60. Beneficiaries of international protection who do not possess ADET cannot obtain AMKA, as stated above. Those who do not possess either AMKA or PAAYPA are required to bear the costs of medication and tests, which can become exorbitant in cases involving conditions which require specialised medical checks on a regular basis. Moreover, certain urgent medical examinations are not covered even if the person holds AMKA or PAAYPA.
61. In addition, following a legislative reform entering into force in March 2022, persons who have AMKA but are not insured can no longer be prescribed medication or examinations from private doctors. Such prescriptions may only be made by public health professionals, including doctors in reception facilities.<sup>73</sup>
62. More generally, however, health care coverage for refugees is still marred by capacity shortages. The trade union of National Public Health Organisation (Εθνικός Οργανισμός Δημόσιας Υγείας, EODY) staff, responsible for the PHILOS II programme on health care to refugees, has recently voiced concerns as to persisting gaps in health care coverage, as well as serious risks of discontinuation of the programme without any alternative arrangements in place. The programme was eventually extended until the end of 2022.<sup>74</sup>

## Language barrier

63. The language barrier remains a key obstacle to status holders' access to health care. Hospitals in the Attica region continue to face critical gaps in interpretation services to communicate with patients. As of March 2022, the "Evangelismos" General Hospital of Athens, the "Aiginio" Hospital and "Dromokaitio" Psychiatric Hospital of Athens had no interpreters.<sup>75</sup> Conversely, the "Dafni" Psychiatric Hospital of Athens only had interpretation for Arabic and the "Alexandra" General Hospital of Athens covered Arabic, Farsi and Lingala.<sup>76</sup>

## Mental health and rehabilitation services

64. In March 2021, the Special Commission on Mental Health of the Ministry of Health highlighted "the absence of an appropriate therapeutic framework for stabilization and improvement of mental health" of refugees and asylum seekers. It added that the Greek State has not foreseen "the provision of specialized mental health services aiming at psychiatric observation on a regular basis, as well as therapeutic support to them in Psychosocial Rehabilitation Units". As a result, the right to dignity and to health is not guaranteed to those persons.<sup>77</sup> The Commission has urged for the establishment of Psychosocial Rehabilitation Units for asylum seekers and refugees in the country. Its recommendations have not been taken up by the government to date, however.

<sup>73</sup> Article 33(1) Law 4368/2016, as amended by Article 38(1) Law 4865/2021, Gov. Gazette A' 238/04.12.2021, available at: <https://bit.ly/37jrOM1>. See also Ministry of Health, 'Από την 1η Μαρτίου η συνταγογράφηση στους ανασφάλιστους μόνο από ιατρούς στις δημόσιες δομές υγείας', 27 January 2022, available at: <https://bit.ly/35GqiD7>.

<sup>74</sup> Eprohi, 'Θέτουν διαρκώς εμπόδια στην ιατρική περίθαλψη των προσφύγων', 6 March 2022, available at: <https://bit.ly/3vVNZCc>.

<sup>75</sup> Information provided by the "Evangelismos" General Hospital of Athens, 1 March 2022; "Aiginio" University of Athens Hospital, 1 March 2022; "Dromokaitio" Psychiatric Hospital of Athens, 28 February 2022. Hospitals reach out to civil society organisation METAdrasi to enlist interpretation services.

<sup>76</sup> Information provided by the "Dafni" Psychiatric Hospital of Athens, 1 March 2022; "Alexandra" General Hospital of Athens, 1 March 2022.

<sup>77</sup> Ministry of Health, *Επείγουσα υπόθεση – Μη ανεύρεση ευάλωτου αιτούντα άσυλο ασθενή με ψυχωσική διαταραχή*, No 34/2021, 19 March 2021, available at: <https://bit.ly/3mTxSQj>.



65. Access to mental health services by non-governmental organisations is severely restricted as well. For example, Médecins Sans Frontières (MSF) services in Athens are subject to waiting list and an average waiting period of four weeks for intake.
66. As regards survivors of torture or other serious forms of violence, Greece faces chronic gaps in rehabilitation services,<sup>78</sup> resulting in systematic non-compliance with Article 14 of the Convention against Torture. Survivors of torture or violence are deprived of access to adequate medical and psychological care and rehabilitation due to the gaps in both the identification and certification procedure and in care services. The only programme providing a comprehensive multidisciplinary package of care to victims of torture, run by MSF, ceased its operation in December 2021.<sup>79</sup> These issues have been brought before the European Commission in the form of complaints against EU law violations.<sup>80</sup>

### Employment

67. Observations made in the previous reports regarding chronically high unemployment rates in Greece remain valid. Out of 124,736 registered unemployed third-country nationals at the end of February 2022, 45,043 (36%) were registered in Attica.<sup>81</sup> Vocational training and employment programmes for beneficiaries of international protection by the Hellenic Manpower Organisation (Οργανισμός Απασχόλησης Εργατικού Δυναμικού, OAED) have not been launched to date.<sup>82</sup>

### Remedies against violations of rights

68. Greek law does not foresee any specific remedy to beneficiaries of international protection where their rights are not guaranteed. Judicial review, i.e. the application for annulment (*αίτηση ακύρωσης*) before the Administrative Court against acts or omissions of the administration is an ineffective remedy, since it requires an individual administrative act or omission (*παράλειψη οφειλούμενης πράξης*) by an administrative authority which would not apply to cases such as access to housing. Moreover, the remedy: (1) entails lengthy procedures of up to three years and high court fees;<sup>83</sup> (2) consists in judicial review of points of law and not fact; (3) does not carry automatic suspensive effect, while a suspension request is not allowed in cases concerning omission of state duties. In short, an application for annulment cannot enjoin the Greek administration to provide documents or socio-economic rights to a beneficiary of international protection.
69. In addition, the compensation claim (*αγωγή αποζημίωσης*) against acts or omissions of the state<sup>84</sup> is an ineffective remedy, as it: (1) only entitles the claimant to financial compensation and not redress with regard to the rights denied; and (2) entails lengthy

<sup>78</sup> METAdrasi, *Θύματα βασανιστηρίων: Από την ανίχνευση στην προστασία: Ιστορικό, πρακτικές και συστάσεις για τη βελτίωση της προστασίας των θυμάτων βασανιστηρίων στην Ελλάδα*, 21 December 2021, available at: <https://bit.ly/3tIIUuA>.

<sup>79</sup> MSF, 'Οι Γιατροί Χωρίς Σύνορα ολοκληρώνουν τη δράση τους στην κλινική για επιζώντες βασανιστηρίων στην Αθήνα', 21 December 2021, available at: <https://bit.ly/3J3G8q1>.

<sup>80</sup> CHAP(2021)02261; CHAP(2021)02265; CHAP(2021)02274.

<sup>81</sup> OAED, *Στατιστικά στοιχεία Φεβρουαρίου 2022*, available at: <https://www.oaed.gr/statistika>.

<sup>82</sup> OAED is currently designing a project covering up to 1,000 registered unemployed adult beneficiaries of international protection with at least A1 level command of Greek, of whom 600 in Athens and 400 in Thessaloniki. The start date of the project is not known, however: Information provided by OAED, 11 February 2022.

<sup>83</sup> European Commission, *2021 Rule of Law Report: Country Chapter Greece*, SWD(2021) 709, 20 July 2021, 6; RSA, 'Asylum and the rule of law: Serious concerns persist in Greece', 27 January 2022, paras 8-9, available at: <https://bit.ly/3sY0F9Q>.

<sup>84</sup> Article 105 Law 2783/1941.



procedures reaching several years, during which the claimant cannot apply for interim measures.

70. Accordingly, there is no effective remedy available to beneficiaries of international protection who have suffered violations of Article 3 ECHR or Article 4 of the Charter stemming from denial of socio-economic rights and extreme material deprivation in Greece. This includes persons returned from other European countries. RSA & Stiftung PRO ASYL are not aware of any court rulings in judicial review or compensation proceedings regarding denial of rights of beneficiaries of international protection.

## Annex 1 – Short-term homeless shelters in the Attica region as of March 2022

The table below compiles information provided to RSA by 13 homeless shelters in the Attica region in March 2022. No information was available for the following shelters: Red Cross Shelter; Archbishop Shelter; “Galini” shelter.

Shelter	Location	Operator	Capacity	Eligibility	Entry requirements	Availability
KYADA “Multi-Purpose Homeless Shelter” Dormitory	Athens	Municipality of Athens	144	<ul style="list-style-type: none"> <li>Single persons. No families</li> <li>Greek or English speakers</li> <li>Homeless within the Municipality of Athens</li> </ul>	<ul style="list-style-type: none"> <li>Identity document</li> <li>Chest X-ray, skin diseases test, psychiatric evaluation</li> </ul>	Full capacity. Waiting list.
KYADA “Multi-Purpose Homeless Shelter”	Athens	Municipality of Athens	400	<ul style="list-style-type: none"> <li>Single persons. No families</li> <li>Greek or English speakers</li> <li>Homeless within the Municipality of Athens</li> </ul>	<ul style="list-style-type: none"> <li>Identity document</li> <li>Chest X-ray, skin diseases test, psychiatric evaluation</li> </ul>	Full capacity. Waiting list.
ESTIA Elderly Shelter	Athens	Municipality of Athens	28	<ul style="list-style-type: none"> <li>Single persons</li> <li>Aged 63-80</li> <li>Greek or English speakers</li> </ul>	<ul style="list-style-type: none"> <li>Identity document</li> <li>Chest X-ray, skin diseases test, psychiatric evaluation</li> <li>COVID-19 vaccination certificate</li> </ul>	Full capacity. Waiting list.
Homeless Dormitory	Athens	Médecins du Monde	40	<ul style="list-style-type: none"> <li>Single persons. No families</li> <li>Persons aged up to 65</li> <li>Able to live independently</li> <li>Greek or English speakers preferably</li> <li>Not granted benefits except for guaranteed minimum income</li> </ul>	<ul style="list-style-type: none"> <li>Identity document</li> <li>AMKA</li> <li>Chest X-ray, infectious diseases test, psychiatric evaluation</li> <li>COVID-19 vaccination certificate</li> </ul>	Full capacity. Waiting list.
“Fivi” Shelter	Athens		10	<ul style="list-style-type: none"> <li>Women, including victims of domestic violence</li> <li>Able to live independently</li> <li>Greek, English or French speakers</li> </ul>	<ul style="list-style-type: none"> <li>Transmissible diseases test</li> <li>COVID-19 vaccination certificate</li> </ul>	Full capacity. Waiting list.

"Mother Teresa" Shelter	Athens		14	<ul style="list-style-type: none"> <li>Single women or women with children aged less than one year</li> <li>Psychiatric patients not admitted</li> </ul>	<ul style="list-style-type: none"> <li>ID or passport</li> <li>COVID-19 antigen test</li> <li>HIV and Hepatitis test</li> </ul>	
EKKA Shelter	Athens	National Centre for Social Solidarity (EKKA)	:	<p>The shelter indicated that it has not received requests from beneficiaries of international protection.</p> <ul style="list-style-type: none"> <li>Single persons. No families</li> <li>Greek or English speakers</li> <li>Able to live independently</li> </ul>	<ul style="list-style-type: none"> <li>Identity document</li> <li>Chest X-ray, skin diseases test, psychiatric evaluation</li> </ul>	No waiting list
"Iolaos" Shelter	Athens	Klimaka	10	<ul style="list-style-type: none"> <li>Non-nationals</li> <li>Severe psychiatric cases</li> <li>Referrals only through the Regional Health Authority, not civil society organisations</li> </ul>	<ul style="list-style-type: none"> <li>Chest X-ray, skin diseases test</li> <li>COVID-19 vaccination certificate and antigen test</li> </ul>	Full capacity. Waiting list.
"Relief" (Ανακούφιση)	Piraeus	Municipality of Piraeus	20	<ul style="list-style-type: none"> <li>Single persons and families</li> <li>Aged up to 65</li> <li>Able to live independently</li> <li>Only Piraeus residents</li> </ul>	<ul style="list-style-type: none"> <li>Chest X-ray, skin diseases, psychiatric evaluation</li> <li>COVID-19 vaccination certificate</li> </ul>	Full capacity. Waiting list.
KEELPNO Shelter	Piraeus		14	<ul style="list-style-type: none"> <li>Exclusively for HIV+ persons</li> <li>Persons suffering from substance abuse must be in a rehabilitation programme</li> <li>Able to live independently</li> </ul>	<ul style="list-style-type: none"> <li>Infectious diseases test</li> <li>COVID-19 vaccination certificate or PCR test</li> </ul>	Near capacity.
UNESCO Homeless Dormitory (Kaminia)	Piraeus	Unesco Piraeus	130	<ul style="list-style-type: none"> <li>Single persons. No families</li> <li>Persons suffering from substance abuse or from psychiatric conditions admitted</li> <li>Able to live independently</li> </ul>	<ul style="list-style-type: none"> <li>AMKA</li> <li>Chest X-ray, infectious diseases test, psychiatric evaluation</li> <li>COVID-19 vaccination certificate</li> </ul>	Full capacity. Waiting list.

UNESCO Homeless Dormitory (Nikaia)	Piraeus	Unesco Piraeus	:		<ul style="list-style-type: none"> <li>▪ Identity document</li> <li>▪ AMKA</li> <li>▪ Family status certificate</li> <li>▪ Unemployment card</li> <li>▪ Tax declaration</li> <li>▪ Solemn declaration of homelessness</li> <li>▪ Chest X-ray, infectious diseases test, blood test, psychiatric evaluation</li> <li>▪ COVID-19 vaccination certificate and PCR test</li> </ul>	
Vouliagmeni Social Shelter for Adults	Vouliagmeni	Municipality of Vouliagmeni	32	<ul style="list-style-type: none"> <li>▪ Single persons. No families</li> <li>▪ Able to live independently</li> </ul>	<ul style="list-style-type: none"> <li>▪ Identity document</li> <li>▪ Chest X-ray, infectious diseases test, psychiatric evaluation</li> </ul>	Full capacity. Waiting list.



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