

# **Beneficiaries of international protection in Greece**

Access to documents and socio-economic rights

March 2023

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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>AMA</b>	Social Security Member Registration Number   Αριθμός Μητρώου Ασφαλισμένου
<b>AMKA</b>	Social Security Number   Αριθμός Μητρώου Κοινωνικής Ασφάλισης
<b>DADP</b>	International Protection Applicant Card   Δελτίο Αιτήσαντος Διεθνούς Προστασίας
<b>DOY</b>	Tax Office   Διεύθυνση Οικονομικών Υποθέσεων
<b>DYPA</b>	Public Employment Service   Δημόσια Υπηρεσία Απασχόλησης
<b>ECHR</b>	European Convention on Human Rights
<b>EFKA</b>	Unified Social Security Fund   Ενιαίος Φορέας Κοινωνικής Ασφάλισης
<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>IDIKA</b>	e-Government Centre for Social Security   Ηλεκτρονική Διακυβέρνηση Κοινωνικής Ασφάλισης
<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>ΠΑΑΥΡΑ</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
<b>TAA</b>	Aliens Unit of Attica   Τμήμα Αλλοδαπών Αττικής

## Introduction\*

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, without having addressed chronic legal and practical barriers to access to basic socio-economic rights. In January 2023, the European Commission launched related infringement proceedings against Greece for poor implementation of the Qualification Directive as regards the content of international protection.<sup>2</sup>

This situation may in many cases expose people 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, as highlighted by jurisdictions across Europe.<sup>3</sup> Last year, case law developments led countries such as Germany and the Netherlands to suspend deportations of beneficiaries of international protection to Greece, subject to narrow exceptions.<sup>4</sup> Other countries have not adopted similar policies to date, however. In the first six months of 2022, Greece received 596 readmission requests for a total of 1,071 beneficiaries. 96 persons were returned through readmission procedures, including 35 from Sweden, 14 from Finland and 10 from France.<sup>5</sup>

As a rule, readmission of beneficiaries of international protection from other European countries to Greece is carried out via Athens International Airport.<sup>6</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. In most cases of recent returnees supported by RSA, the Greek authorities have not handed people a note or any other document:

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- \* 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 2022, available at: <https://bit.ly/3TpBUzb>; March 2021, available at: <https://bit.ly/3KB5EmX>.
- <sup>2</sup> European Commission, 'January Infringements package: key decisions', INF/23/142, 26 January 2023, available at: <https://bit.ly/3RdzL8n>.
- <sup>3</sup> Namely (Austria) Constitutional Court, E3231/2022, 29 April 2022; (Germany) Higher Administrative Court of North Rhine-Westphalia, 11 A314/22.A, 5 April 2022; Higher Administrative Court of Baden-Württemberg, A 4 S 2443/21, 27 January 2022; Higher Administrative Court of Bremen, 1 LB 371/21, 16 November 2021; (Netherlands) Council of State, 202005934/1/V3, 28 July 2021.
- <sup>4</sup> Government of the Netherlands, 'Kamerbrief over diverse onderwerpen migratiebeleid', 7 November 2022, available at: <https://bit.ly/3YfZjnK>; InfoMigrants, 'Germany to process frozen asylum claims of refugees from Greece', 21 March 2022, available at: <https://bit.ly/3JLI4qB>.
- <sup>5</sup> RSA, 'European countries carry on with deportations of recognised refugees to Greece – returns in figures', 13 October 2022, available at: <https://bit.ly/3ZYALkA>.
- <sup>6</sup> Information provided by the Directorate of Migration Management, Hellenic Police, 11 May 2020.

**Case study: Jamal\***, a refugee from Syria, was granted status in Greece in 2018 before travelling to **Germany**. He was returned to Greece in early 2023 while his residence permit had expired since 2021. Following two-hour detention at Athens International Airport, Jamal was released with a police note instructing him "to appear before the Asylum Service of Alimos (Alimos, Dodekanisou 6) within ten (10) days for the continuation of his case".

**Case study: Halimo\***, a single woman from Somalia, received international protection in Greece in 2019 and left for **Switzerland** in September 2021. She was returned to Greece in December 2022 while her residence permit had already expired. Following two-hour detention at Athens International Airport, she was released without a note or any information on how to reach the authorities or access her rights.

**Case study: Jamila\***, a refugee from Eritrea, was granted status in Greece in 2019 before travelling to **Sweden** in early 2020. She was returned from Sweden to Greece in December 2022 while her residence permit had already expired. Following short detention at Athens International Airport, she was released without any document or information.

**Case study: Asef\***, a single man from Afghanistan, was granted subsidiary protection in Greece in 2019 before reaching **Switzerland**. When he was deported by Switzerland to Greece in December 2022, he was detained at the airport for a few hours and was subsequently released without any note. After arriving again in Switzerland via Germany, where he had lodged an asylum claim in the meantime, he was again deported to Greece at the end of July 2022. He was released from the airport without any document.

**Case study: Bashir\*** and **Khadija\***, a family from Afghanistan with two children, received subsidiary protection in Greece in 2020 before reaching **Switzerland** one year later. They were returned to Greece in early June 2022 without their residence permits, which had already expired. During their ten-hour detention at the airport they received no response to their questions. The family was released without any note. When they approached the Regional Asylum Office of Piraeus four days later, they were given no documents but were advised to apply online for the renewal of their permits.

**Case study: Elena\***, a refugee from Eritrea with two minor children, received protection in Greece in early 2019 before travelling to **Sweden**. The family was deported from Sweden to Greece in September 2022 while their residence permits had expired. Upon arrival at the airport, they were held for five hours without any possibility to communicate with the police authorities due to an absence of interpretation services. Elena and her children were released without any document.

**Case study: Soraya\*** and **Somaya\***, two sisters from Afghanistan, received refugee status on the island of Samos in 2018 and suffer from mental health conditions, notably post-traumatic shock related to their journey and stay in Greece. They were deported from **Sweden** to Greece in early June 2022.

Following brief detention at Athens International Airport upon arrival, they were released without any information except a note instructing them to “present [themselves] before the Asylum Service, within ten (10) days (Regional Asylum Office Piraeus, street: Navarchou Notara 6) to collect travel documents [sic].”<sup>7</sup>

**Case study: Mohammed\***, a refugee from Yemen, was granted protection in Greece in 2017 and subsequently reached **Germany**. He was deported by Germany to Greece at the end of April 2022 while his residence permit had expired. Following two-hour detention at Athens International Airport, he was released without a note. Mohammed was orally instructed to refer to the Regional Asylum Office of Attica for the renewal of his documents.

**Case study: Hakim\***, a refugee from Iraq, was recognised in Greece in 2017 before moving to **Belgium**. He was returned to Greece at the end of April 2022 with an expired residence permit. Following six-hour detention at the airport, he was released without receiving any note.

**Case study: Ibrahim\***, a refugee from Syria, was granted status in Greece in 2015. He moved to **Germany** in 2017 and remained there until his deportation back to Greece in March 2022, while his residence permit had expired. Police authorities at the airport released him without giving him any document.

In light of applicable practice, we 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 36% of the total number asylum applications lodged in Greece last year.<sup>8</sup>

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, Urdu or Farsi.<sup>9</sup>

### Residence permit (ADET)

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.

<sup>7</sup> RSA, ‘Deported to destitution: Refugee women remain undocumented four months after return from Sweden to Greece’, 5 October 2022, available at: <https://bit.ly/3yOTe71>.

<sup>8</sup> Ministry of Migration and Asylum, *Monthly Report*, December 2022.

<sup>9</sup> Municipality of Athens, *Κέντρο Ένταξης Μεταναστών*, available at: <https://bit.ly/3pFN7ek>.

Most difficulties are encountered vis-à-vis access to a residence permit (*Άδεια Διαμονής Ενιαίου Τύπου*, ADET), the identification document valid for three years for refugees and one year for subsidiary protection holders.<sup>10</sup> ADET is a prerequisite for obtaining a Social Security Number (*Αριθμός Μητρώου Κοινωνικής Ασφάλισης*, AMKA) and social benefits.

### First step: Asylum Service decision

#### *Initial ADET grant*

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) approving the issuance of the permit. The asylum decision alone does not entitle the person to obtain a residence permit.

According to the new ADET Regulation, the “ADET Decision” shall be incorporated in the asylum decision issued by the Asylum Service or the Appeals Authority.<sup>11</sup> In any case, it shall be notified to the beneficiary on the same day as the asylum decision, in line with a recent Circular of the Ministry of Migration and Asylum.<sup>12</sup>

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. For instance, the Aliens Unit of Attica (*Τμήμα Αλλοδαπών Αττικής*, TAA) is territorially competent for cases handled by the RAO and AAU of Attica.<sup>13</sup>

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.

#### *ADET renewal*

Applications for renewal of ADET must be submitted to the Asylum Service no later than 30 days prior to the expiry of the permit. Late renewal applications without due reasons face a 100 € fine.<sup>14</sup> A recent circular of the Ministry of Migration and Asylum specifies that “reasons” should be interpreted as follows: “the mere submission of any reason for negligence on the part of the beneficiary in submitting the application in time shall not

<sup>10</sup> Article 23(1) Asylum Code, L 4939/2022, Gov. Gazette A' 111/10.06.2022.

<sup>11</sup> Article 2(1) and (3) ADET Regulation, JMD 513542/2022, Gov. Gazette B' 4763/12.09.2022.

<sup>12</sup> Ministry of Migration and Asylum, Circular 68883/2023 – Εγκύκλιες οδηγίες σχετικά με την εφαρμογή της με αρ. 513542 Κοινής Υπουργικής Απόφασης (ΦΕΚ Β' 4763/12.09.2022) «Διαδικασία χορήγησης Άδειας Διαμονής Ενιαίου Τύπου στους δικαιούχους διεθνούς προστασίας», 31 January 2023, 2.

<sup>13</sup> Article 5(1) ADET Regulation.

<sup>14</sup> Article 23(1) Asylum Code; JMD 513551/2022, Gov. Gazette B' 4763/12.09.2022.

suffice. Reasons shall be given which in fact justify exceeding of the deadline set by law on the basis of objective criteria or events, without mandatory written evidence. The reasons invoked by the applicant shall be accepted where they are in line with the conduct of the ordinary reasonable person.”<sup>15</sup>

Beneficiaries of international protection seeking to renew their ADET have to submit an “ADET Renewal Application” and a digital photograph to the AAU for Beneficiaries of International Protection via email.<sup>16</sup>

The Asylum Service has explained that “following online submission of ADET renewal applications by beneficiaries of international protection, the necessary checks are conducted to verify whether the application is correct and complete. The application then receives a reference number and is uploaded on the database in order for the issuance of a related certificate to be possible”.<sup>17</sup> However, the mere uploading of the renewal application on the Asylum Service database (“Alkyoni”) may take several months due to the volume of cases handled by the AAU for Beneficiaries of International Protection.<sup>18</sup>

**Case study: Nasim\***, a refugee from Syria, requested the renewal of his ADET in February 2022 after he was returned to Greece under a readmission procedure from **Germany**. His application was only uploaded on the “Alkyoni” database and received a reference number two months later, on 20 April 2022. Only then did the processing of the application begin.

Recent interventions from the Ombudsman in January 2023 express “concerns regarding the practice of recording and uploading the application at a different point than the time of submission – after several months in certain cases”,<sup>19</sup> bearing in mind that the Code of Administrative Procedure requires recording of any document received by a public authority on the same day.<sup>20</sup> The administration has given assurances to the Ombudsman on immediate uploading of ADET renewal applications on the “Alkyoni” database.

<sup>15</sup> Ministry of Migration and Asylum, Circular 69244/2023 – Εγκύκλιες Οδηγίες σχετικά με την εφαρμογή της με Αριθμ. 513551/05.09.2022 (Β' 4763) Κοινής Απόφασης των Υπουργών Οικονομικών και Μετανάστευσης και Ασύλου «Καθορισμός του αρμόδιου οργάνου επιβολής και της διαδικασίας βεβαίωσης του προστίμου του έβδομου εδαφίου της παρ. 1 του άρθρου 23 του ν. 4939/2022 (Α' 111)», 1 February 2023, 4.

<sup>16</sup> 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). However, the actual downloadable application form available on the Ministry webpage refers to [residencepermits@migration.gov.gr](mailto:residencepermits@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. The issue has still not been resolved on the website of the Ministry of Migration and Asylum.

<sup>17</sup> Ombudsman, Letter No 316047/3924, 24 January 2023.

<sup>18</sup> RSA, ‘Refugee residence permit renewal applications pending for over a year at the Greek Asylum Service’, 26 October 2022, available at: <https://bit.ly/3n3LOdw>.

<sup>19</sup> Ombudsman, Letter No 316047/3924, 24 January 2023; ‘Έλλειψη ομοιομορφίας μεταξύ των βεβαιώσεων δικαιούχων διεθνούς προστασίας που εκδίδονται από τα κατά τόπους αρμόδια Π.Γ.Α./Α.Κ.Α. Αττικής’, 316047/65864, 2 December 2022.

<sup>20</sup> Article 12 L 2690/1999, Gov. Gazette A' 45/09.03.1999.



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, however, the Asylum Service conducts a “background check” (έλεγχος διωκτικών) to assess the existence of public order or national security grounds barring the renewal of the permit.<sup>21</sup> The background check consists of requests from the Asylum Service to competent police and judicial authorities with a view to ascertaining whether criminal charges or convictions raising public order or national security considerations have been issued against the person. This stage can take several months in practice and may exceed one year in some cases:<sup>22</sup>

**Case study: Adnan\*** is a refugee from Syria, returned under a readmission procedure from **Germany** in August 2020 while his ADET had expired in February 2020. He applied for the renewal of his ADET at the beginning of October 2021. Despite several interventions from his lawyers with the Asylum Service since March 2022 and a related letter from the Ombudsman in June 2022 to inquire into the state of play of his case, the AAU for Beneficiaries of International Protection had not completed the background check by the end of November 2022. The AAU for Beneficiaries only issued an ADET Renewal Decision in early December 2022, fourteen months after Adnan's applications.

**Case study: Elsa\*** is a refugee from Eritrea and mother to a minor boy. The family was returned to Greece under a readmission procedure from **Switzerland** in 2019. In early April 2022, Elsa applied for the renewal of her ADET two days before its expiry. The AAU for Beneficiaries of International Protection informed her lawyers that her case was still being processed at the end of October 2022. Elsa received an ADET Renewal Decision in mid-November 2022, i.e. more than seven months after her application.

**Case study:** The renewal process lasted equally long in the case of **Hakim\***, a refugee from Iraq returned to Greece from **Belgium** in April 2022. Hakim requested the renewal of his ADET at the end of April 2022 and waited seven months for the issuance of an ADET Renewal Decision in mid-November 2022.

Finally, it is worth highlighting that Attica counts three RAO and six AAU under the Attica Directorate of the Asylum Service.<sup>23</sup> Obstacles often arise due to a lack of clarity as to the competent RAO or AAU for the process. This is particularly the case for returnees from other countries who may have been granted status several years before the establishment of certain Offices and Units. We recall that returnees arriving at Athens International Airport do not receive clear and accurate information on the authorities they should approach in order to obtain or renew their documentation.

**Case study: Jamal\***, cited above, was returned to Greece from **Germany** in February 2023. At Athens International Airport, he received a police note instructing him to appear before the RAO of Alimos for the continuation of his

<sup>21</sup> Article 23(2) Asylum Code.

<sup>22</sup> Ombudsman, 'Καθυστερήσεις πλέον του έτους στη διαδικασία ανανέωσης Α.Δ.Ε.Τ. σε υπόθεση δικαιούχου διεθνούς προστασίας', 316047/64653/2022, 28 November 2022.

<sup>23</sup> Article 29 PD 106/2020, as amended by Article 10 PD 77/2022.

case. When he referred to the RAO of Alimos, however, he was advised to approach a different office of the Asylum Service (“Katehaki”).

**Case study: Soraya\*** and **Somaya\***, cited above, were returned to Greece from **Sweden** in June 2022. The two sisters had never obtained an ADET prior to leaving the country. The RAO of Samos had only issued them ADET Decisions valid until April 2021 and thereby expired by the time of their deportation to Greece. The RAO of Piraeus advised RSA lawyers to submit ADET renewal applications – though the permits had never been issued – so as to receive new, valid ADET Decisions for Soraya and Somaya by the AAU for Beneficiaries of International Protection. For its part, the AAU for Beneficiaries of International Protection received the application but noted that merely uploading it on the database could take up to two months on account of a substantial backlog. Almost one month later, the RAO of Samos took a different position from Attica services and stated that none of the above steps were necessary for the issuance of new ADET Decisions. Soraya and Somaya received new ADET Decisions at the end of August 2022. They were not, however, able to submit documents for the issuance of their permits for a prolonged period, as explained below.<sup>24</sup>

### Second step: submission of documents to the Hellenic Police

Only following the issuance of an ADET Decision or an ADET Renewal Decision may beneficiaries of international protection file an online request for an appointment with the territorially competent Passport Office of the Hellenic Police<sup>25</sup> for the submission of the documents needed for the issuance of the permit. An appointment must be requested within six months from the date of the ADET Decision or ADET Renewal Decision, otherwise a new decision must be issued.

The Aliens Unit of Attica (TAA) is competent for the Attica region. In cases supported by RSA, waiting times for appointments to submit documents at the TAA in 2022 ranged from 3 to 46 days from the submission of a request. Waiting times exceeded two weeks in most cases:

Waiting times for appointments to submit documents for ADET			
	Request	Appointment	Days
Abdul*	08 Jun 2022	17 Jun 2022	9
Ahmad*	23 Jun 2022	28 Jun 2022	5
Kabir*	01 Aug 2022	16 Sep 2022	46
Hamid*	15 Sep 2022	06 Oct 2022	21
Nasim*	20 Sep 2022	19 Oct 2022	29
Ibrahim*	27 Oct 2022	15 Nov 2022	19
Khaled*	11 Nov 2022	24 Nov 2022	13
Hakim*	18 Nov 2022	14 Dec 2022	26
Parwana*	02 Dec 2022	05 Dec 2022	3

<sup>24</sup> RSA, ‘Deported to destitution: Refugee women remain undocumented four months after return from Sweden to Greece’, 5 October 2022.

<sup>25</sup> Article 5(1) ADET Regulation.

Adnan*	02 Dec 2022	07 Dec 2022	5
Elsa*	23 Nov 2022	08 Dec 2022	15
Soraya*	01 Dec 2022	19 Dec 2022	18
Somaya*	01 Dec 2022	19 Dec 2022	18

The TAA schedules appointments at 07.00 am every day for all beneficiaries. The Unit offers no interpretation to facilitate contact between police authorities and beneficiaries and has no arrangements in place to support vulnerable persons.

On the day of their appointment with the Hellenic Police, the person must appear in person at the Passport Office and submit photographs and a solemn declaration in Greek attesting their place of residence. New regulations state that the authorities shall locate the asylum decision and ADET Decision of their own motion via the “Alkyoni” database.<sup>26</sup> The beneficiary must also produce a valid International Protection Applicant Card (Δελτίο Αιτούντος Διεθνή Προστασία, DADP) in case of initial ADET issuance or their expired ADET in case of renewal.<sup>27</sup> Fingerprints are also taken at the Passport Office.<sup>28</sup>

The obligation to produce a valid DADP upon submitting the aforementioned documents barred a large number of refugees from obtaining ADET in 2022, on account of the prolonged inability of the Asylum Service to issue DADP to thousands of people. Technical issues arose in the delivery of the Foreigner Provisional Insurance and Health Care Number (Προσωρινός Αριθμός Ασφάλισης και Υγειονομικής Περίθαλψης Αλλοδαπού, PAAYPA) automatically issued together with the DADP, due to connectivity problems in authorities’ access to the “Alkyoni” database after the e-Government Centre for Social Security (Ηλεκτρονική Διακυβέρνηση Κοινωνικής Ασφάλισης, IDIKA) was granted access to the database with a view to automatically issuing PAAYPA to all asylum seekers. IDIKA would recognise beneficiaries’ details from a previously issued PAAYPA, AMKA or Temporary Social Security Number (PAMKA) and would not allow the issuance of a PAAYPA due to the existence of a previous insurance number. This prevented the delivery of PAAYPA and thereby the issuance of DADP in cases of people who had obtained an AMKA prior to July 2019 or to cases of admissible subsequent applications lodged after the previous asylum claim had been rejected and the initial PAAYPA had been de-activated.<sup>29</sup>

The Asylum Service would hand certificates to those who could not be issued a DADP, in which it mentioned the existence of a “technical problem”. However, these certificates were not accepted by the Hellenic Police *in lieu* of DADP for receipt of applications for ADET.

**Case study: Khaled\*** is a refugee from Syria present in Greece since 2019. After his initial asylum claim was dismissed on “safe third country” grounds in 2021, he lodged a subsequent application in June 2022 and was granted status in August 2022. Yet, Khaled could not receive a new DADP on account of

<sup>26</sup> Article 6(1) ADET Regulation.

<sup>27</sup> *Ibid.*

<sup>28</sup> Article 7 ADET Regulation.

<sup>29</sup> RSA, ‘Refugees without identification documents: The Greek Asylum Service must urgently resolve technical problems’, 27 October 2022, available at: <https://bit.ly/3JUFaOY>.

technical issues at the Asylum Service, owed to the existence of a previous PAAYPA in his initial asylum claim. Despite interventions from his lawyers and the Ombudsman, the TAA refused to receive his application for an ADET. At the end of September 2022, the AAU Fast-Track gave Khaled a “fictitious card”, i.e. an old-format asylum seeker trifold, and a certificate mentioning the technical problem with a view to facilitating the procedure for the issuance of his ADET. The TAA refused those documents as well. Only after being able to obtain a DADP in November 2022 was Khaled allowed to submit documents in order to receive an ADET.

The Greek government adopted new regulations on the issuance of PAAYPA in October in an effort to resolve the issue.<sup>30</sup> Even under the new framework, however, the technical problem persisted for certain categories such as people who held an AMKA. Continued pressure led to a mid-November 2022 order from the Directorate of the Hellenic Police to the TAA to accept the submission of documents for this category of people upon presentation of a “fictitious card” and a special certificate of the Asylum Service specifically mentioning the technical problem owed to the existence of a previous AMKA.

**Case study: Soraya\*** and **Somaya\***, cited above, were returned from **Sweden** in June 2022. The RAO of Piraeus was unable to issue them DADP due to the technical problem, since they had obtained AMKA before leaving Greece. The two sisters remained without DADP for seven months, despite repeated interventions from their lawyers and a complaint filed with the Director of the Asylum Service. As a result, even though they had received new ADET Decisions at the end of August 2022, the TAA refused to receive their applications for ADET without a valid DADP. Further to the order of the Directorate of the Hellenic Police, the RAO of Piraeus handed the two sisters “fictitious cards” in December 2022 to allow them to request their ADET at the TAA. When they appeared at their scheduled appointment at the end of December, however, they were informed that the Police requires a specific Asylum Service certificate attesting not only the technical issue but expressly referring to the existence of a previous AMKA. Soraya and Somaya were only able to submit documents for the issuance of their ADET after obtaining that certificate from the RAO of Piraeus.

### Third step: ADET collection from the Asylum Service

Following the submission of documents and the taking of fingerprints at the Passport Office of the Hellenic Police, beneficiaries wait until their ADET is ready for collection at the Asylum Service. Although regulations provide that the RAO or AAU which issued the ADET Decision is competent for delivering the ADET,<sup>31</sup> the collection of residence permits in cases handled by the RAO and AAU of the Attica region is exclusively done at the RAO of Attica (“Katehaki”) in practice. Waiting times from the submission of documents to the TAA until the collection of the ADET from the RAO of Attica in cases supported by RSA ranged from 31 to 68 days and were at an average one month and a half:

<sup>30</sup> JMD 605869/2022, Gov. Gazette B' 5392/18.10.2022.

<sup>31</sup> Article 9 ADET Regulation.

Waiting times from submission of documents to ADET collection			
	Submission of documents	Collection	Days
Abdul*	17 Jun 2022	24 Aug 2022	68
Kabir*	16 Sep 2022	27 Oct 2022	41
Hamid*	27 Oct 2022	15 Dec 2022	49
Nasim*	19 Oct 2022	15 Dec 2022	57
Ibrahim*	15 Nov 2022	16 Dec 2022	31
Khaled*	24 Nov 2022	02 Jan 2023	39
Hakim*	14 Dec 2022	01 Feb 2023	49
Adnan*	07 Dec 2022	19 Jan 2023	43
Elsa*	08 Dec 2022	17 Jan 2023	40
Soraya*	19 Dec 2022	25 Jan 2023	37
Somaya*	19 Dec 2022	25 Jan 2023	37

The Asylum Service does not notify people individually of the collection of their ADET. At the end of every week, it uploads on its website a list of case numbers for which ADET are ready for collection on the indicated day. Therefore, beneficiaries have to regularly consult the weekly lists on the website of the Asylum Service until they find an entry corresponding to their individual case number. The lists are only available in Greek and English.<sup>32</sup>

If people miss their appointment, the Asylum Service does not automatically reschedule an appointment for the collection of the ADET; beneficiaries have to request a new appointment. In RSA's experience, even for people represented by a lawyer, this step requires in-person presence at the RAO of Attica, as these requests are not processed via phone or email.

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

Systemic deficiencies mar the issuance and renewal of ADET, as highlighted by the Ombudsman,<sup>33</sup> the National Commission for Human Rights,<sup>34</sup> the European Commission,<sup>35</sup> the European Union Agency for Asylum (EUAA)<sup>36</sup> and other EU Member State authorities.<sup>37</sup> Nevertheless, protracted delays persist in the processing of such cases, affecting returnees from other European countries as well.

<sup>32</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/3qkhkkmk>. This creates additional confusion for persons awaiting the collection of their documents.

<sup>33</sup> Ombudsman, 'Καθυστερήσεις πλέον του έτους στη διαδικασία ανανέωσης Α.Δ.Ε.Τ. σε υπόθεση δικαιούχου διεθνούς προστασίας', 316047/64653/2022, 28 November 2022.

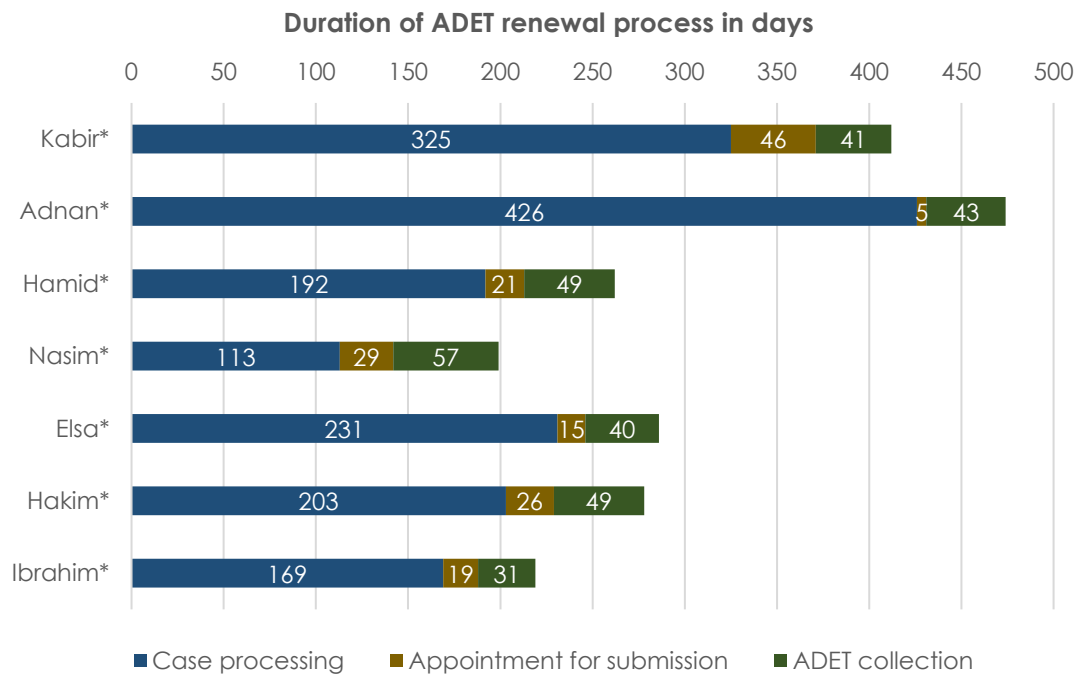
<sup>34</sup> National Commission for Human Rights, 'Επιστολή της ΕΕΔΑ προς τα συναρμόδια Υπουργεία για το θέμα της ανανέωσης των αδειών διαμονής δικαιούχων διεθνούς προστασίας', 27 July 2021, available at: <https://bit.ly/3Gz5mv9>.

<sup>35</sup> European Commission, Ares(2021)8048555, 7 December 2021, available at: <https://bit.ly/3KRgHsk>.

<sup>36</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>37</sup> Government of the Netherlands, 'Kamerbrief over diverse onderwerpen migratiebeleid', 7 November 2022.

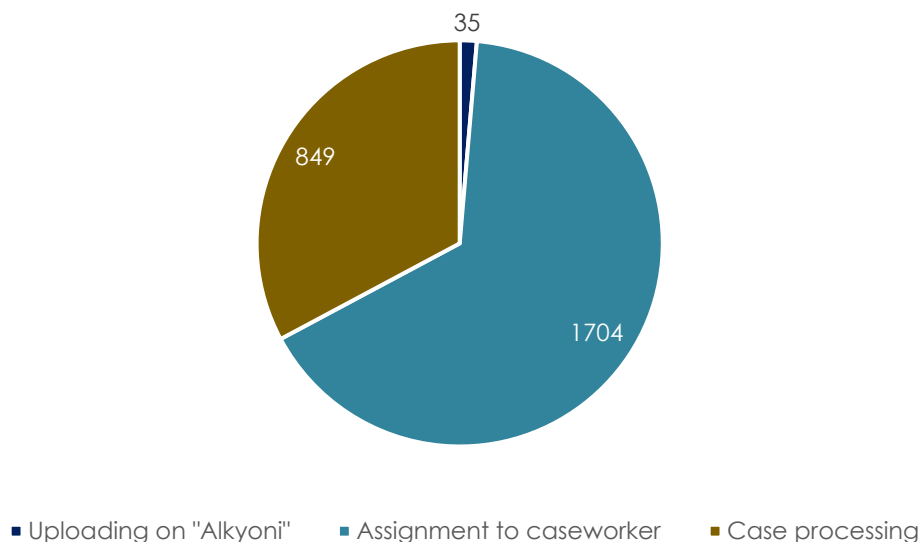
Due to those delays, witnessed mostly at the stage of processing of applications by the Asylum Service, the procedure to renew an ADET lasts at least six months and may exceed one year. In cases supported by RSA, for instance, waiting times between the submission of renewal applications and the collection of ADET ranged from 199 to 474 days. At least two cases exceeded one year:



According to data provided by the Ministry of Migration and Asylum in response to parliamentary questions, the number of pending applications for renewal of ADET at the end of 2022 was 2,588. Most of those were pending assignment to a caseworker of the AAU for Beneficiaries of International Protection for processing:<sup>38</sup>

<sup>38</sup> Ministry of Migration and Asylum, Reply to parliamentary question by KINAL, 156079/2023, 16 March 2023, available at: <https://bit.ly/3Jly0y6>.

### Pending ADET renewal applications by stage: 31 Dec 2022



Source: Ministry of Migration and Asylum, Reply to parliamentary question, 16 Mar 2023

Until the issuance of the first ADET, the person retains their DADP and may renew it if it has expired.<sup>39</sup> However, this does not apply to renewal of an expired ADET, in which case persons with expired ADET normally receive no documentation upon submission of the application and until the delivery of the new ADET and have no means to demonstrate their status.

According to the ADET Regulation, "Upon request... the competent ADET issuing service issues a certificate of submission of an application and necessary documents for the grant of ADET."<sup>40</sup> Specifically, the Asylum Service issues a "certificate of beneficiary of refugee status" or a "certificate of beneficiary of subsidiary protection" only upon request to the RAO or AAU which issued the initial ADET Decision – not the AAU for Beneficiaries of International Protection where the ADET renewal application is addressed. However, this certificate is not issued before the renewal application has been recorded and uploaded on the "Alkyoni" database. This often takes months, as discussed above.

In addition, certificates issued by the RAO and AAU of the Asylum Service have different contents, even within the Attica region. Certificates issued by the RAO of Piraeus bear no reference to the ADET renewal application or to the dates of submission and recording thereof. The certificate does not therefore indicate when the request was submitted and whether or not submission was done within the deadline. Conversely, certificates of the AAU Fast-Track explicitly mention the date of submission and the date of recording of the ADET renewal application. As for the RAO of Alimos, certificates only mention the date of recording but not the date of submission of the

<sup>39</sup> DADP do not indicate that international protection has been granted, however.  
<sup>40</sup> Article 13 ADET Regulation.



renewal application.<sup>41</sup> In light of the above, the Ombudsman has stressed that “the reference to the act of submission of a renewal application, the date of submission and of recording, are necessary elements that should be included in a certificate”.<sup>42</sup>

Certificates issued by the Asylum Service explicitly state that they offer “the beneficiary the same rights and obligations they had before the expiry of the ADET”. However, the certificates are not accepted by public authorities and services as proof of asylum status when dealing with people awaiting the renewal of their ADET.<sup>43</sup> 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 in line with the Code of Administrative Procedure for want of valid documentation.<sup>44</sup>

Finally, the Asylum Code provides that the start of validity of the ADET corresponds to the date of issuance of the ADET Decision by the Asylum Service for initial permits and to the date of expiry of the previous ADET for renewals,<sup>45</sup> not to the date of actual delivery of the (new) ADET. This creates a serious risk especially for subsidiary protection holders whose ADET are valid for one year,<sup>46</sup> given that they are handed ADET near expiry or already expired and in need of immediate renewal in view of the delays described above.

**Case study: Adnan\***, cited above, was returned by Germany to Greece in August 2020. In early October 2021, he applied for the renewal of his ADET which had a three-year validity and had expired in February 2020, while he was in Germany. Due to prolonged delays in the renewal process, Adnan collected his new ADET no earlier than mid-January 2023, more than fifteen months after his application. His new three-year permit was valid until early February 2023, meaning that he had to immediately file a new ADET renewal application to the AAU for Beneficiaries of International Protection. Adnan has again been left without valid identification documents pending delivery of his new permit.

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 the different stages of the ADET issuance and/or renewal procedure. 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

<sup>41</sup> Ombudsman, “Έλλειψη ομοιομορφίας μεταξύ των βεβαιώσεων δικαιούχων διεθνούς προστασίας που εκδίδονται από τα κατά τόπους αρμόδια Π.Γ.Α./Α.Κ.Α. Αττικής”, 316047/65864, 2 December 2022.

<sup>42</sup> Ombudsman, Letter No 316047/3924, 24 January 2023.

<sup>43</sup> Ombudsman, ‘Ισχύς των βεβαιώσεων δικαιούχων διεθνούς προστασίας εκκρεμούσης της διαδικασίας ανανέωσης αδειών διαμονής αναφορικά με τη πρόσβαση σε δικαιώματα’, 316047/66289, 5 December 2022.

<sup>44</sup> Article 11(1) Code of Administrative Procedure, as amended by Article 93 L 4962/2022.

<sup>45</sup> Article 23(1) Asylum Code. Note, however, that according to Ministry of Migration and Asylum Circular 68883/2023 the rule only applies to the first renewal.

<sup>46</sup> Article 23(1) Asylum Code.



legal representative. 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>47</sup>

## Other documents

### Travel document

Travel documents (passports) are a prerequisite for opening a bank account in Greece, as banks do not accept ADET as valid identification documents for beneficiaries of international protection who wish to open a bank account. Possession of a travel document is also needed for one to use the online services of the Independent Authority for Public Revenue (*Ανεξάρτητη Αρχή Δημοσίων Εσόδων*, AADE) for acts such as obtaining a Tax Identification Number (*Αριθμός Φορολογικού Μητρώου*, AFM), as well as for access to employment, since the Unified Social Security Fund (*Ενιαίος Φορέας Κοινωνικής Ασφάλισης*, EFKA) does not accept ADET as a valid documentation for registration of insured persons and the grant of a Social Security Member Registration Number (*Αριθμός Μητρώου Ασφαλισμένου*, AMA).

According to the Refugee Convention, the Qualification Directive and the Asylum Code, refugees are entitled to travel documents except where “compelling reasons of national security or public order” arise.<sup>48</sup> Similar conditions apply to the grant of ADET to beneficiaries of international protection.<sup>49</sup>

The procedure for the issuance of travel documents is governed by the Travel Documents Regulation, adopted based on Article 24 of the Asylum Code.<sup>50</sup> The Regulation, however, provides that “A travel document shall not be granted to a person who: a) has been convicted by final decision for forgery, forgery of certificates, embezzlement of documents, false deposition without oath or false declaration (articles 216, 217, 222 and 225 of the Criminal Code and article 22(6) L 1599/1986) where commission is related to the issuance, use, loss or theft of a passport, an identification document or any other document that may be used as a travel document or for criminal organisation, terrorist acts, abduction, slave trade, trafficking in human beings, child abduction, involuntary kidnapping, trafficking (articles 187, 187A, 322, 323, 323A, 324, 327, 351 of the Criminal Code) as well as the offences of Article 29(5), (6) and (7) and of Article 30(1) and (2) of [the Immigration Code]. The prohibition shall apply from the final convicting judgment for five years (5) as regards commission of the above misdemeanours and for ten (10) years as regards commission of a felony respectively, on condition that the sentence imposed has been commuted; b) has been the subject of a criminal charge for a felony or an offence of point (a) for the duration of proceedings...”<sup>51</sup> Decisions of RAO and AAU refusing the grant of a travel document may be appealed before the Director of the Asylum Service who takes a decision based on a recommendation of a three-member panel.<sup>52</sup>

<sup>47</sup> RSA, *Παρατηρήσεις επί του Σχεδίου Εθνικής Στρατηγικής για την Ένταξη*, January 2022, 4-8, available at: <https://bit.ly/3hikEtf>.

<sup>48</sup> Article 28(1) Refugee Convention; Article 25(1) Qualification Directive; Article 24(1) Asylum Code.

<sup>49</sup> Article 24(1) Qualification Directive.

<sup>50</sup> PAAYPA Regulation, JMD 10302/2020, Gov. Gazette B' 2036/30.05.2020.

<sup>51</sup> Article 1(2) Travel Documents Regulation.

<sup>52</sup> Article 4(3) Travel Document Regulation.

In practice, the aforementioned provision leads to denials of travel documents to refugees who face charges or convictions with a suspended sentence for misdemeanours such as use of forged travel documents, without “compelling reasons of national security or public order” being established. The very same refugees have received ADET from Greece.

**Case study: Mahir\*** is a refugee from Syria. After arriving in Greece through the island of Lesbos in 2019, he was arrested at Athens International Airport and was tried *in flagrante delicto* for the offence of use of forged documents. The Misdemeanour Court of Athens recognised mitigating circumstances in his case and ordered a reduced sentence, suspended for three years. After receiving refugee status and an ADET, Mahir applied for a travel document. However, the RAO of Thessaloniki denied his request on the basis of the conviction judgment. Mahir’s appeal is pending before the Director of the Asylum Service.

**Case study: Yusuf\*, Ghada\*** and their two minor children are refugees from Syria. Since they arrived in Greece during the period of effect of the suspension of the asylum procedure in March 2020, their asylum applications were not registered and they were placed in inhuman detention conditions in the “New Malakasa” facility in Attica.<sup>53</sup> A few months later, they were arrested on the island of Corfu and faced criminal charges for use of forged documents. Their trial is set to take place at the Misdemeanour Court of Corfu in November 2023. The family’s asylum application was registered no earlier than March 2022 and was granted. The AAU Fast-Track issued ADET to Yusuf and Ghada but rejected their request for travel documents in November 2022 due to the pending criminal proceedings against them. Their appeal is pending before the Director of the Asylum Service.

Beneficiaries of international protection submit documents and fingerprints for the issuance of travel documents to the Passport Offices of the Hellenic Police,<sup>54</sup> after requesting an appointment with the territorially competent office, similar to the process applicable for ADET. An additional condition for requesting an appointment for travel documents is the payment of a fee.

Travel documents printed by the TAA are exclusively collected at the RAO of Attica, similar to the above-described collection process for ADET.

### Tax Identification Number (AFM)

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.

<sup>53</sup> RSA, *Στέρηση δικαιωμάτων κατά την αναστολή της διαδικασίας ασύλου στην Ελλάδα*, Απρίλιος 2020, διαθέσιμο στο: <https://bit.ly/3X0Be3b>.

<sup>54</sup> Άρθρο 3 ΚΥΑ 10302/2020.

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.

Requests for AFM have to be submitted to AADE online. The AADE platform requires a valid identification document and accepts travel documents but not ADET or DADP. Therefore, beneficiaries who lack a valid passport cannot request an appointment to receive AFM. The platform is only available in Greek.

Pursuant to an AADE Decision in force since the end of December 2020, asylum seekers completing the lodging of their asylum application automatically receive an AFM upon the delivery of DADP.<sup>55</sup> Asylum authorities complete the AFM issuance procedure online and issue an AFM certificate (*Βεβαίωση Απόδοσης ΑΦΜ*) to the applicant.<sup>56</sup> This is not, however, the case for persons holding an ADET who lack such a number – and whom the Asylum Service refers to the DOY.

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.

### TAXISnet credentials

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 certificate.

Applications for credentials also have to be filed to AADE online, as described above. Following the application, the person attends their appointment with the competent DOY to receive their credentials. As noted above, the AADE platform is only available in Greek.

### Social Security Number (AMKA)

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>57</sup> Asylum seekers are not eligible for AMKA,<sup>58</sup> but obtain a Provisional Foreigner's Insurance and Health Care Number (PAAYP).<sup>59</sup> This

<sup>55</sup> Articles 1(3) and 8 AADE Decision A1270/2020, Gov. Gazette B' 5508/14.12.2020.

<sup>56</sup> Article 2(1) AADE Decision A1270/2020.

<sup>57</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>58</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>59</sup> Article 59(2) Asylum Code; Article 1(2) PAAYP Regulation.

number is shall be converted into AMKA within one month of the delivery of the ADET.<sup>60</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 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.<sup>61</sup>

## Social welfare

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>62</sup>

The Ministry of Labour and Social Affairs did not respond to a recent parliamentary request for the exact number "of beneficiaries of international protection currently receiving social benefits by category of benefit".<sup>63</sup>

## De facto exclusion from access to benefits

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 Greek nationals and effectively exclude them from most forms of social assistance.

- ❖ 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>64</sup> Eligible persons must legally and permanently reside in Greece for a minimum of five years prior to applying for a rental allowance.<sup>65</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 in Greece without interruption. Further obstacles arise from the requirement of a valid rental contract for the entire duration of the granting of the benefit.<sup>66</sup>
- ❖ The one-off child-birth allowance (*επίδομα γέννησης*) introduced in 2020 is available to mothers who are third-country nationals, including beneficiaries, upon condition that they establish twelve years of permanent and

<sup>60</sup> Article 8(1) PAAYPA Regulation.

<sup>61</sup> Article 8(2) PAAYPA Regulation.

<sup>62</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.

<sup>63</sup> Ministry of Labour and Social Affairs, Reply to parliamentary question by KINAL, 27512/2023, 14 March 2023, available at: <https://bit.ly/3TglvwS>.

<sup>64</sup> Article 3 L 4472/2017, Gov. Gazette A' 74/19.05.2017.

<sup>65</sup> Article 3(6) L 4472/2017, inserted by Article 17 L 4659/2020. Residence is established based on the submission of tax declarations within the requisite deadlines.

<sup>66</sup> Article 5(1) JMD 71670/2021, Gov. Gazette B' 4500/29.09.2021.

uninterrupted residence in Greece, as demonstrated through the submission of tax declarations.<sup>67</sup> Accordingly, the vast majority of status holders are excluded from this benefit.

- ❖ The monthly child support allowance (*επίδομα παιδιού*) – 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>68</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>69</sup>

Indirect discrimination against beneficiaries of international protection in respect of access to social benefits therefore constitutes a structural deficiency. This was recently highlighted in Letter of Formal Notice INFR(2022)2044 by which the European Commission launched infringement proceedings against Greece for poor implementation of Article 29 of the Qualification Directive.<sup>70</sup> A previous document of the European Commission notes that “[the Ministry of Labour and Social Affairs] is drafting a legislation to change the period needed in order to have access to the social benefits, but they insist that the problem is primarily political and that it cannot be solved.”<sup>71</sup>

In a recent response to a parliamentary question, however, the Ministry of Labour and Social Affairs confirms that requirements of minimum residence in Greece are maintained as preconditions for access to social benefits. It noted, as regards the child-birth allowance for instance, that “this choice is the product of reflection on the economic repercussions of such a measure under inflexible financial conditions”.<sup>72</sup>

### Guaranteed minimum income

Contrary to the above benefits, no minimum residence is required for eligibility for guaranteed minimum income (*ελάχιστο εγγυημένο εισόδημα*),<sup>73</sup> formerly known as Social Solidarity Income (*Κοινωνικό Επίδομα Αλληλεγγύης*, KEA),<sup>74</sup> a 200 € monthly allowance per household, plus 100 € per additional adult and 50 € per additional child.

<sup>67</sup> Articles 1(2) and 7(1)(e) and (2) L 4659/2020.

<sup>68</sup> Article 214(11) L 4512/2012, as amended by Article 15(1) L 4659/2020. The above observations on timely tax declarations are applicable.

<sup>69</sup> Article 93 L 4387/2016.

<sup>70</sup> European Commission, 'January Infringements package: key decisions', INF/23/142, 26 January 2023.

<sup>71</sup> European Commission, *Task Force Migration Management Mission Report – Greece – Jan/Feb 2022*, Ares(2022)1024324, 11 February 2022, 5.

<sup>72</sup> Ministry of Labour and Social Affairs, Reply to parliamentary question by KINAL, 27512/2023, 14 March 2023.

<sup>73</sup> Article 29(2) L 4659/2020, Gov. Gazette A' 21/3.2.2020.

<sup>74</sup> Article 235 L 4389/2016, as last amended by L 4830/2021, Gov. Gazette A' 169/18.09.2021.

The guaranteed minimum income is formally available to beneficiaries of international protection.<sup>75</sup> However, the competent authority does not keep disaggregated statistics on the number of beneficiaries of international protection receiving the guaranteed minimum income.<sup>76</sup> The Ministry of Labour and Social Affairs refrained from providing data thereon in response to a recent parliamentary question.<sup>77</sup>

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 “homeless persons” living below the poverty line.<sup>78</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>79</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>80</sup>

“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>81</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 Αλληλεγγυής 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>82</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 a valid ADET, 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. Finally, KYADA has no interpretation services and cannot communicate with people who do not speak Greek or English.

At the same time, beneficiaries who receive rental subsidies from the HELIOS programme – discussed below – are excluded from guaranteed minimum income.<sup>83</sup> The Ministry of Labour and Social Affairs has not put forward amendments aimed at

<sup>75</sup> ΟΠΕΚΑ, *Ελάχιστο Εγγυημένο Εισόδημα (ΚΕΑ)*, available at: <https://bit.ly/3chQsdD>.

<sup>76</sup> Information provided by ΟΠΕΚΑ, January 2021.

<sup>77</sup> Ministry of Labour and Social Affairs, Reply to parliamentary question by KINAL, 27512/2023, 14 March 2023.

<sup>78</sup> Article 235(1) L 4389/2016.

<sup>79</sup> Ombudsman, *Πρότασεις για τα προνοιακά προγράμματα «Ελάχιστο Εγγυημένο Εισόδημα» και «Επίδομα Στέγασης»*, 103/2020, 6 July 2020.

<sup>80</sup> RSA, *Παρατηρήσεις επί του Σχεδίου Εθνικής Στρατηγικής για την Ένταξη*, January 2022, 8-9.

<sup>81</sup> Article 5 JMD Δ13/οικ./33475/1935, Gov. Gazette B' 2281/15.06.2018. See also Article 235(2)(c) L 4389/2016, as amended by L 4756/2020.

<sup>82</sup> Solomon, ‘Masafarhána: Inside the invisible refugee houses in Athens’, 10 March 2022, available at: <https://bit.ly/3u6Fpyj>.

<sup>83</sup> European Commission, *Task Force Migration Management Mission Report – Greece – Jan/Feb 2022*, Ares(2022)1024324, 11 February 2022, 5.



covering these groups to date.<sup>84</sup> According to European Commission documents, “the [Ministry] process a draft legislation to remedy the gap, however the decision is political. HOME brought the issue to the attention of the State Minister.”<sup>85</sup>

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.

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

The only official integration programme currently operating in Greece from July 2019 to June 2022 is “Hellenic Integration Support for Beneficiaries of International Protection” (HELIOS),<sup>86</sup> implemented by the International Organisation for Migration (IOM) in partnership with several non-governmental organisations. From 2022 onwards, the programme is temporarily funded by the national budget pending its inclusion in the European Social Fund +, and is “implemented through successive extensions”, the latest one prolonging its implementation until end of May 2023.<sup>87</sup> As of June 2022, the programme has been expanded to cover beneficiaries of temporary protection.<sup>88</sup>

Enrolment on HELIOS has to be done within one year of the notification of a positive asylum decision.<sup>89</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) or a Closed Controlled Access Centre (CCAC), a hotel,<sup>90</sup> or an accommodation place under the – formerly operating – ESTIA programme<sup>91</sup> or official municipality shelters or

<sup>84</sup> Ombudsman, Letter No 253053/3945/2021, 20 Ιανουαρίου 2021.

<sup>85</sup> European Commission, *Task Force Migration Management Mission Report – Greece – Jan/Feb 2022*, Ares(2022)1024324, 11 February 2022, 5.

<sup>86</sup> IOM, *Hellenic Integration Support for Beneficiaries of International Protection (HELIOS)*, available at: <https://bit.ly/2S21ZFJ>.

<sup>87</sup> Ministry of Migration and Asylum, Reply to parliamentary question by KKE, 131178/2023, 3 March 2023, available at: <https://bit.ly/3myclQ4>. The overall project costs from 2022 to end of May 2023 are set at 37m €: Ministry of Migration and Asylum, *Summary of 5<sup>th</sup> Amendment to HELIOS Programme Contract*, 140453/2023, 8 March 2023, available: <https://bit.ly/3Lc1lfX>.

<sup>88</sup> Greek Government, *Ενοποιημένο Σχέδιο Κυβερνητικής Πολιτικής 2023*, December 2022, 86, available at: <https://bit.ly/3DHanCm>.

<sup>89</sup> IOM, *HELIOS Project Regulations Handbook*, February 2023, available at: <https://bit.ly/3yOn4c1>.

<sup>90</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>91</sup> The “ESTIA – Emergency Support to Integration and Accommodation” programme was implemented by the Ministry of Migration and Asylum until the end of 2022.

other housing programmes e.g. for victims of trafficking, or a pre-removal detention centre at the time of notification of a positive decision on their asylum claim.<sup>92</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.

According to IOM statistics, 43,420 beneficiaries of international and temporary protection had been registered on the HELIOS programme from its launch to 28 February 2023. 13% of the total enrolments concern Ukrainian nationals covered by temporary protection.

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>93</sup> The level of the rental subsidy ranges from 230 € for a single adult to 800 € for a six-member family. In addition to a monthly subsidy, beneficiaries receive retroactively a one-off sum ranging from 350 € to 1,150 € to cover the rental deposit and cover settling-in expenses they need in order to rent property.<sup>94</sup>

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. In 2023 too, constantly rising rent prices are reported due to high demand, particularly in the Attica region.<sup>95</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.

From its launch to 28 February 2023, HELIOS has provided rental subsidies to 9,095 households, totalling 21,602 beneficiaries. 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 2022, Greece has issued 86,599 refugee status decisions, 20,901 subsidiary protection decisions and 21,532 temporary protection decisions one decision may cover more than one person.<sup>96</sup>

Importantly, rental subsidies under HELIOS are terminated after a six- to twelve-month period, as described above. The number of households currently benefitting from HELIOS subsidies is 2,225, corresponding to 4,351 persons.<sup>97</sup> This means that as many as

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<sup>92</sup> IOM, *HELIOS Project Regulations Handbook*, February 2023.

<sup>93</sup> *Ibid.*

<sup>94</sup> *Ibid.*

<sup>95</sup> Kathimerini, ‘Γιατί «απογειώθηκαν» τα ενοίκια την τελευταία 6ετία στην Αττική’, 30 January 2023, available at: <https://bit.ly/3E4JVTN>.

<sup>96</sup> Ministry of Migration and Asylum, *Statistical Report*, December 2022. See also Ministry of Migration and Asylum, Reply to parliamentary question by KINAL, 156113/2023, 16 March 2023, available at: <https://bit.ly/3LqmDMs>.

<sup>97</sup> IOM, *HELIOS Factsheet*, 28 February 2023.



17,251 beneficiaries who went through HELIOS no longer receive rental subsidies under the programme.

No other such programmes exist outside HELIOS.<sup>98</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 completed in March 2022.<sup>99</sup> There is no known list of organisations offering housing to status holders.

### Homelessness and destitution

High risks of homelessness and destitution persist among people granted international protection in Greece, 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>100</sup> These risks have been exacerbated by the termination of the ESTIA programme, whose status holder beneficiaries became homeless.<sup>101</sup>

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 17,251 beneficiaries have ceased receiving the subsidies. These persons are unable to continue renting property and most end up homeless on the street. Crucially, entry into the Controlled Access Reception Facilities, as officially termed now, has become increasingly restricted due to the roll-out of entry and exit control systems across mainland refugee camps.<sup>102</sup>

Those beneficiaries of international protection who remain in camps as unregistered residents have no access to food or other services. They regularly receive orders by the camp management to leave, often accompanied by threats to involve the Police, and therefore live under constant fear of eviction.

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>103</sup>

Status holders could in theory seek access to short-term homeless shelters offering accommodation for three to six months. However, homeless shelters operating

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<sup>98</sup> Information provided by the Greek Council for Refugees, 10 March 2022.

<sup>99</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>100</sup> Article 109(1) Asylum Code.

<sup>101</sup> Kathimerini, ‘Από τους ξενώνες ξανά στην πλατεία;’, 11 January 2023, available at: <https://bit.ly/3Yo2b1V> RSA, ‘On the termination of the ESTIA II housing programme for asylum applicants’, 22 December 2022, available at: <https://bit.ly/3YVWZIO>.

<sup>102</sup> Greek Government, *Hyperion System*, available at: <https://bit.ly/3l6RrHv>.

<sup>103</sup> European Commission, Ares(2021)8048555, 7 December 2021, available at: <https://bit.ly/3KRgHsk>.

throughout the country do not specifically target beneficiaries of international protection, although some are open to them.<sup>104</sup> Information obtained by RSA in March 2023 confirms that access to homeless shelters in the Attica region remains almost impossible, given that:

- The overwhelming majority of shelters such as the Multi-Purpose Centre of the Centre for Reception and Solidarity of Athens Municipality (KYADA) only accept Greek or English speakers due to a lack of interpretation services;
- The overwhelming majority of shelters such as the KYADA Multi-Purpose Centre do not admit families;
- Almost no shelter admits persons with mental health conditions. “Klimaka” is an exception, offering capacity for ten people, but the shelter has a waiting list due to a lack of available places;
- State-run shelters require AMKA, a homelessness certificate and medical examinations;
- Almost all centres are at full capacity and operate long waiting lists, due to which waiting times for new placements may reach up to six months.

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.

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. Soup kitchens often require possession of the documents described in this report, while most lack interpretation services.

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. 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: Halimo\***, a single woman from Somalia, was returned from **Switzerland** in December 2022 without shelter or a support network in Greece. She awaits the renewal of her ADET at the time of writing.

**Case study: Jamila\***, a single woman from Eritrea, was deported from Sweden in December 2022 while her ADET had expired. She remained homeless upon arrival in Greece.

**Case study: Soraya\*** and **Somaya\***, refugees from Afghanistan, were returned from **Sweden** in June 2022 without any access to shelter or to a support network in Greece. They remained without documentation for seven months until the delivery of their ADET in January 2023.

<sup>104</sup> Note that, according to Article 32 Asylum Code, 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.

**Case study: Bashir\*** and his family were returned from **Switzerland** in June 2022 with expired residence permits. In the absence of any possibility to find accommodation *inter alia* due to the lack of documentation, they found temporary refuge in a squat in Athens.

**Case study: Farhad\***, a refugee from Afghanistan who suffers from mental health disorders, was returned from **Germany** in July 2021. He remained destitute in the Elaionas camp without access to food, due to the fact that he held international protection status. Following the closure of the camp, he was transferred to Schisto camp where he remained informally and without access to services until early 2023.

## Health care

Beneficiaries of international protection who do not possess ADET cannot obtain AMKA, as stated above. Those who do not possess either AMKA or PAAYPE 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 PAAYPE.

In addition, 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>105</sup>

## Language barrier

The language barrier remains the primary obstacle to status holders' access to health care. Appointments in the public health system are scheduled through a telephone line operating only in Greek and at a cost. Persons who do not speak Greek therefore have no means of direct access to public health institutions.

Furthermore, hospitals in the Attica region continue to face critical gaps in interpretation services to communicate with patients. As of March 2023, the "Evangelismos" General Hospital of Athens, the "Aiginitio" Hospital and "Dromokaitio" Psychiatric Hospital of Athens had no interpreters.<sup>106</sup> Conversely, the "Dafni" Psychiatric Hospital of Athens only had interpretation for Arabic and the "Alexandra" General Hospital of Athens covered Arabic, Farsi, French and Lingala.<sup>107</sup>

## Mental health and rehabilitation services

<sup>105</sup> Article 33(1) L 4368/2016, as amended by Article 38(1) L 4865/2021, Gov. Gazette A' 238/04.12.2021. 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>106</sup> Information provided by "Evangelismos" Hospital, 10 March 2023; "Aiginitio" Hospital, 9 March 2023; "Dromokaitio" Hospital, 9 March 2023. The hospitals refer to civil society organisation Metadrasi or to the Red Cross for interpretation services.

<sup>107</sup> Information provided by "Dafni" Hospital, 9 March 2023; "Alexandra" Hospital, 13 March 2023.

As mentioned in the previous report, 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>108</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.

As regards survivors of torture or other serious forms of violence, Greece faces chronic gaps in rehabilitation services,<sup>109</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>110</sup> These issues have been brought before the European Commission in the form of complaints against EU law violations.<sup>111</sup>

## Employment

Access of beneficiaries of international protection to the labour market requires prior registration with EFKA. This in turn requires possession of a passport, since EFKA does not recognise ADET as a valid identification document for the issuance of AMA, as mentioned above.

**Case study: Saleh\*** is a refugee from Syria. After being granted refugee status, he received his ADET in early February 2023. The RSA social worker supported Saleh in booking an appointment with EFKA to undergo registration and to receive AMA. However, she was informed by EFKA that registration is not possible without a passport, even though Saleh holds an ADET.

Observations made in the previous reports regarding chronically high unemployment rates in Greece remain valid. Out of 128,203 registered unemployed third-country nationals at the end of 2022, 45,865 (36%) were registered in Attica.<sup>112</sup>

According to Greek government announcements, “under Recovery and Resilience Fund support, proactive employment policies will be implemented through training to

<sup>108</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>.

<sup>109</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/3fIUuA>.

<sup>110</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>111</sup> CHAP(2021)02261; CHAP(2021)02265; CHAP(2021)02274.

<sup>112</sup> DYPΑ, *Στοιχεία ανέργων και επιδοτούμενων*, December 2022.

refugees and migrants in agriculture, construction and tourism sectors, in care of vulnerable groups and – particularly for women – in the textile sector. At the same time, training of beneficiaries of international protection and legally residing third-country nationals in Greece is being planned on environmental protection, combating trafficking in human beings and civil protection. These projects were planned in 2022 and are expected to be fully activated in 2023.”<sup>113</sup> At the time of writing, however, there is no available information on the implementation of vocational training and employment programmes for beneficiaries of international protection by the Ministry of Migration and Asylum or the Public Employment Service (Δημόσια Υπηρεσία Απασχόλησης, DYP), formerly Hellenic Manpower Organisation (Οργανισμός Απασχόλησης Εργατικού Δυναμικού, ΟΑΕΔ).<sup>114</sup>

### Remedies against violations of rights

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 courts against acts or omissions of the administration is an ineffective remedy, since it requires an individual administrative act or omission (*παράλειψη οφειλόμενης ενέργειας*) 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>115</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 omissions 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.

In addition, the compensation claim (*αγωγή αποζημίωσης*) against acts or omissions of the state<sup>116</sup> is an equally 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 procedures reaching several years, during which the claimant cannot apply for interim measures.

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. The authors are not aware of any court rulings in judicial review or compensation proceedings regarding denial of rights of beneficiaries of international protection.

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<sup>113</sup> Greek Government, *Ενοποιημένο Σχέδιο Κυβερνητικής Πολιτικής 2023*, December 2022, 171.

<sup>114</sup> DYP has designed a programme for up to 1,000 registered unemployed adult beneficiaries of international protection with at least A1 Greek language skills, of whom 600 in Athens and 400 in Thessaloniki. The date of launch of the programme remains unknown: Information provided by DYP, 11 February 2022.

<sup>115</sup> RSA et al., *Rule of law backsliding continues in Greece*, January 2023, para 26, available at: <https://bit.ly/3DH2tJo>.

<sup>116</sup> Article 105 L 2783/1941.



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