



EASO Annual Report 2016 Matrix - Input by Greece [This report covers mainly developments related to the asylum procedures]

<p>1. New trends, shifts, issues of concern relating to specific caseloads, profiles of applicants for international protection and/or recurrent grounds claimed by applicants, pressures on national asylum systems</p>	<p>Following the EU-Turkey Common Statement and Law 4375/2016, new exceptional border procedures were introduced.</p> <p>According to the new legislative provisions, in case of third country nationals or stateless persons arriving in large numbers and applying for international protection at the border or at airport/ port transit zones or while they remain in Reception and Identification Centres, the following procedures exceptionally apply, following a relevant Joint Decision of the Minister of Interior and Administrative Reconstruction and the Minister of National Defence: (a) The registration of applications for international protection, the notification of decisions and other procedure-related documents as well as the receiving of appeals may be conducted by staff of the Hellenic Police or the Armed Forces. (b) In the implementation of procedures under (a) above, the Asylum Service may be assisted, in the conduct of interviews with applicants for international protection as well as any other procedure, by staff and interpreters deployed by the European Asylum Support Office.</p> <p>Individuals falling under Articles 8 to 11 of EU Regulation 604/2013 of the Parliament and the Council as well as vulnerable persons under Article 14 paragraph 8 of law 4375/2016 are exempted from the procedures described above.</p> <p>Refugee protection safeguards are ensured, with any application for international protection being processed individually by the Greek authorities with a right of appeal.</p> <p>After the 20 March 2016 and up to the 31 December 2016, 22,765 applications for international protection were made in the five islands with hotspots (Lesvos, Samos, Chios, Leros and Kos). Since 1 January and up to the 31 December 2016, 12,485 international protection applications have been lodged in the five islands.</p> <p>During the first instance examination process, in the same period of time, 972 decisions granting a form of international protection (refugee status or subsidiary protection) were issued in the five islands while 1,524 decisions</p>
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	<p>were rejective. Additionally, 3,033 decisions of inadmissibility and 793 decisions were issued concerning withdrawals of applications and implicit withdrawals.</p> <p>It is also noteworthy that before the EU –Turkey statement only a small portion of the total number of irregular migrants crossing Turkey to the Greek islands made an application for international protection, while since then almost every new migrant who enters Greece makes a similar request.</p> <p>On 8 June, a large-scale exercise to pre-register asylum seekers on mainland Greece (through the dedicated registration centres that were set up temporarily) was launched, with UNHCR and EASO’s operational support (financial support from the European Commission), providing people with asylum seeker cards, valid for one year, pending the full lodging of the asylum application. As a result, 27, 592 people were pre-registered until during the 8th of June to the 31th of July 2017. Those who have been already pre-registered received a text message with the date and location for their next appointment at the Asylum Service to lodge their asylum claim, including for family reunification or relocation. An electronic application was created by an NGO (International Rescue Committees) to facilitate the provision of information on registration appointments with the Greek Asylum Service. Their applications started to be lodged as from September; By the end of February 2017, all those pre-registered had lodged their applications.</p>
<p>2. Institutional changes (at ministry / agency / section level, changes in mandate). Please indicate, insofar as possible, the reasons for these changes.</p>	<p>With regard to the Greek Asylum Service (1st instance procedure), the following Regional Asylum Offices (RAO) and Asylum Units (AU) were established:</p> <ul style="list-style-type: none">- Samos Regional Asylum Office, based in Vathi (Samos), competent for receiving and examining applications for international protection in the North Aegean Region of applicants residing in Samos, Ikaria and Fourni islands (14.1.2016).- Chios Asylum Unit, based within the Reception and Identification Unit in Chios, competent for receiving and examining applications for international protection of applicants residing in Chios Reception and Identification Center (29.2.2016).- Leros Asylum Unit, based within the Reception and Identification Unit in Leros, competent for receiving and examining applications for international protection of applicants residing in Leros Reception and Identification Center (11.3.2016).- Kos Asylum Unit, based within the Reception and Identification Unit in Kos, competent for receiving and examining applications for international protection of applicants residing in Kos Reception and Identification Center (8.6.2016).



- Corinth Asylum Unit, based within the Pre-Departure Aliens Detention Centre of Corinth, competent for receiving and examining applications for international protection therein (28.7.2016).
- Piraeus Asylum Unit, based in Piraeus, competent for receiving and examining applications for international protection of people who have been pre-registered during summer 2016 (pre-registration exercise). The AU is also responsible for applications of Afghan and Iranian nationals in general, as well as for those that are exempted from the border procedure (Lesvos RAO, Chios AU, Samos RAO, Leros AU and Kos AU) (4.8.2016).
- Western Greece Regional Asylum Office, based in Patras, competent for receiving and examining applications for international protection for Western Greece, Peloponnese, Ionian Islands except Corfu Region (24.10.2016).
- The “Fast Track-Syria” Asylum Unit based in Athens is competent for receiving and examining applications for international protection of Syrian nationals or stateless persons whose former habitual residence is Syria. This AU is responsible for examining applications of the above mentioned nationals only in cases that the country of origin or habitual residence is established by an official document. It is also responsible for cases of Syrians that are exempted from the border procedure of art. 60, par. 5 of the Law 4375/2016.
- Crete Asylum Unit based in Heraklion is competent for receiving and examining applications for international protection in the Region of Crete (15.12.2016) lodged by TCN’s under detention and by unaccompanied minors hosted in reception facilities in the Region of Crete.

With regard to the Appeals Authority (2nd instance procedure), Greece adopted legal provisions to put in place the new Appeals Authority and new Independent Appeals Committees, in order to examine at second instance appeals lodged against the first instance decisions of the Greek Asylum Service. The work of these Committees is essential to ensure the due process in assessing asylum applications, in line with EU and international standards.

More specifically the Appeals Authority was established as an autonomous public service within the Ministry of Migration Policy (Presidential Decree 123/2016) reporting only to the Minister for Migration Policy.

The main changes brought about by Law 4399/2016, amending Law 4375/2016, concern the **composition of the Appeals Committees** examining quasi-judicial appeals against negative decisions of the Asylum Service and were implemented **in order to be in compliance with the right to an effective remedy** (2013/32/EU Directive). The new Independent Appeals Committees are made up of **two judges of the Administrative Courts (appointed by the General Commissioner of the Administrative Courts upon their request)** taking especially into consideration their



	<p>knowledge and experience in refugee, migration and human rights law and a Greek citizen with a university degree on legal, political, social sciences or humanities (commissioned by the UNHCR).</p> <p>All three members of the committees during the exercise of their duties enjoy personal and operational independence. Their term is three years and may be renewed once. The Committees are supported in the fulfillment of their tasks by the Central Administrative Service. There are 12 Independent Appeals Committees examining claims that have been lodged since the 21st of July 2016, following the procedure stated in Law 4375/2016.</p> <p>Furthermore, Law 4375/2016 (adopted 3/4/2016) provides for asylum seekers with long pending appeals to be granted 'humanitarian status'.</p> <p>Lastly, the Ministry of Migration Policy was established by Presidential Decree No 123 (National Gazette 208/A/2016).</p>
<p>3. Important new court/tribunal judgments relating to international protection (in particular with policy implications). Please include identification reference to the case (date, number/parties).</p>	<p>In October 2016, a judicial appeal to the Council of State was lodged by Syrians (seeking) to challenge the constitutionality of the composition of the Independent Appeals Committees as well as the implementation of safe third country principles (Turkey in the case of Syrians). The recent decisions of the Council of State (445-447/2017 and 477/2017 published in February 2017), referring the cases for a definitive judgment to the Plenary Session of the Supreme Administrative Court, due to the importance of the relevant issues, <i>refute the arguments of the applicants against the constitutionality of the new composition of the Independent Appeals Committees and the participation of EASO in the examination procedure of the asylum applications.</i> As regards the two appellants, the Chamber found that they could return to Turkey.</p>
<p>4. Legislative changes relating to international protection (implemented/adopted/pending in 2017)</p>	<p>A new law 4375/2016 ("Organisation and operation of the Asylum Service, the Appeals Authority, the Reception and Identification Service, the establishment of the Secretariat for Reception, the transposition into Greek legislation of the provision of directive 2013/32/EC on common procedures for granting and withdrawing international protection") entered into force on 3/04/2016. The law was revised by the Law 4399/22.06/2016 - slight changes were introduced in the procedures before the Independent Appeal Committees.</p> <p>The law establishes the independent Directorate "<u>Reception and Identification Service</u>" (RIS) in replacement of the First Reception Service within the Ministry of Interior and Administrative Reconstruction. RIS falls under the mandate of the General Secretariat of the Reception under the new Ministry of Migration.</p>



Furthermore, it provides for asylum seekers with long pending appeals to be granted 'humanitarian status'.

According to the new law, EASO may support reception and identification procedures and actively engage in the conduct of interviews with applicants for international protection as well as any other asylum procedure through deployment of staff and interpreters.

The procedure is further regulated by the Ministerial Decision 13257 (26.10.2016).

Following the EU-Turkey Common Statement and Law 4375/2016, new exceptional accelerated border procedures were introduced.

The new law, importantly, provided that asylum seekers and beneficiaries of international protection do not need work permits to access the labour market, as was the case before.

A Joint Ministerial Decision issued in 28 April 2016 defined quality and operational standards for NGOs operating in Open Reception Facilities under the competence of the First Reception Service .

In September (9.9.2016), a Joint [Ministerial Decision](#) defined the procedure for asylum seekers applying for legal assistance.

The new Law 4375/2016, as amended by Law 4399/2016, introduces a considerable number of changes to the legislative framework of the appeals procedure. More specifically:

Article 61 (The right to lodge an appeal, Article 46 of the 2013/32/EU Directive), provides specific time limits for lodging an appeal as follows:

a. Against the decision rejecting the application for international protection as unfounded under the regular procedure or withdrawing this status, as well as against the part of the decision that grants subsidiary protection for the part rejecting refugee status, within thirty (30) days from the notification of this decision.

b. Against the decision rejecting the application for international protection under the accelerated procedure, or as inadmissible, according to Articles 51 paragraph 7 and 54 respectively, as well as in cases where the appeal is submitted while the applicant is in detention, within fifteen (15) days from the notification of this decision.



c. Against the decision rejecting the application for the continuation of the examination procedure after an interruption decision has been made, pursuant to Article 47 paragraph 4, within fifteen (15) days from the notification of this decision.

d. Against the decision rejecting an application for international protection in cases of article 60 or when the appeal is submitted in a Reception and Identification procedure, within five (5) days from the notification of this decision.

In case an appeal is lodged, the International Protection Applicant's Card is re-issued. During the time limit provided for an appeal and until the notification of the decision on the appeal, all measures of deportation, readmission, or return of the applicant shall be suspended.

The appeals are submitted before the Receiving Authorities, that is the Regional Asylum Offices throughout the country, and are forwarded, immediately, to the Appeals Authority together with the administrative file of the applicant.

If the decision at first instance is not notified, for any reason, the time limit for appeal is sixty (60) days counting from the expiration date of the Card of the applicant for international protection, or, in case the validity of the Card expires before the issuing of the decision, sixty (60) days from the date of issuing of the decision.

According to Article 62 (Examination procedure of the appeals), the procedure before the Appeals Committee is, as a rule, in writing and the examination of the appeals is performed based on the elements from the case file (sur dossier), without the presence of the appellant. The Appeals Committee is obligated to invite the appellant to an oral hearing when:

- a. the appeal is lodged against a decision which withdraws the international protection status,
- b. issues or doubts are raised relating to the thoroughness of the appellant's interview at first instance,
- c. the appellant has submitted new serious evidence relating to posterior claims or
- d. the case is particularly complicated.

Law 4375/2016 provides for specific time limits for the fixing of the date the appeal will be examined and the appellant is informed on the date of the examination the day he lodges his appeal.

The appellant may submit any supplementary evidence or a written memorandum up till the day before the examination date of his/her appeal.

When the appeal is examined through the oral hearing procedure, the Appeals Authority invites the appellant before



	<p>the competent Committee within specific time limits (at least five (5) working days before the date of the examination of his/her appeal). The appellant is informed in a language which he understands of the place and date of examination of the appeal, as well as his right to attend in person and/or with a lawyer or other counsellor, in order to explain before the Committee orally, with the assistance of an appropriate interpreter, his arguments and provide any clarifications. The appellant's absence does not obstruct the examination of the appeal provided that he has been invited according to the provisions of the law. The oral hearing can be public. For this the explicit consent of the appellant is required.</p> <p>After the conclusion of the oral hearing, the chairman of the Committee may give the appellant some time to submit supplementary evidence or a written submission.</p> <p>During the examination procedure of the appeal, the Committee examines both the legality of the act under appeal and the merits of the case, accepts or rejects the appeal and issues a relevant decision, which is notified to the appellant through the Regional Asylum Offices throughout the country.</p> <p>In July 2016, a Ministerial Decision (3004/15-07-2016) defined the Rules of Procedure before the Independent Appeals Committees.</p> <p>Pending Legislation: the Reception Conditions Directive is to be incorporated in national law in early 2017. The family reunification of refugees is to be legislated through the adoption of the necessary by-laws.</p>
<p>5. Measures undertaken in 2016 to:</p> <p>a). safeguard or improve the integrity of the system (combat abuse, e.g. by age assessment, nationality verification, credibility assessment)</p>	<p>In February, a new procedure was introduced on age assessment for minor asylum seekers (Joint Ministerial Decision, 16.2.2016)</p> <p>See also n. 2 and 4 above.</p>
<p>b). increase efficiency of the system (increase speed, reduce costs, e.g. screening and priority mechanisms, specific guidance and policies for profiles of applicants)</p>	<p>The Asylum Service hired 394 staff (both contracted and permanent staff) during the year amounting now to 691 employees, thus tripling its size in terms of human resources and expanding its structures statewide in terms of the number of operating Asylum Offices and Units.</p> <p>See also n. 2 and 4 above.</p> <p>On 8 June, a large-scale exercise to pre-register asylum seekers on mainland Greece (through the dedicated registration centres that were set up temporarily) was launched, with UNHCR and EASO's operational support (financial support from the European Commission), providing people with asylum seeker cards, valid for one year, pending the full lodging of the asylum application. As a result, 27.592 persons were pre-registered until the 31st of</p>



	<p>July 2016. These people received SMS's with the date and location for their next appointment at the Asylum Service to lodge their asylum claim, including for family reunification or relocation. An electronic application was created by an NGO (International Rescue Committees) to facilitate the provision of information on registration appointments with the Asylum Service. Their applications started to be lodged as from September. All pre-registered persons have been fully registered by the end of February 2017.</p> <p>The Asylum Service has provided internet tools, guidance and templates for the use of case workers. The Asylum Service also created special Asylum Units for the faster processing of manifestly founded and frequently unfounded international protection applications. For instance, a fast-track operational process has been put in place on Lesbos for migrants from the Maghreb countries, Pakistan and Bangladesh, with registration, interview and notification all taking place within a few days. A unit to process fast asylum applications on the mainland is also operational since 2015.</p>
<p>c). Ensure quality (quality initiative and capacity building mechanisms in place)</p>	<p>See n. 2 and 4 above.</p> <p>The Quality Department of the Asylum Service's central administration was strengthened with additional and experienced staff in the course of 2016. This allowed the department to play an active role in the formulation of standard operating procedures, practical guidance and the offering of almost daily advice to the case workers of the Asylum Service, especially those deployed in the hotspots on the Aegean islands. Also, the Quality Department has worked closely with EASO for the training and support of the asylum experts from the EU Member-States who were also deployed in the hotspots on the Aegean islands. UNHCR has deployed 57 experts who help case workers with COI, and also to improve their interviewing and decision drafting skills.</p> <p>In general during 2016, 30 national trainings were conducted on a number of EASO Training Modules. Furthermore, 57 trainings on a number of topics (quality aspects on different stages of the asylum procedure, cooperation with interpreters, introduction to Human Rights, Refugee Law and the asylum procedure in Greece, security, health and hygiene issues, etc) were held.</p>
<p>d) Enhancing external dimension including resettlement / Intra EU solidarity including relocation</p>	<p>Key developments regarding the Relocation Procedures in 2016:</p> <ol style="list-style-type: none"> 1. For the effective identification and timely registration of applicants of international protection, the Asylum Service launched, between June-July 2016 a pre-registration operation that pre-registered 27,592 persons and 18,548 of them (approximately the 67%) were eligible for the Relocation Programme. Based on their vulnerability their full registration was prioritized to the Relocation procedures. 2. For increasing efficiency and processing capacity the Relocation Unit, responsible for the implementation of the Relocation Scheme, moved to dedicated premises and increased its staff to 65 officers in Athens and 18 officers in



the Regional Asylum Offices of Thessaloniki and Thraki located in the town of Alexandroupoli, able to process 175 registrations per day in all three locations.

3. For establishing a strong and constructive cooperation with all implementing partners and stakeholders, the Asylum Service jointly with the European Commission, EASO, UNHCR and IOM developed an Operational Protocol for providing the procedural steps and concrete timeframes concerning the structures, procedures and practices established for the Relocation Scheme in Greece that was adopted by all Member States.
4. For further strengthening the security-related procedures, aiming to ensure a reliable and efficient security screening of the applicants of international protection falling under the relocation procedure, the Asylum Service in cooperation with the Hellenic Police Authorities introduced the conduct of additional - to those taking place upon entry to Greece - security checks to all relocation applicants by fingerprinting (*compared against* the EURODAC systems - network connected scanners and computers – European and international Databases such as SIS II, INTERPOL database and national arrests warrants database). A secondary security screening may take place by EUROPOL officers.
5. For ensuring quality and retaining high standards in the relocation procedures, the Asylum Service in cooperation with EASO established an Escalation Desk, located at the Relocation Unit in Athens, for addressing and consulting on issues of Vulnerability, Exclusion, Security, Dublin and Fraudulent Documents issues. That involves, *inter alia*, assisting case officers and conducting additional interviews on highly complex cases.
6. For securing the safeguards concerning the best interest of unaccompanied minors through the relocation procedures, in line with the common Article 6 of the Council Decisions (EU) 2015/1523 of 14 September 2015 and (EU) 2015/1601 of 22 September 2015, the Asylum Service introduced in its procedures the EASO Best Interest Assessment (BIA) Tool that is performed by experienced, senior officers, after the registration procedure – at the same day of the registration. In complex cases, the BIA takes place before the registration.
7. In line with the EU Council Decisions 1523/2015 (14 September 2015) and 1601/2015 (22 September 2015) a total of 21,129 applicants of international protection were registered that were eligible for the Relocation Programme and 7,192 were successfully transferred to the other Member States.
8. For supporting and rendering a more effective matching process the Asylum Service in cooperation with EASO developed a matching tool (an IT-tool) that once in operation, will be able to take into account all the different matching criteria simultaneously, processing high number of cases by rapidly identifying the applicants that could be relocated to a particular Member State and safeguarding the transparency of the matching process by producing relevant reports.
9. UNHCR contributes to the accommodation of most asylum seekers awaiting relocation. It also organizes the



	<p>transport from sites to Asylum offices.</p> <p>10. IOM is responsible for all transfers to other MS as well as pre-departure services.</p>
<p>6. Main developments in practices regarding:</p>	
<p>a) Access to procedure (effective access to procedure, application process, registration, information for applicants)</p> <p>b) Access to information and legal assistance/ Provision of interpretation services</p>	<p>a) The Asylum Service reorganized and expanded its structures statewide. Seven RAOs and eleven AUs were operational during 2016. The former RAOs of North and South Evros were replaced by the establishment of the RAO of Thraki. The AU of Patras was upgraded into the RAO of Western Greece. The RAO of Samos was also established. New AUs established in 2016 were the following: Chios, Leros, Kos, Korinthos, Piraeus, Crete and the Fast Track-Syria in Attica. The operations of the Relocation Asylum Unit which was established in October 2015, were transferred in Alimos, Attica.</p> <p>The Asylum Service has introduced a procedure to set up appointments for the registration of an application of international protection since 4Q 2014. Although challenges remain regarding availability, the AS is working on increasing its efficiency. Asylum seekers' ID cards are provided to all those who have received appointments.</p> <p>On 8 June, a large-scale exercise to pre-register asylum seekers on mainland Greece (through the dedicated registration centres that were set up temporarily) was launched, with UNHCR and EASO's operational support (financial support from the European Commission), providing people with asylum seeker cards, valid for one year, pending the full lodging of the asylum application. As a result, 27, 592 people were pre-registered until during the 8th of June to the 31th of July 2017. Those who have been already pre-registered received SMS with the date and location for their next appointment at the Asylum Service to lodge their asylum claim, including for family reunification or relocation. An electronic application was created by an NGO (International Rescue Committees) to facilitate the provision of information on registration appointments with the Greek Asylum Service. Their applications started to be lodged as from September.</p> <p>b) Third country nationals or stateless persons held in detention facilities or present at border crossing points, including transit zones, at external borders, receive information on the possibility to submit an application for international protection. The Asylum Service, in cooperation with the authorities operating in these places, and/or</p>



	<p>civil society organisations ensures the provision of information on the possibility to submit an application for international protection. In those detention facilities and crossing points, interpretation services are available to facilitate access to the asylum procedure.</p> <p>Furthermore, according to the relevant provisions of Article 44 (Law 4375/2016) on Provision of information - Legal representation and assistance, applicants have the right to consult, at their own expenses, a lawyer or other counsellor on matters relating to their applications.</p> <p>Free legal assistance is introduced in asylum appeals procedure (Ministerial Decision 12205/2016), in line with the recast Reception Conditions Directive.</p> <p>Asylum seekers may request free legal assistance at least 10 days before the examination of their appeal under the regular procedure and may request the examination to be postponed where a legal representative has not been appointed at least 5 days beforehand. For cases falling under the exceptional border procedure relating to the admissibility procedure conducted on the islands subject to strict time limits, a request for free legal assistance should be made together with the submission of the appeal. The asylum seeker may only request the postponement of the examination of the appeal where, through no fault of their own, they have not had the possibility to consult their legal representative.</p> <p>According to law 4375/2016 (in force since 3/04/2016), free legal assistance will be provided only at second instance. In practice and until the provisions of the new law are fully implemented, free legal assistance and representation is provided also at first instance, in specific cases of vulnerability of applicants and unaccompanied minors, by NGOs which are operational partners of the UNHCR, following the signing of a Memorandum of Cooperation between the Asylum Service and UNHCR. Free legal assistance is also provided by NGOs and pro bono lawyers independently from the Asylum Service at all stages.</p> <p>Source: Country answer to EASO query no. 42</p>
c) Dublin procedure (fingerprinting, requests, transfers, application of sovereignty clauses).	The implementation of the EU-Turkey Joint Statement since 20 March 2016 had a direct impact on the number of international protection applications for whom the responsibility of the examination on the merits should be transferred to other member states in accordance with the Dublin Regulation 604/2013. An increase of 366% was observed on asylum applications concerning family reunification thus falling into the provision of art. 8-11 of the Dublin Regulation. A significant number of them were asylum applications registered according to the border



	<p>procedure. The Dublin Unit dealt as well with a number of asylum applications that were registered as relocation cases while on the course of the procedure came out to be cases falling within the Dublin Regulation provisions.</p> <p>Another reason for the significant increase in the so-called “Dublin cases” was the overall dramatic increase in the number of asylum applications lodged in Greece. From 1/1/2016 to 31/12/2016, 5, 058 transfer requests, mainly art. 8, 9, 10 were made. The Greek Dublin Unit received 2,939 acceptances and 1,138 rejections. Out of the cases that were resubmitted for reexamination, 249 concluded into acceptance. 952 transfers were concluded until the end of the year.</p> <p>During the same period Dublin Unit has received 1,946 Info requests (art. 34) and has responded to a total of 2,111.</p> <p>Since May 2016 the Greek Dublin Unit experienced a dramatic increase, reaching a 3.000% rate, of the incoming take back and take charge requests based on art. 13.1 (illegal entry-first country of entry) and art. 18.1.b (illegal entry and application for asylum) of the Dublin Regulation 604/2013. During 2015 only 131 incoming transfer requests had been made to the Greek Dublin Unit of which 39 had been accepted resulting in 13 concluded transfers. During 2016, as from 1/1/2016 to 31/12/2016, 4.115, of which 97% were based on the country of first entry criterion. 3 transfers to Greece were concluded.</p> <p>The vast majority of the transfer requests were made by Hungary while a small number of requests from Belgium, Switzerland, Iceland, Germany and Croatia. The daily average of transfer requests made to the Greek Dublin unit was 60 requests.</p>
<p>d) Accelerated procedures (safe country policies, manifestly (un)founded cases, etc.)</p>	<p>The “Fast Track-Syria” Asylum Unit is based in Athens and it is competent for receiving and examining applications for international protection of Syrian nationals and stateless persons whose previous country of habitual residence was Syria. An application of the above mentioned TCN may be examined under the fast-track procedure (one-day decision) if the applicant is in the possession of a travel of identity document that establishes the country of origin or the country of habitual residence.</p> <p>Asylum Units dedicated to the examination of asylum claims lodged by nationals of Pakistan, Albania and Georgia have been created in early 2017.</p>
<p>e) Border procedures and admissibility procedures</p>	<p>Following the EU-Turkey Common Statement and Law 4375/2016, new exceptional border procedures were introduced.</p>



Where applications for international protection are submitted in transit zones of ports or airports in the country, the applicants enjoy the rights and guarantees of the provisions of Articles 41, 44, 45 and 46 of Law 4375/2016. If a decision on the application is not taken within twenty eight (28) days from the date it was submitted, the applicant is allowed to enter and stay in the country and his application is examined in accordance with the other provisions of the law 4375/2016. Where an application for international protection is rejected and an order for deportation, return or readmission is issued the execution of which is suspended, by a decision of a court of law the applicant is allowed a stay in the country until the decision on the legal remedy is taken.

In case of third country nationals or stateless persons arriving in large numbers and applying for international protection at the border or at airport/ port transit zones or while they remain in Reception and Identification Centres, the following procedures exceptionally apply, following a relevant Joint Decision by the Minister of Interior and Administrative Reconstruction and the Minister of National Defence: (a) The registration of applications for international protection, the notification of decisions and other procedure-related documents as well as the receiving of appeals may be conducted by staff of the Hellenic Police or the Armed Forces. (b) In the implementation of procedures under (a) above, the Asylum Service may be assisted, in the conduct of interviews with applicants for international protection as well as any other procedure, by staff and interpreters deployed by the European Asylum Support Office. (c) The time limit provided for in article 52, paragraph 5, shall be one (1) day. The time limit provided for in article 62, paragraph 2(c), shall be two (2) days.

Furthermore, according to the provisions of **Article 60 of law 4375/2016 as amended by law 4399/2016 - (Article 47 of the Directive)** appeals shall be examined within three (3) days from their submission. Decisions on appeals shall be issued, at the latest, two (2) days following the day of the appeal examination or the submission of a memorandum and shall be notified to the individuals concerned, at the latest, the day following the day of their issuance. When the applicant requests to be granted an oral hearing, as per article 62, paragraph 1 (e) below, the Appeals Committee may, according to its judgement, invite or not the applicant to a hearing.

In practice the indicative timelines provided by the law are longer and average 72 days.

Lastly, individuals falling under Articles 8 to 11 of EU Regulation 604/2013 of the Parliament and the Council as well as vulnerable persons under Article 14 paragraph 8 of law 4375/2016 shall be exempted from the procedures described above.



	<p>In October 2016, a Joint Ministerial Decision (13257/31-08-2016 in force since 26-10-2016) defined the details of the implementation of the borders procedure.</p>
<p>f) Reception of applicants for international protection (capacity, policies, facilities, benefits, conditions)</p>	<p>In September, a new law was adopted providing for reception classes for school-aged refugee children to prepare them for integration into the Greek education system.</p> <p>As children and women make up over 60 % of camp population, the Ministry of Health provided measles, mumps and rubella (MMR) vaccines to be given to children aged 1-15 and hosted in reception centres. The campaign was rolled out by the Hellenic Red Cross, together with the Spanish Red Cross and the International Federation of Red Cross and Red Crescent Societies (IFRC).</p> <p>All the educational and recreational activities usually and constantly taking place inside the hotspots, under RIS co-operation with NGOs or/and volunteers were also continued.</p> <p>UNHCR, IOM and many NGOs are active in the provision of reception services throughout the country, including supporting accommodation in camps, through a rental subsidy scheme and through cash-benefit programs.</p>
<p>g) Detention of applicants for international protection (policies, conditions)</p>	<p>Access to the procedure (art. 36, par.3 of the Law 4375/2016)</p> <p>If an alien or stateless person is subject to detention or is in a Reception and Identification procedure according to the legislation in force and declares his intention to submit an application for international protection, the competent authorities ensure the immediate recording and submission of a relevant written statement. Following this, the application for international protection is being registered by the detention authority or by the Reception and Identification Service through an electronic network connected with the Receiving Authority no later than six (6) working days afterwards. The detention authorities or the Regional Reception and Identification Services ensure, in cooperation with the Receiving Authority, the transfer of the detainee before the Receiving Authority so as to complete the full registration of the application for international protection. In case the applicant is released before the completion of the full registration, he/she must appear within 10 days before the competent Receiving Authority in order to schedule the full registration of the application for international protection. In case the applicant does not</p>



appear for registration, the case is archived by decision of the Head of the competent Regional Asylum Office. The person who expresses his/her intention to submit an application for international protection is an asylum applicant, in accordance with the provisions of Article 34 point (d) of the law 4375/2016.

Detention of applicants (art. 46 of the law 4375/2016)

An alien or a stateless person who submits an application for international protection while in detention according to the relevant provisions of Laws 3386/2005 (O.G. A' 212) and 3907/2011 (O.G. A' 7) as in force shall remain in detention, exceptionally and if this is considered necessary after an individual assessment under the condition that no alternative measures, such as those referred to in article 22 paragraph 3 of Law 3907/2011 can be applied, for one of the following reasons: a. in order to determine his /her identity or nationality, or b. in order to determine those elements on which the application for international protection is based which could not be obtained otherwise, in particular when there is a risk of absconding of the applicant, as defined in article 18 point (f) of Law 3907/2011, or c. when it is ascertained on the basis of objective criteria, including that he/she already had the opportunity to access the asylum procedure, that there are reasonable grounds to believe that the applicant is making the application for international protection merely in order to delay or frustrate the enforcement of a return decision, if it is probable that the enforcement of such a measure can be effected; d. when he/she constitutes a danger to national security or public order, according to the reasoned judgment of the competent authority of point 3 of this Article, or e. when there is a serious risk of absconding of the applicant, pursuant to Article 2 point (n) of Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 according to the criteria of Article 18 point (f) of law 3907/2011 which apply respectively and in order to ensure the enforcement of a transfer decision according to the above Regulation. The detention order shall be taken by the respective Police Director and, in the cases of the General Police Directorates of Attica and Thessaloniki, by the competent Police Director for Aliens matters and shall include a complete and comprehensive reasoning. In cases (a), (b) (c) and (e) of paragraph 2 of this Article the detention order is taken upon a non-binding recommendation of the Head of the competent Receiving Authority. 4. a. The detention of applicants for international protection shall be imposed for the minimum necessary period of time. Delays in administrative procedures that cannot be attributed to the applicant shall not justify a continuation of detention. b. The detention of applicants on the grounds mentioned in points (a), (b) and (c) shall, initially, not exceed 45 days and can later be prolonged by a further 45 days, as long as the recommendation of paragraph 3 is not recalled. c. The detention of applicants for international protection on the grounds of points (d) and (e) shall not exceed three (3) months. d. In any case, and independently of whether the time limits for points (d) and (e) above have been completed or not, the total detention period may not exceed in any case the maximum time limits for



detention, as they are foreseen in Article 30 of Law 3907/2011. Applicants in detention, according to the above paragraphs, have the rights to appeal and submit objections as foreseen in paragraphs 3 and subsequent of Article 76 of Law 3386/2005, as in force. 7. Detainees who are applicants for international protection shall be entitled to free legal assistance and representation to challenge the detention order according to the provisions valid for third country nationals in detention, according to the provisions set in law 3226/2004 (O.G. A' 24) which apply accordingly. The detention of an applicant constitutes a reason for the acceleration of the asylum procedure, taking into account possible shortages in adequate premises and the difficulties in ensuring decent living conditions for detainees. These difficulties, as well as the vulnerability of applicants, as per Article 14 paragraph 8 above shall be taken into account when deciding to detain or to prolong detention. When an alien or stateless person applies for international protection while in detention, the Head of the competent Receiving Authority and/or the Administrative Director of the Appeals Authority shall be immediately informed and shall ensure the prioritized examination of the application or the appeal. In cases of detention of applicants, the competent authorities, without prejudice to the international and national legal rules on detention, shall apply the following as per case: a. They shall ensure that women are detained in an area separately from men as well as the due respect for the privacy of families in detention. b. They shall avoid the detention of minors. Minors who have been separated from their families and unaccompanied minors shall not be detained, as a rule. Only in very exceptional cases, unaccompanied minors who applied for international protection while in detention according to the relevant provisions of Law 3386/2005 and Law 3907/2011, may remain in detention, as a last resort solution, only to ensure that they are safely referred to appropriate accommodation facilities for minors. This detention is exclusively imposed for the necessary time for the safe referral to appropriate accommodation facilities and cannot exceed twenty-five (25) days. When, due to exceptional circumstances, such as the significant increase in arrivals of unaccompanied minors, and despite the reasonable efforts by competent authorities, it is not possible to provide for their safe referral to appropriate accommodation facilities, detention may be prolonged for a further twenty (20) days. Minors who have been separated from their families and unaccompanied minors shall be detained separately from adult detainees. When the reasons set out in paragraph 2 justifying detention of the applicant cease to exist, the authorities which ordered the detention, with a reasoned decision, shall release the applicant and inform without delay the Receiving Authorities or the Appeals Authority, if the application is pending before the second instance.



<p>h) First instance (interviews, refugee status determination, other forms of protection, timeframes, case management, guidance issued)</p>	<p>51, 091 asylum applications were lodged during 2016 in relation to 13,195 asylum applications lodged the previous year. 26,977 decisions have been issued. In 2,466 cases refugee status was granted and in 244 cases subsidiary protection status was granted. The recognition rate in the first instance was 29, 1%.</p> <p>Of the 2, 710 positive decisions, 1,640 concerned men and 1,070 concerned women. Of the 1,640 positive decisions that concerned male applicants, 780 concerned males aged 18-34, 355 concerned males aged 35-64, 10 concerned males aged 64 and over, while 495 decisions concerned under aged boys. Of the 1,070 positive decisions that concerned women applicants, 419 concerned women aged 18-34, 238 concerned women aged 35-64, 11 concerned women aged 64 and over, while 402 decisions concerned under aged girls.</p> <p>Recognition rates for Syria nationals was almost 100% (99,6%). The recognition rate for Yemeni nationals was 95%, for nationals of the Palestinian Authority, 90,9%, for Stateless (including many Palestinians) 84,2%, for Eritrean nationals 77,5%, for Somali nationals 73,6%, for Iraqi nationals 63,9%, for Sudan nationals 58,5%, for Afghan nationals 57,4% and for Iranian nationals was 52,3%.</p> <p>At first instance, the average duration of the processing of an international protection application on its merits (from the time of the lodging of the application to the time of the issuing of the decision stands at 3,1 months, (figures covering for the period from 7-6-2013 since 31-1-2017).</p>
<p>i) Effective remedy and appeal/judicial review (submission of appeals, hearings, written procedures, timeframes, suspensive effect or not)</p>	<p>The main changes brought about by Law 4399/2016, amending Law 4375/2016, concern the composition of the Appeals Committees examining quasi-judicial appeals against negative decisions of the Asylum Service and were implemented in order to be in compliance with the right to an effective remedy (2013/32/EU Directive). The new Independent Appeals Committees are made up of two judges of the Administrative Courts, appointed by the General Commissioner of the Administrative Courts and a Greek citizen with a university degree on legal, political, social sciences or humanities commissioned by the UNHCR.</p> <p>(For more details see n. 2 above)</p> <p>The new Law 4375/2016, as amended by Law 4399/2016, introduces a considerable number of changes to the legislative framework of the appeals procedure. In July 2016, a Ministerial Decision (3004/15-07-2016) defined the Rules of Procedure before the Independent Appeals Committees.</p>



	(For more details see n. 4 above)
j) Country of Origin Information (organisation of COI units, methodologies, new projects, IT tools, etc.)	<p>The COI Unit of the Asylum Service’s central administration was strengthened in the second half of 2016 with two additional researchers. This has allowed the Unit to produce a number of targeted COI products, especially source compilations on particular themes concerning particular countries of origin (e.g. civil liberties and the treatment of women and substance abusers in Morocco; civil liberties, sexual orientation, gender identity and treatment of LGBTI persons in Algeria; sexual orientation, gender identity and treatment of LGBTI persons in Pakistan, Nigeria-Basic Information, Ethiopia-Situation of women) and thematic reports (e.g. Pakistan - Sexual Orientation and Gender Identity, Algeria - Sexual Orientation and Gender Identity, Morocco/Western Sahara-Basic Info, Algeria-Terrorism-Basic Info, Algeria-Military Service-Basic Info, Afghanistan -Socio -Economic Situation in Urban Centers and Kabul and Return to Afghanistan)</p> <p>The COI Unit has also fully participated (especially in the 5-member drafting team) in the preparation of the European guidance note on Afghanistan, coordinated by EASO. The Asylum Service also participated in the editorial team of an EASO report on Turkey.</p>
k) Vulnerable groups (e.g. unaccompanied children, LGBTI applicants, victims of torture, victims of trafficking) – policies, identification, standards of reception, procedural guarantees	<p>Vulnerable persons i.e.: a) Unaccompanied minors, b) Persons who have a disability or suffering from an incurable or serious illness, c) The elderly, d) Women in pregnancy or having recently given birth, e) Single parents with minor children, f) Victims of torture, rape or other serious forms of psychological, physical or sexual violence or exploitation, persons with a post-traumatic disorder, in particularly survivors and relatives of victims of ship-wrecks, g) Victims of trafficking in human beings are exempted from the border procedures. They are also given priority in all procedures. Possible victims of torture are referred, as much as possible, to specialized NGOs while victims are offered counseling and referred to the competent authorities.</p>
l) Content of protection for beneficiaries of international protection (rights and benefits linked to specific protection statuses, policies, benefits, integration programmes, projects)	<p>Law no. 4375 of 2016 changed the conditions regarding access to the labour market for beneficiaries of international protection, international protection applicants and their spouses as well as persons granted a residence permit for humanitarian reasons. The most important change was the abolition of the requirement of holding a work permit. Beneficiaries of international protection and those holding a humanitarian permit will only need their residence permit to access the labour market, whilst applicants for international protection will need a valid "applicant for international protection card" or "asylum seeker card". Finally, beneficiaries of international protection acquired the right to participate in educational/training programs for adults, related to employment and vocational training, and</p>



	<p>counseling services, under the same conditions as Greek citizens. The previous legislation - Presidential Decree 220/2007 required a separate procedure for work permit following the granting of refugees status or an asylum seeker's card and included conditions linked to labour market needs for specific professions. The priority awarded to Greek and EU citizens made it difficult for asylum seekers to find employment in practice.</p>
<p>m) Return of rejected asylum seekers (assisted voluntary return/voluntary return/forced return)</p>	<p>IOM conducts an extensive program for Assisted Voluntary Return and Reintegration.</p>
<p>7. Important Asylum Migration and Intergration Fund (AMIF) projects implemented or concluded in 2016</p>	<p>The Asylum Service has implemented the following projects that were/are funded by the AMIF</p> <ul style="list-style-type: none"> • Interpretation services are provided free of charge to all international protection applicants in Greece. So far, 51,922 applicants, in 37 different languages, have benefitted from interpretation services throughout the asylum procedure. • Infrastructure and equipment are funded on a regular basis with the aim to cover operational needs of the Regional Asylum Offices and Asylum Units. • Funding of the cost of the DNA tests related to the asylum applications under examination. • A one-day conference was held with the following theme: "The Future of Asylum in Europe". The subjects that were discussed included the application of the concept of "safe third country" with special reference to the EU-Turkey Agreement, and the creation of a European asylum system. At the same time, the photo exhibition "The Itinerary" was held with the contributions of eleven eminent photo journalists. • A new multilingual mobile application (9 languages) is being developed in order to respond to basic information needs of TCN who wish to apply for asylum in Greece and those whose application is under examination. The Asylum Service App provides step-by-step information with regard to the asylum procedure, as well as the applicable legal framework, in a reliable and timely manner. The pilot version will be ready for use in April of 2017. • Provision of psychological support for the Asylum Service personnel either on an individual basis or in group sessions for the purpose of alleviating and managing work related stress and team building. • Funding of the travel costs of the applicants to be transferred to other MSs in line with the Dublin Regulation procedure. • In cooperation with the Hellenic Police, a project is funded with the aim to reduce further the "old" backlog (asylum cases pending under the second instance procedure and falling under the competence of the Hellenic



	<p>Police) as well as the pending second instance cases from 3-4-2016 έως 19-7-2016 under the competence of the Appeals Authority.</p> <ul style="list-style-type: none">• With regard to the implementation of the Council Decisions on the Emergency Relocation from Italy and Greece, and with regard to the AMIF, the AS is responsible for the procurement for the contracted staff needed as well as for the equipment (National Programme). Procurements related to additional needs for contracted staff for the Relocation Unit are also being covered by the AMIF Emergency Programme.
8. Other relevant developments at national level	