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Asylum Information Database

GREEK COUNCIL FOR REFUGEES

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European Council on Refugees and Exiles

UPDATE ON 2025

GREECE

COUNTRY REPORT

JULY 2026

Acknowledgements & Methodology

The present updated report (2026 Update) was written by Eleni Kagiou, Alexandros Konstantinou, Spyros-Vlad Oikonomou, Aggeliki Theodoropoulou, Maria Papamina, and Chara Kallinteri, members of the Greek Council for Refugees (GCR) Legal Unit. The report was edited by ECRE.

This report draws on information *inter alia* provided by the Directorate of the Hellenic Police and the General Secretariat for Vulnerable Persons and Institutional Protection (GSVPIP) of the Ministry on Migration and Asylum, national and international jurisprudence, reports by international, European and national human rights bodies and institutions, international and non-governmental organisations, publicly available data, media information as well as GCR's observations from practice and information provided by the GCR Legal and Social Unit.

GCR would like to particularly thank the abovementioned authorities for the data and clarifications provided on selected issues addressed to them by GCR Legal Unit, for the purposes of the present report. GCR would also like to thank our volunteer, Konstantina Christou, for her contribution.

The 2025 update to the AIDA country report on Greece was sent to Greek authorities to grant them the opportunity to provide comments on the draft country report. Any feedback received was reviewed and, where appropriate, incorporated into the final version of this report. The comments by the General Secretariat for the Reception of Asylum Seekers, the General Secretariat for Vulnerable Persons and Institutional Protection, and the Central Directorate of Citizenship (General Secretariat for Citizenship) are also published as an annex on the AIDA website.

The information in this report is up-to-date as of 31 December 2025, unless otherwise stated.

The Asylum Information Database (AIDA)

The Asylum Information Database (AIDA) is managed by the European Council on Refugees and Exiles (ECRE). It aims to provide up-to date information which is accessible to researchers, advocates, legal practitioners and the general public through the dedicated website www.asylumineurope.org. It covers 27 countries, including 21 EU Member States (AT, BE, BG, CY, CZ, DE, ES, FR, GR, HR, HU, IE, IT, MT, NL, PL, PT, RO, SE, SI, and SK) and 6 non-EU countries (Egypt, Serbia, Switzerland, Türkiye, Ukraine and the United Kingdom). The database also seeks to promote the implementation and transposition of EU asylum legislation reflecting the highest possible standards of protection in line with international refugee and human rights law and based on best practice.

This report is part of the Asylum Information Database (AIDA), funded by the European Union's Asylum, Migration and Integration Fund (AMIF) and ECRE. The contents of this report are the sole responsibility of ECRE and can in no way be taken to reflect the views of the European Commission.

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Glossary

Asylum Code	L. 4939/2022 'Ratification of the Code on reception, international protection of third-country nationals and stateless persons, and temporary protection in cases of mass influx of displaced persons'
EU-Türkiye statement	Statement of Heads of State or Government of 18 March 2016 on actions to address the refugee and migration crisis, including the return of all persons irregularly entering Greece after 20 March 2016 to Türkiye.
Fast-track border procedure	Expedient version of the border procedure, governed by Article 95(3) Asylum Code and applicable in exceptional circumstances on the basis of a Ministerial Decision.
Objections against detention	Procedure for challenging detention before the President of the Administrative Court, whose decision is non-appealable
Reception and Identification Centre	Centre in border areas and on the mainland where entrants are identified and referred to asylum or return proceedings.

List of Abbreviations

ADET	Single Type Residence Permit
AEMY	Health Unit SA | Ανώνυμη Εταιρεία Μονάδων Υγείας
AIRE	Advice on Individual Rights in Europe
AFM	Tax Number | Αριθμός Φορολογικού Μητρώου
AMIF	Asylum, Migration and Integration Fund
AMKA	Social Security Number | Αριθμός Μητρώου Κοινωνικής Ασφάλισης
AAU	Autonomous Asylum Unit | Αυτοτελές Κλιμάκιο Ασύλου
AVRR	Assisted Voluntary Return and Reintegration
CCAC	Closed Controlled Access Centres (of Islands)
CERD	United Nations Committee on the Elimination of Racial Discrimination
CJEU	Court of Justice of the European Union
CoS	Council of State | Συμβούλιο της Επικρατείας
DYEP	Refugee Reception and Education Facilities | Δομές Υποδοχής και Εκπαίδευσης Προσφύγων
DOATAP	Διεπιστημονικός Οργανισμός Αναγνώρισης Τίτλων Ακαδημαϊκών και πληροφόρησης| Hellenic National Academic Recognition and Information Centre
EASO	European Asylum Support Office
EUAA	European Union Agency for Asylum
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EKKA	National Centre of Social Solidarity | Εθνικό Κέντρο Κοινωνικής Αλληλεγγύης
ELIAMEP	Hellenic Foundation for European and Foreign Policy | Ελληνικό Ίδρυμα Ευρωπαϊκής και Εξωτερικής Πολιτικής
ESTIA	Emergency Support to Integration and Accommodation
EODY	National Organisation of Public Health | Εθνικός Οργανισμός Δημόσιας Υγείας
GAS	Greek Asylum Service
GCR	Greek Council for Refugees | Ελληνικό Συμβούλιο για τους Πρόσφυγες
GSVPIP	General Secretariat for Vulnerable Persons and Institutional Protection
IPA	International Protection Act | Νόμος Περί Διεθνούς Προστασίας
JMD	Joint Ministerial Decision | Κοινή Υπουργική Απόφαση
KEA	Social Solidarity Income | Κοινωνικό Επίδομα Αλληλεγγύης
KEELPNO	Hellenic Centre for Disease Control and Prevention | Κέντρο Ελέγχου και Πρόληψης Νοσημάτων
L	Law | Νόμος
MD	Ministerial Decision | Υπουργική Απόφαση
MoMA	Ministry of Migration and Asylum
NCHR	National Commission for Human Rights | Εθνική Επιτροπή για τα Δικαιώματα του Ανθρώπου
NERM	National Emergency Response Mechanism
NTA	National Transparency Agency
OPEKA	Organisation for Welfare Benefits and Social Solidarity | Οργανισμός Προνοιακών Επιδομάτων και Κοινωνικής Αλληλεγγύης
PAAYPA	Foreigner's Temporary Insurance and Health Coverage Number | Προσωρινός Αριθμός Ασφάλισης και Υγειονομικής Περίθαλψης Αλλοδαπού
PACE	Parliamentary Assembly of the Council of Europe
PRDC	Pre-removal Detention Centres | Προαναχωρησιακά Κέντρα Κράτησης (Προ.Κε.Κ.Α)

PD	Presidential Decree | Προεδρικό Διάταγμα
RIC	Reception and Identification Centre | Κέντρο Υποδοχής και Ταυτοποίησης
RIS	Reception and Identification Service | Υπηρεσία Υποδοχής και Ταυτοποίησης
RAO	Regional Asylum Office | Περιφερειακό Γραφείο Ασύλου
RVRN	Racist Violence Recording Network
SSPUM	Special Secretary for the Protection of Unaccompanied Minors, replaced by the General Secretariat for Vulnerable Persons and Institutional Protection (GSVPIP), pursuant to PD 77/2023
STC	Safe Third Country
TP	Temporary protection
TPD	Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof
UAM	Unaccompanied minors
UASC	Unaccompanied Asylum-Seeking Children
UNHCR	United Nations High Commissioner for Refugees

Statistics

Overview of statistical practice (1)

Monthly statistics are published by the Ministry of Migration and Asylum,[1] however detailed data on breakdown are only scarcely included.

Applications and granting of protection status at first and second instance: figures for 2025

	Applicants at first instance in 2025	Pending at first instance end of 2025	Total decisions in 2025 (2)	Total in merit decisions (3)	Total rejection	In merit rejection (3)	Refugee status (4)	Subsidiary protection (4)
Total	61,629[2]	28,317[3]	60,409[4]	37,868[5]	17,072[6]	11,131[7]	24,353	2,384

Breakdown by countries of origin (top ten nationalities with the highest numbers of applications). Missing data is not published by the Ministry of Migration and Asylum. Data regarding status recognition includes decisions on applications submitted in previous years.

Afghanistan	15,296						15,628	2
Egypt	9,548							
Sudan	8,179						1,935	317
Syria	3,511						1,678	1,781
Bangladesh	3,132							
Iraq	2,449						424	17
Pakistan	2,105							
Somalia	1,667						686	48
Nepal	1,639							

1 MoMA, *Statistics*, available at: https://bit.ly/3OFIP83.

2 These refer to total applications, with 55,381 first time applications and 6,248 subsequent applications. MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp, Table 7c.

3 *Ibid,* Table 10a.

4 Of which 12,046 concerned Acts of Interruption (implicit withdrawal), 595 explicit withdrawals, and 160 archived cases, while 3,709 concerned inadmissibility decisions on subsequent applications. *Ibid*, Table 8a.

5 This figure excludes "negative 1st instance (implicit withdrawals)" as shown in MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp, Table 8a.

6 Includes also inadmissibility decisions. Does not include implicit and explicit withdrawals and archived cases.

7 Of which 2,749 are rejections as unfounded, 54 are exclusion from refugee status, and 8,328 are negative decisions after the examination through an accelerated procedure.

Türkiye	1,628							
Other	12,475						4,321	344

Source: MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection* | *Appendix A*, available at: https://migration.gov.gr/statistika/, Tables 7d, 11c.

Note 1: statistics on applicants and pending concern people, including children and dependents. The rest of the columns concern number of decisions.
Note 2: Statistics on decisions cover the decisions taken throughout the year, regardless of whether they concern applications lodged that year or in previous years.
Note 3: These exclude inadmissibility decisions (see Admissibility procedure) and implicit and explicit withdrawals, and archived cases. *Ibid.* Table 8a.
Note 4: Data on status recognition by nationality concern both first and second instance.

Applications and granting of protection status at first instance: rates for 2025

The MoMA presents an overall protection rate at first instance of 58.33%,[8] but there is no information as to the methodology used to calculate the rates.[9]

According to calculations made on the basis of the data provided in the table above, the in-merit protection rate at first instance would be as follows: 64.3% refugee protection and 6.3% subsidiary protection.[10]

Gender/age breakdown of the total number of applicants: 2025

	Men	Women
Number	40,116	9,298
Percentage	65.1%	15.1%

	Adults	Children	
		Accompanied	Unaccompanied
Number	49,414	9,294	2,921
Percentage	80.2%	15.1%	4.7%

Source: MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection* | *Appendix A*, available at: https://migration.gov.gr/statistika/, Tables 7e, 7f.

Note: The gender breakdown (Men/Women) applies to all applicants, not only adults.

8 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection* | *Appendix A*, available at: https://tinyurl.com/26ynfarp Table 11g.
9 Manual calculations of the data presented by the MoMA appear to show that, to calculate the total number of decisions, the MoMA takes into account all types of decisions taken (45,840), including inadmissibility decisions and explicit/implicit withdrawals, but excluding those related to the Dublin procedure (1,768).
10 To calculate these figures, the positive decisions are compared to the total in-merit decisions (i.e., 37,868 – see above).

Comparison between first instance and appeal decision rates: 2025

It should be noted that, during the same year, the first instance and appeal authorities handle different caseloads. Thus, the decisions below do not concern the same applicants.

The MoMA presents an overall protection rate at second instance of 4.34%[11].[12]

According to calculations made on the basis of the data provided in the table below, the in-merit protection rate at second instance would be as follows: 4.7% refugee protection and 1.8% subsidiary protection.

	First instance (in merit)		Appeal (in-merit)	
	Number	**Percentage**	**Number**	**Percentage**
Total number of decisions	37,868	100%	6,827[13]	100%
Positive decisions				7.2%
• *Refugee status*	*24,353*	*64.3%*	*319*	*4.7%*
• *Subsidiary protection*	*2,384*	*6.3%*	*125*	*1.8%*
• *Other*[14]	-	-	*47*	*0.7%*
Negative decisions	14,930[15]	39.4%	6,336[16]	92.8%

Source: MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection* | *Appendix A*, available at: https://tinyurl.com/26ynfarp Tables 8a and 8b.

11 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection* | *Appendix A*, available at: https://tinyurl.com/26ynfarp Table 11g.

12 Manual calculations of the data presented by the MoMA appear to show that, to calculate the total number of decisions, the MoMA takes into account all types of decisions taken on appeal (10,219), including regarding inadmissibility decisions and explicit/implicit withdrawals, but exclusing those related to the Dublin procedure (162).

13 This figure does not include implicit withdrawals (52).

14 Other positive decisions on second instance refers to second instance decisions rejecting the appeal submitted against a first instance decision not granting refugee protections but finding that the applicant should be recognised as a beneficiary of subsidiary protection, by which the status of the beneficiary of subsidiary protection is maintained (28). It also includes positive decisions regarding appeals against decision revoking/non-renewing status (19).

15 Of which 2,749 rejections were declared unfounded, 54 rejections based on Article 12 (*exclusion)* Directive 2011/95/EU, 3,799 archived cases, and 8,328 in the context of accelerated procedures.

16 Of which 1,567 were rejected on the merits, 1 rejected as unfounded, 1,526 rejected as manifestly unfounded, 3,154 rejected as manifestly unfounded due to the safe country of origin concept, 37 based on Article 12 (*exclusion)* Directive 2011/95/EU, and 51 rejecting an appeal against status revoction / non-renewal status.

Overview of the legal framework

Main legislative acts on asylum procedures, reception conditions, detention and content of international protection

Title (EN)	Original Title (GR)	Abbreviation	Web Link
L. 5226/2025 "Reform of the framework and procedures for the return of third-country nationals - Other provisions of the Ministry of Migration and Asylum"	Νόμος 5226/2025 «Αναμόρφωση πλαισίου και διαδικασιών επιστροφών πολιτών τρίτων χωρών - Λοιπές ρυθμίσεις του Υπουργείου Μετανάστευσης και Ασύλου»	L. 5226/2025	https://tinyurl.com/ythejjvz (GR)
L. 4939/2022 "Ratification of the Code on reception, international protection of third-country nationals and stateless persons, and temporary protection in cases of mass influx of displaced persons" ***Amended by:*** **L. 4960/2022 "National Guardianship System and accommodation framework of unaccompanied minors and other provision regarding the Ministry of Migration and Asylum".** **L. 5027/2023 "Innovation System in the Public Sector - Provisions of the General Secretariat for Human Resources in the Public Sector - Arrangements for the operation of local and regional authorities and decentralised administrations and for wellbeing"** **L. 5043/2023 "Arrangements with regards to Local and Regional Authorities -Provisions on the wellbeing of companion animals – Provisions on the human resources of the public sector - Other provisions of the Ministry of Interior**	Νόμος 4939/2022 «Κύρωση Κώδικα Νομοθεσίας για την υποδοχή, τη διεθνή προστασία πολιτών τρίτων χωρών και ανιθαγενών και την προσωρινή προστασία σε περίπτωση μαζικής εισροής εκτοπισθέντων αλλοδαπών» *Τροποποίηση από:* Νόμος 4960/2022 «Εθνικό Σύστημα Επιτροπείας και Πλαίσιο Φιλοξενίας Ασυνόδευτων Ανηλίκων και άλλες διατάξεις αρμοδιότητας του Υπουργείου Μετανάστευσης και Ασύλου». Νόμος 5027/2023 «Σύστημα Καινοτομίας στον δημόσιο τομέα - Ρυθμίσεις Γενικής Γραμματείας Ανθρωπίνου Δυναμικού Δημοσίου Τομέα - Ρυθμίσεις για τη λειτουργία των Ο.Τ.Α. α' και β' βαθμού και των αποκεντρωμένων διοικήσεων και για την ευζωία» Νόμος 5043/2023 «Ρυθμίσεις σχετικά με τους Οργανισμούς Τοπικής Αυτοδιοίκησης α' και β' βαθμού - Διατάξεις για την ευζωία των ζώων συντροφιάς -Διατάξεις για το ανθρώπινο δυναμικό του δημοσίου τομέα - Λοιπές ρυθμίσεις του Υπουργείου Εσωτερικών»	Asylum Code	https://bit.ly/3Ek1hfp (GR) https://bit.ly/45oXn0s (GR) https://tinyurl.com/mr2scfpu (GR) https://tinyurl.com/yvsy3zwd (GR)

L. 5078/2023 "Reform of occupational insurance, rationalisation of insurance legislation, pension arrangements, system of appointment and recruitment of teachers of the Public Employment Service and other provisions"	Νόμος 5078/2023 «Αναμόρφωση επαγγελματικής ασφάλισης, εξορθολογισμός ασφαλιστικής νομοθεσίας, συνταξιοδοτικές ρυθμίσεις, σύστημα διορισμού και προσλήψεων των εκπαιδευτικών της Δημόσιας Υπηρεσίας Απασχόλησης και λοιπές διατάξεις»		https://tinyurl.com/bdd7zwk9 (GR)
Law 4825/2021 "Reform of deportation and return procedures of third country nationals, attracting investors and digital nomads, issues of residence permits and procedures for granting international protection, provisions within the competence of the Ministry of Migration and Asylum and the Ministry of Citizen Protection and other emergency provisions", Gov. Gazette A' 157/4-9-2021	Νόμος 4825/2021 «Αναμόρφωση διαδικασιών απελάσεων και επιστροφών πολιτών τρίτων χωρών, προσέλκυση επενδυτών και ψηφιακών νομάδων, ζητήματα αδειών διαμονής και διαδικασιών χορήγησης διεθνούς προστασίας, διατάξεις αρμοδιότητας Υπουργείου Μετανάστευσης και Ασύλου και Υπουργείου Προστασίας του Πολίτη και άλλες επείγουσες διατάξεις», ΦΕΚ Α' 157/4-9-2021	L 4825/2021	https://bit.ly/3Lc8bEz (GR)
Law 4686/2020 "Improvement of the migration legislation, amendment of L. 4636/2019 (A΄ 169), 4375/2016 (A΄ 51), 4251/2014 (A΄ 80) and other provisions" **Gov. Gazette A' 96 /12-5-2020**	Νόμος 4686/2020 «Βελτίωση της μεταναστευτικής νομοθεσίας, τροποποίηση διατάξεων των νόμων 4636/2019 (Α΄ 169), 4375/2016 (Α΄ 51), 4251/2014 (Α΄ 80) και άλλες διατάξεις». ΦΕΚ Α' 96 /12-5-2020	L 4686/2020	https://bit.ly/2LGoOvl (GR)
Law 4636/2019 "on international protection and other provisions" **Gazette 169/A/1-11-2019**	Νόμος 4636/2019 «Περί Διεθνούς Προστασίας και άλλες διατάξεις» ΦΕΚ 169/Α/1-11-2019	IPA	https://bit.ly/2Q9VnFk (GR)
Law 4375/2016 "Organisation and functioning of the Asylum Service, Appeals Authority, Reception and Identification Service, establishment of General Secretariat for Reception, transposition of Directive 2013/32/EU of the European Parliament and of the Council 'on common procedures for granting and withdrawing international protection (recast)' (L 180/29.6.2013), provisions on employment of	Νόμος 4375/2016 «Οργάνωση και λειτουργία Υπηρεσίας Ασύλου, Αρχής Προσφυγών, Υπηρεσίας Υποδοχής και Ταυτοποίησης σύσταση Γενικής Γραμματείας Υποδοχής, προσαρμογή της Ελληνικής Νομοθεσίας προς τις διατάξεις της Οδηγίας 2013/32/ΕΕ του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου «σχετικά με τις κοινές διαδικασίες για τη χορήγηση και ανάκληση του καθεστώτος διεθνούς προστασίας (αναδιατύπωση)» (L	L 4375/2016 (Asylum Act)	http://bit.ly/2kKm2cu (EN) https://bit.ly/2NU5U4A (GR)

beneficiaries of international protection" and other provisions. **Gazette 51/A/3-4-2016**	180/29.6.2013), διατάξεις για την εργασία δικαιούχων διεθνούς προστασίας και άλλες διατάξεις. ΦΕΚ 51/A/3-4-2016		
Law 3907/2011 "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying third country nationals" and other provisions. **Gazette 7/A/26-01-2011**	Νόμος 3907/2011 «Ίδρυση Υπηρεσίας Ασύλου και Υπηρεσίας Πρώτης Υποδοχής, προσαρμογή της ελληνικής νομοθεσίας προς τις διατάξεις της Οδηγίας 2008/115/ΕΚ «σχετικά με τους κοινούς κανόνες και διαδικασίες στα κράτη-μέλη για την επιστροφή των παρανόμως διαμενόντων υπηκόων τρίτων χωρών» και λοιπές διατάξεις» ΦΕΚ 7/A/26-01-2011	L 3907/2011	http://bit.ly/1KHa9dV (EN)
Amended by:	*Τροποποίηση από:*		
Presidential Decree 133/2013, Gazette 198/A/25-09-2013	Προεδρικό Διάταγμα 133/2013, ΦΕΚ 198/A/25-09-2013	PD 133/2013	https://bit.ly/3uMO9Zo (GR)
Law 4058/2012, Gazette 63/A/22-03-2012	Νόμος 4058/2012, ΦΕΚ 63/A/22-03-2012	L 4058/2012	https://bit.ly/3onVTPe (GR)
Law 4375/2016, Gazette 51/A/3-4-2016	Νόμος 4375/2016, ΦΕΚ 51/A/3-4-2016	L 4375/2016	http://bit.ly/2kKm2cu (EN) https://bit.ly/2NU5U4A (GR)
Law 4251/2014 "Immigration and Social Integration Code and other provisions" **Gazette 80/A/01-04-2014**	Νόμος 4251/2014 «Κώδικας Μετανάστευσης και Κοινωνικής Ένταξης και λοιπές διατάξεις» ΦΕΚ 80/A/01-04-2014	Immigration Code	http://bit.ly/1FOuxp0 (GR)

***Amended by:* Law 4332/2015, Gazette 76/A/09-07-2015** ***Amended by:* Law 4540/2018, Gazette 91/A/22-5-2018** ***Repealed by:* Law 5038/2023, (new) "Immigration Code", Gazette 81/A/01-04-2023, in force since 31 March 2024**	*Τροπ:* Νόμος 4332/2015, ΦΕΚ 76/A/09-07-2015 *Τροπ.:* Νόμος 4540/2018, ΦΕΚ 91/A/22-5-2018 *Καταργήθηκε από:* Νόμος 5038/2023, (νέος) "Κώδικας Μετανάστευσης", ΦΕΚ 81/A/01-04-2023, σε ισχύ από τις 31 Μαρτίου 2024	L 4332/2015 L. 5038/2023	https://bit.ly/4b49ZMg (GR) https://bit.ly/2KCbDx6 (GR) https://tinyurl.com/427x96b9 (GR)
Law 3386/2005 "Entry, Residence and Social Integration of Third Country Nationals on the Greek Territory" ***Abolished by:* Law 4251/2014 except for Articles 76, 77, 78, 80, 81, 82, 83, 89(1) - (3)** ***Amended by:* Law 4332/2015**	Νόμος 3386/2005 «Είσοδος, διαμονή και κοινωνική ένταξη υπηκόων τρίτων χωρών στην Ελληνική Επικράτεια» *Καταργήθηκε από:* Νόμος 4251/2014 πλην των διατάξεων των άρθρων 76, 77, 78, 80, 81, 82, 83, 89 παρ. 1-3 *Τροπ.:* Νόμος 4332/2015	L 3386/2005	http://bit.ly/1Pps1eO (EN) https://tinyurl.com/47kzy3dn (GR)
Presidential Decree 131/2006 on the transposition of Directive 2003/86/EC on the right to family reunification **Gazette 143/A/13-7-2006** ***Amended by:* PD 167/2008, PD 113/2013**	Προεδρικό Διάταγμα 131/2006 Εναρμόνιση της ελληνικής νομοθεσίας με την Οδηγία 2003/86/ΕΚ σχετικά με το δικαίωμα οικογενειακής επανένωσης, ΦΕΚ 143/A/13-7-2006 *Τροπ:* ΠΔ 167/2008, ΠΔ 113/2013	PD 131/2006 (Family Reunification Decree)	http://bit.ly/2nHCPOu (GR)
Presidential Decree 80/2006 "Provision of temporary protection in cases of mass influx of displaced persons" **Gazette 82/A/14-4-2006** ***Annuled by: Article 148(b) Asylum Code.***	Προεδρικό Διάταγμα 80/2006 «Παροχή προσωρινής προστασίας σε περίπτωση μαζικής εισροής εκτοπισθέντων αλλοδαπών», ΦΕΚ 82/A/14-4-2006 *Κατάργηση*: άρθρο 148(β) Ν. 4939/2022		https://bit.ly/3IgnNqM (GR)
Presidential Decree 106/2020 "Organisation of the Ministry of Migration and Asylum"	Προεδρικό Διάταμγα 106/2020 «Οργανισμός Υπουγείο Μετανάστευσης και Ασύλου»		https://tinyurl.com/mj7vf7j8 (GR)

***Amended by:* PD 77/2022 "Establishment of Closed Controled Centres (CCAC) and abolition of Reception and Identification Centres" – Amendment of PD 106/202 "Organisation of the Ministry of Migration and Asylum" (A' 255)**	*Τροπ:* ΠΔ 77/2022 «Ίδρυση Κλειστών Ελεγχόμενων Δομών (Κ.Ε.Δ.) και κατάργηση Κέντρων Υποδοχής και Ταυτοποίησης (Κ.Υ.Τ.) - Τροποποίηση του π.δ. 106/2020 «Οργανισμός Υπουργείου Μετανάστευσης και Ασύλου» (Α' 255)»		https://tinyurl.com/vnpxkad3 (GR)

Main implementing decrees, guidelines and regulations on asylum procedures, reception conditions, detention and content of international protection

Title (EN)	Original Title (GR)	Abbreviation	Web Link
Joint Ministerial Decision no. 9603/2026. Establishment of the National List of countries of origin designated as safe, in accordance with paragraph 5 of Article 92 of Law 4939/2022 (A' 111). Gazette 188/B/20-1-2026	Κοινή Υπουργική Απόφαση 9603/2026 . Κατάρτιση Εθνικού Καταλόγου χωρών καταγωγής που χαρακτηρίζονται ως ασφαλείς σύμφωνα με την παρ. 5 του άρθρου 92 του ν. 4939/2022 (Α' 111). ΦΕΚ 188/Β/20-1-2026.		https://tinyurl.com/yc8rvs2w (GR)
Joint Ministerial Decision no. 147627. Determination of the age assessment procedure for applicants for international protection. Gazette B' 4581/22-8-2025	Κοινή Υπουργική Απόφαση 147627. Καθορισμός της διαδικασίας διαπίστωσης ηλικίας αιτούντων διεθνή προστασία. ΦΕΚ 4581/Β/22-8-2025		https://tinyurl.com/yrbvjeyr
Joint Ministerial Decision no 63905. Establishment of the national list of third countries designated as safe in accordance with paragraph 3 of Article 91 of Law 4939/2022 (A' 111). Gazette B' 1727/8-4-2025.	Κοινή Υπουργική Απόφαση 63905. Κατάρτιση εθνικού καταλόγου τρίτων χωρών που χαρακτηρίζονται ως ασφαλείς σύμφωνα με την παρ. 3 του άρθρου 91 του ν. 4939/2022 (Α' 111). ΦΕΚ Β' 1727/8-4-2025.		https://tinyurl.com/2fmxw5a6 (GR)
Joint Ministerial Decision no. Φ80320/109864. Social Security Number. Gazette B' 7280/22-12-2023 **Circular Φ80320/25192, "Guidelines regarding the issuance and functioning of the Social Security Registration Number (AMKA)". 01 April 2024.**	ΚΥΑ αριθμ. Φ80320/109864. Αριθμός Μητρώου Κοινωνικής Ασφάλισης. ΦΕΚ Β' 7280/22-12-2023. Εγκύκλιος Φ80320/25192. «Οδηγίες για την απόδοση και τη λειτουργία του Αριθμού Μητρώου Κοινωνικής Ασφάλισης (ΑΜΚΑ)». 01 Απριλίου 2024.		https://tinyurl.com/m8w4n384 (GR) https://tinyurl.com/4r2sucne (GR)
Circular 504912/2022, Registration of International Protection Applications by RAO/AAU of the Asylum Service, 31 August 2022.	Εγκύκλιος 504912/2022, Καταγραφή αιτημάτων διεθνούς προστασίας από τα ΠΓΑ/ΑΚΑ της Υπηρεσίας Ασύλου, 31 Αυγούστου 2022		https://bit.ly/3lQuTdR (GR)

Decision of the Minister of Asylum and Migration no 131035/4.3.2022 "Application of temporary protection of PD 80/2006 due to mass influx of displaced persons from Ukraine"	Απόφαση Υπουργού Μετανάστευσης και Ασύλου υπ' αρ. 131035/4.3.2022 «Εφαρμογή προσωρινής προστασίας του π.δ. 80/2006 λόγω μαζικής εισροής εκτοπισθέντων από Ουκρανία» (ΑΔΑ: ΡΠ1146ΜΔΨΟ-ΩΙ4).		https://bit.ly/3KnXstg (GR)
Decision of the Minister of Migration and Asylum no 172172/2022 (Gazette B' 1462/28.03.2022), concerning the procedure of administering the temporary protection residence permit	Απόφαση Υπουργού Μετανάστευσης και Ασύλου υπ' αρ. 172172/2022 (ΦΕΚ Β' 1462/28.03.2022) «Διαδικασία χορήγησης Άδειας Διαμονής Προσωρινής Προστασίας στους δικαιούχους προσωρινής προστασίας»		https://tinyurl.com/4jxhycuz (GR)
Joint Ministerial Decision no 78391. Establishment of a national List of countries of origin considered as safe pursuant to para. 5 Article 87 L. 4636/2019 (A' 169) **Gazette B' 667/15-02-2022**	Κοινή Υπουργική Απόφαση αριθμ. οικ. 78391 (ΦΕΚ Β' – 667/ 15-02-2022) Κατάρτιση Εθνικού Καταλόγου χωρών καταγωγής που χαρακτηρίζονται ως ασφαλείς, σύμφωνα με την παρ. 5 του άρθρου 87 του ν. 4636/2019 (Α' 169).		https://bit.ly/41aalgG (GR)
Joint Ministerial Decision no 788502 Provision of legal aid to applicants for international protection **Gazette B' 42/11-01-2022** **Replaced by: JMD 788502/2023 (Gazette B' 42/11.01.2023)**	Κοινή Υπουργική Απόφαση αριθμ. οικ. 788502 (ΦΕΚ Β' – 42/ 11-01-2022) Παροχή Νομικής Συνδρομής σε Αιτούντες Διεθνή Προστασία *Αντικατάσταση με*: ΚΥΑ 788502/2023 (ΦΕΚ Β' 42/11.01.2023)		https://bit.ly/3lV3De8 (GR) https://tinyurl.com/zpf4s8t5 (GR)
Joint Ministerial Decision No 472687. Determination of the procedure for entering of payments in the budget of the Ministry of Migration and Asylum in line with the revenues ΑΛΕ 1450114001 "Fees of any, after the first, subsequent application for international protection" and relevant issues **Gazette B/6246 / 27-12-2021**	Κοινή Υπουργική Απόφαση αριθμ. οικ. 472687 (ΦΕΚ Β' – 6246 / 27-12-2021) Καθορισμός διαδικασίας εγγραφής πιστώσεων στον τακτικό π/υ του Υπουργείου Μετανάστευσης και Ασύλου κατ' αντιστοιχία εισπραττόμενων εσόδων στον ΑΛΕ 1450114001 "Παράβολα κάθε μεταγενέστερης της πρώτης αίτησης από αιτούντα διεθνούς προστασίας" και λοιπά συναφή θέματα.		https://bit.ly/3u6MCj7 (GR)
Decision of the Secretary General for the Reception of Asylum Seekers 25.0/118832. General Regulation	Απόφαση 25.0/118832		https://bit.ly/389fkHi (GR)

for the Operation of Closed Controlled Facilities on the islands **Gazette B/3191/20-7-2021** ***Replaced by*: Decision of the Secretary General for the Reception of Asylum Seekers 553695/2023 "General Regulation for the Operation of Closed Controlled Facilities (Gazette B/7533/31.12.2023)**	Γενικός Κανονισμός Λειτουργίας Κλειστών Ελεγχόμενων Δομών Νήσων. *Αντικατάσταση με:* Απόφαση 553695/2023 «Γενικός Κανονισμός Λειτουργίας Κλειστών Ελεγχόμενων Δομών».		https://tinyurl.com/4cw6fcxe (GR)
Joint Ministerial Decision no 42799 **Designation of third countries as safe and establishment of national list pursuant to Article 86 L. 4636/2019 (A' 169)** **Gazette B' 2425/07-06-2021** ***Amended by Decision no* 458568 "Amendment of no 42799/03.06.2021 Joint Ministerial Decision of the Minister of Foreign Affairs and the Minister of Migration and Asylum "Designation of third countries as safe and establishment of national list pursuant to Article 86 L. 4636/2019 (a' 169)"** **Gazette B/5949/16-12-2021)** ***Amended and replaced by*: JMD 527235/2023 (Gazette B΄ 6844/05.12.2023) "Establishment of a National List of countries of origin designated as safe according to par. 5 of Article 92 of L. 4939/2022"**	Κοινή Υπουργική Απόφαση Αριθμ. 42799 (ΦΕΚ Β' 2425/07-06-2021) Καθορισμός τρίτων χωρών που χαρακτηρίζονται ως ασφαλείς και κατάρτιση εθνικού καταλόγου, κατά τα οριζόμενα στο άρθρο 86 του ν. 4636/2019 (Α' 169). *Τροπ:* Απόφαση υπ'αριθμ 458568 «Τροποποίηση της υπ' αρ. 42799/03.06.2021 κοινής απόφασης των Υπουργών Εξωτερικών και Μετανάστευσης και Ασύλου «Καθορισμός τρίτων χωρών που χαρακτηρίζονται ως ασφαλείς και κατάρτιση εθνικού καταλόγου κατά τα οριζόμενα στο άρθρο 86 του ν. 4636/2019 (Α' 169)» *Τροπ. και αντικατάστση με*: ΚΥΑ 527235/2023 «Κατάρτιση Εθνικού Καταλόγου χωρών καταγωγής που χαρακτηρίζονται ως ασφαλείς σύμφωνα με την παρ. 5 του άρθρου 92 του ν. 4939/2022»		https://bit.ly/3uILhhf (GR) https://bit.ly/3uISduV (GR) https://tinyurl.com/be293dp8 (GR)
JMD 513542/2022 (Gazette B' 4763/12.09.2022) "Procedure of administering residence permits to beneficiaries of international protection"	ΚΥΑ 513542/2022 (ΦΕΚ Β' 4763/12.09.2022) «Διαδικασία χορήγησης Άδειας Διαμονής Ενιαίου Τύπου στους δικαιούχους διεθνούς προστασίας»		https://tinyurl.com/zz5p9aha (GR)

Joint Ministerial Decision no 788. Establishment of a national List of countries of origin considered as safe pursuant to para. 5 Article 87 L. 4636/2019 (A' 169) **Gazette B' 317/29-01-2021**	Κοινή Υπουργική Απόφαση Αριθμ. 778 (ΦΕΚ Β' 317/29-01-2021). Κατάρτιση Εθνικού Καταλόγου χωρών καταγωγής που χαρακτηρίζονται ως ασφαλείς, σύμφωνα με την παρ. 5 του άρθρου 87 του ν. 4636/2019 (Α΄ 169).		https://bit.ly/3iRHuc0 (GR)
Joint Ministerial Decision No 22066 on the establishment of the International Protection Applicant Cards **Gazette B/4699/23-10-2020**	Κοινή Υπουργική Απόφαση Αριθμ. 22066 (ΦΕΚ Β' 4699/23-10-2020) Καθορισμός του τύπου του Δελτίου Αιτούντος Διεθνή Προστασία.	Establishment of the international protection applicant cards JMD	https://bit.ly/3o4A8DX (GR)
Joint Ministerial Decision 23/13532/2020 "General Regulation for the Operation of Temporary Reception and Accommodation Facilities for third countries nationals or stateless persons, operating under the care of the Reception and Identification Service, Gazette 5272/B/30.11.2020	Υπουργική Απόφαση 23/13532/2020 (ΦΕΚ 5272/Β'/30.11.2020) "Γενικός Κανονισμός Λειτουργίας Δομών Προσωρινής Υποδοχής και Φιλοξενίας πολιτών τρίτων χωρών ή ανιθαγενών που λειτουργούν με μέριμνα της Υπηρεσίας Υποδοχής και Ταυτοποίησης"	Regulation for the operation of temporary reception and accommodation JMD	https://bit.ly/3w8umDM (GR)
Decision No 3063 on the Register of Greek and foreigner NGOs and Register for the members of NGOs **Gazette B/1382/14.4.2020**	Απόφαση Αριθμ. 3063 (ΦΕΚ Β'-1382-14.04.2020) Καθορισμός λειτουργίας του «Μητρώου Ελληνικών και Ξένων Μη Κυβερνητικών Οργανώσεων (ΜΚΟ)» και του «Μητρώου Μελών Μη Κυβερνητικών Οργανώσεων (ΜΚΟ)», που δραστηριοποιούνται σε θέματα διεθνούς προστασίας, μετανάστευσης και κοινωνικής ένταξης εντός της Ελληνικής Επικράτειας.	NGO's Register Decision	https://bit.ly/3y3YNNk (GR)
Decision No 13221 on the conditions of "ESTIA II" program for housing of international protection applicants, Gazette 1223/B/9.4.2020	Υπουργική Απόφαση Αριθμ. οικ. 13221 (ΦΕΚ 1223/Β΄/09.04.2020) Καθορισμός πλαισίου προδιαγραφών του προγράμματος «ESTIA II» για τη στέγαση αιτούντων διεθνή προστασία	Conditions for housing of international protection applicants JMD	https://bit.ly/2R0LjkZ (GR)

***Amended by* Decision No 21260, Gazette 3093/B/24.07.2020** ***Amended by* Decision No 14320, Gazette B/5269/30.11.2020** **Amended *by* Decision No 270, Gazette B/451/15.2.2021**	*Τροπ. :* Υπουργική Απόφαση Αριθμ.21260 (ΦΕΚ 3093/Β/24.07.2020) *Τροπ.:* Υπουργική Απόφαση Αριθμ. οικ: 14320 (ΦΕΚ Β 5269/30.11.2020). Τροπ: Κοινή Υπουργική Απόφαση Αριθμ. 270 (ΦΕΚ Β 451/5.2.2021)		https://bit.ly/3y0oGOb (GR) https://bit.ly/3ezL49e (GR)
Decision No 13348 on the Terms and conditions for the provision of material reception conditions under ESTIA II program for housing of international protection applicants **Gazette B/1199/7.4.2020**	Απόφαση Αριθμ. οικ. 13348 (ΦΕΚ Β'-1199-07.04.2020) Όροι παροχής υλικών συνθηκών υποδοχής για το πρόγραμμα «ESTIA II» για τη στέγαση αιτούντων διεθνή προστασία	Material reception conditions under ESTIA II JDM	https://bit.ly/3fnItia (GR)
Decision No 3686 on the provision of legal aid to applicants for international protection **Gazette B/1009/24.3.2020** **Decision No 3449 on the provision of legal aid to applicants for international protection** **Gazette B 1482/13.04.2021**	Απόφαση αριθμ. 3686 (ΦΕΚ Β'-1009-24.03.2020) Παροχή νομικής συνδρομής σε αιτούντες διεθνή προστασία Απόφαση Αριθμ. 3449 (ΦΕΚ Β 1482/13.04.2021). Παροχή νομικής συνδρομής σε αιτούντες διεθνή προστασία	Legal Aid JMD	https://bit.ly/3uLVnNm (GR) https://bit.ly/2RSHZbw (GR)
Decision No 2945 on the Establishment of Temporary Accommodation Facilities for third country nationals and stateless persons, who have applied for international protection **Gazette B/2945/24.3.2020**	Υπουργική Απόφαση αριθμ.2945 (ΦΕΚ Β'-1016-24.03.2020) Σύσταση Δομών Προσωρινής Υποδοχής Πολιτών Τρίτων Χωρών ή ανιθαγενών, οι οποίοι έχουν αιτηθεί διεθνή προστασία.	Establishment of Temporary Accommodation Facilities Decision	https://bit.ly/2RWlnH1 (GR)
Decision No Δ1α/ΓΠ.οικ. Δ1α/Γ.Π.οικ. 80417/2021 (Gazette B' 6214) Urgent measures for the protection of public health against the spread of SARS-COV-2 across the country valid from 24 December 2021 to 3 January 2022	Απόφαση Αριθμ. Υ.Α. Δ1α/Γ.Π.οικ. 80417/2021 Έκτακτα μέτρα προστασίας της δημόσιας υγείας από τον κίνδυνο περαιτέρω διασποράς του κορονοϊού SARS-COV-2 στο σύνολο της Επικράτειας για το διάστημα από την Παρασκευή, 24 Δεκεμβρίου 2021 και ώρα 06:00 έως	Measures against COVID 19 across the country	https://bit.ly/3iVBFdy (GR)

Gazette B' 6214/23.12.2021	και τη Δευτέρα, 3 Ιανουαρίου 2022 και ώρα 06:00. (Β' 6214/23.12.2021).		
Decision No 717/2020 on the Access to healthcare services for applicants for international protection– P.A.A.Y.P.A. issuance **Gazette B/717/31.1.2020**	Υπουργική Απόφαση αριθμ. 717 (ΦΕΚ Β'-199-31.01.2020) Ρυθμίσεις για τη διασφάλιση της πρόσβασης των αιτούντων διεθνούς προστασίας στις υπηρεσίες υγείας, την ιατροφαρμακευτική περίθαλψη, την κοινωνική ασφάλιση και την αγορά εργασίας – Έκδοση Π.Α.Α.Υ.Π.Α.	Access to healthcare services Decision	https://bit.ly/2yjx8Oz (GR)
Decision No 1333/2019 on the Application of the provisions of Article 90 paras.3 and 5 of L 4636/2020 **Gazette B/4892/31.12.2019**	Απόφαση αριθμ. 1333 (ΦΕΚ Β'-4892-31.12.2019) Εφαρμογή των διατάξεων των παραγράφων 3 και 5 του άρθρου 90 του ν. 4636/2019 (ΦΕΚ 169 Α΄).	Fast-Track Border Procedure JMD	https://bit.ly/3cPAojw (GR)
Decision No 1302(2)/2019 on the List of safe countries of origin **Gazette B/4907/31.12.2019**	Απόφαση αριθμ. 1302 (2) (ΦΕΚ Β 4907-31-12-2019) Κατάρτιση Εθνικού Καταλόγου χωρών καταγωγής που χαρακτηρίζονται ως ασφαλείς σύμφωνα με το άρθρο 87 παρ. 5 του ν.4636/2019. Κοινή Υπουργική Απόφαση Αριθμ. 778/2021 (ΦΕΚ 317/Β/29-1-2021). Κατάρτιση Εθνικού Καταλόγου χωρών καταγωγής που χαρακτηρίζονται ως ασφαλείς, σύμφωνα με την παρ. 5 του άρθρου 87 του ν. 4636/2019 (Α' 169).	List of safe countries of origin Decision	https://bit.ly/2AMPjgr (GR) https://bit.ly/3eCpwZL (GR)
Decision No 1140/2019 of the Minister of Migration Policy on the restriction of movement of applicants for international protection **Gazette B/ B/4736/20.12.2019**	Υπουργική Απόφαση αριθμ. 1140 (ΦΕΚ Β'-4736-20.12.2019) Περιορισμός Κυκλοφορίας των Αιτούντων Διεθνή Προστασία.	Restriction of Movement Decision	https://bit.ly/2LG02eG (GR)
Joint Ministerial Decision Δ11/οικ.28303/1153 Definition of necessary formal and material conditions to be fulfilled for the selection of professional guardians, obstacles, establishment of	Κοινή Υπουργική Απόφαση Δ11/οικ.28303/1153 Καθορισμός απαιτούμενων τυπικών και ουσιαστικών προσόντων που πρέπει να πληρούνται για την επιλογή ενός προσώπου ως επαγγελματία επιτρόπου, τα	Guardianship JMD	https://bit.ly/2qL7FJr (GR)

number of unaccompanied minors by professional guardian, technical specifications on training and education, as well as regular evaluation, types, conditions, content of contracts, remuneration and necessary details **Gazette B/2558/27-6-2019**	κωλύματα, καθορισμός αριθμού ασυνόδευτων ανηλίκων ανά επαγγελματία επίτροπο, τεχνικές λεπτομέρειες εκπαίδευσης, διαρκούς επιμόρφωσής τους, καθώς και της τακτικής αξιολόγησης τους, είδος, όροι, περιεχόμενο της σύμβασης, αμοιβή τους και κάθε αναγκαία λεπτομέρεια, ΦΕΚ Β/2558/27.6.2019		
Decision οικ. 13411/2019 of the Minister of Migration Policy on restriction of movement of applicants for international protection **Gazette B/2399/19.06.2019**	Απόφαση αριθμ. οικ. 13411/2019 του Υπουργού Μεταναστευτικής Πολιτικής: Περιορισμός κυκλοφορίας των αιτούντων διεθνή προστασία, ΦΕΚ Β/2399/19.06.2019	Restriction of Movement Decision	https://bit.ly/32GYtU5 (GR)
Decision οικ. 868/2018 of the Director of the Asylum Service on the duration of international protection applicants' cards **Gazette B/201/30.01.2018**	Απόφαση αριθμ. οικ. 868/2018 της Διευθύντριας Υπηρεσίας Ασύλου: Διάρκεια ισχύος δελτίων αιτούντων διεθνή προστασία, ΦΕΚ Β/201/30.01.2018	Asylum Applicant Card Decision	http://bit.ly/2DEDtka (GR)
Joint Ministerial Decision οικ. 13257/2016 on the implementation of the special border procedure (Article 60(4) L 4375/2016) **Gazette B/3455/26.10.2016**	Κοινή Υπουργική Απόφαση οικ. 13257/2016: Εφαρμογή των διατάξεων της παραγράφου 4 του άρθρου 60 του Ν. 4375/2016 (Α' 51), ΦΕΚ Β/3455/26.10.2016	Fast-Track Border Procedure JMD	http://bit.ly/2maKUeC (GR)
Joint Ministerial Decision οικ. 12205 on the provision of legal aid to applicants for international protection **Gazette B/2864/9-9-2016**	Κοινή Υπουργική Απόφαση οικ. 12205: Παροχή νομικής συνδρομής σε αιτούντες διεθνή προστασία, ΦΕΚ Β/2864/9-9-2016	Legal Aid JMD	http://bit.ly/2kPSjzE (GR)
Joint Ministerial Decision 1982/2016 on age assessment of applicants for international protection **Gazette B/335/16-2-2016** ***Amended and replaced by*** **Ministerial Decision 9889/2020 Gazette B/3390/13-08-2020**	Κοινή Υπουργική Απόφαση 1982/2016 διαπίστωση ανηλικότητας των αιτούντων διεθνή προστασία, ΦΕΚ Β/335/16-2-2016 Τροποποιήθηκε και αντικαταστάθηκε από την Υπουργική Απόφαση Αριθμ. 9889/2020 (ΦΕΚ Β'-3390-13.08.2020)	Age Assessment JMD/ Decision	http://bit.ly/2lc8mDX (GR) https://bit.ly/3vY5WNn (GR)

	"Τροποποίηση και αντικατάσταση της υπ' αρ. 1982/15-02-2016 απόφασης «Διαπίστωση Ανηλικότητας των αιτούντων διεθνή προστασία» (Β΄ 335)"		
Joint Ministerial Decision οικ. 10566 on the procedure for issuing travel documents to beneficiaries of and applicants for international protection **Gazette B/3223/2-12-2014** **Joint Ministerial Decision No 10302 on the procedure for issuing travel documents to beneficiaries of and applicants for international protection** **Gazette B/2036/30-05-2020**	Κοινή Υπουργική Απόφαση οικ. 10566 Διαδικασία χορήγησης ταξιδιωτικών εγγράφων σε δικαιούχους διεθνούς προστασίας, καθώς και στους αιτούντες διεθνή προστασία, ΦΕΚ Β/3223/2-12-2014 Υπουργική Απόφαση Αριθμ. 10302 (ΦΕΚ Β' 2036/30-05-2020). Διαδικασία χορήγησης ταξιδιωτικών εγγράφων σε δικαιούχους καθεστώτος του πρόσφυγα, σε δικαιούχους επικουρικής προστασίας καθώς και σε αιτούντες διεθνή προστασία.	Travel Documents JMD	http://bit.ly/2mfwqXA (GR) https://bit.ly/2P71hc8 (GR)
Hellenic Police Circular 1604/17/681730/3-4-2017 on participation of applicants for international protection in voluntary repatriation programmes of the International Organisation for Migration (IOM)	Εγκύκλιος Ελληνικής Αστυνομίας 1604/17/681730/3-4-2017 Συμμετοχή αλλοδαπών υπηκόων αιτούντων τη χορήγηση καθεστώτος διεθνούς προστασίας στα προγράμματα οικειοθελούς επαναπατρισμού του Διεθνούς Οργανισμού Μετανάστευσης (Δ.Ο.Μ.)		http://bit.ly/2E8Mlmr (GR)

Overview of main changes since the previous report update

The report was previously updated in **September 2025**.

International Protection

- **Key asylum statistics:** The Asylum Service experienced a 20% decrease in first-time asylum applications but a notable 33% increase in subsequent applications compared to 2024. Despite fewer first-time applicants, total pending applications at first instance rose by 6%. The majority of applicants were from Afghanistan (15,296), Egypt (9,548), Sudan (8,179), Syria (3,511), and Bangladesh (3,132). A total of 37,868 in-merit decisions were issued in 2025, the majority of which granted refugee (64.3%) or subsidiary protection (6.3%) status.

Asylum procedure

- **Arrivals:** Total arrivals to Greece dropped by about 21%, to 48,298, in 2025 (from 60,886 in 2024). However, entry dynamics shifted drastically toward the south, with Crete emerging as the primary entry point, receiving 41% of all arrivals, followed by Evros (14.7%) and Samos (10.6%). Main nationalities of sea arrivals were Afghanistan (24%), Sudan (22%), and Egypt (20%), with 68% of newcomers being men, 12% women, and 20% children. A total of 105 persons were reported as dead and missing by UNHCR. As in previous years, figures on entries may under-represent the actual number of people attempting to access Greek territory due to continued reports of pushbacks.

- **Push-back practices**: Allegations of pushbacks continued to be reported in 2025, despite the landmark ECtHR Ruling in the case of *A.R.E. v. Greece*, which following the Court's rejection of the Greek government's request to refer the case before the Grand Chamber, became final in July 2025. During the year, GCR submitted 24 urgent requests for *interim measures* to the ECtHR on behalf of 131 asylum seekers at risk of summary expulsion, all of which were granted by the Court. The National Transparency Authority (NTA) has not made public any further investigations or recommendations on pushbacks in 2025.

- **Pylos shipwreck**: In February 2025, the Greek Ombudsman completed his independent inquiry, finding severe and reprehensible omissions of search and rescue duties by senior Coast Guard officers. In May 2025, the competent Prosecutor of the Piraeus Naval Court initiated criminal proceedings against 17 Coast Guard members. Although the cases of four senior officers were initially archived, the Prosecutor of the Court of Appeal accepted survivors' appeals in November 2025, bringing independent criminal charges against all four, including the (at the time) Head of the Coast Guard.

- **Access to the procedure:** In July 2025, pursuant to Article 79 L. 5218/2025, the Greek government imposed a three month (14 July to 14 October) suspension on the submission of asylum applications by persons arriving irregularly by watercraft from North Africa, resulting in the blanket administrative detention of newcomers. Systemic barriers to accessing asylum on the mainland, via the Ministry's online platform, continued to be an issue of concern in 2025, further exacerbated by the halt in EU-funded interpretation services due to government payment delays exceeding €2.5 million.

- **The safe third country concept:** On 27 February 2025, the Greek Council of State (CoS) officially annulled the Joint Ministerial Decision (JMD) designating Türkiye as a safe third country, establishing that the underlying legal criteria had not been properly assessed. In blatant disregard of this ruling, on 9 April 2025, the Greek government issued a new, identical JMD, re-designating Türkiye as a safe third country for applicants from Syria, Afghanistan, Somalia, Pakistan, and Bangladesh, before the CoS judgment was even finalised or published. Despite the government's persistence, the number of safe third country decisions fell sharply in 2025, recording a 78%

decrease at first instance, and 91% at second. The new JMD was again challenged before the Council of State by GCR and RSA in June 2025, with the decision pending, following a hearing on 4 November 2025.

- **Syria**: Following the fall of the Assad regime, the Asylum Service suspended decisions for Syrian nationals to reassess country of origin information, leading to the first-ever substantive in-merit rejections of international protection for Syrian applicants in 2025.

- **Second instance procedures:** Most appeals continued to be rejected, with recognition rates at second instance standing at 6.5% in 2025. A December 2024 CoS ruling declaring the single-member composition of Independent Appeals Committees unconstitutional was made public in June 2025. Formalistic rejections remained an issue of concern, with close to half of the 3,502 appeals that were dismissed as inadmissible, being rejected on account of late submission.

- **Restriction of Safeguards:** In August 2025, JMD 147627/2025 entered into force, severely rolling back procedural safeguards for unaccompanied minors. The new framework mandates that all age-assessment phases (physical, psychosocial, and X-ray) must occur within a single day, while explicitly giving primacy to radiological findings over holistic evaluations. The JMD further slashes the appeal deadline from 15 down to just 5 days, while introducing an automatic, even if rebuttable, presumption of adulthood if a child refuses to undergo intrusive medical checks.

Reception conditions

- **Statistics**: The Reception and Identification Service (RIS) registered a total of 50,840 persons during 2025, the majority of whom men (39,903) and women (10,937), primarily between the ages of 18 to 34. Slightly more than 1 in 5 of those registered were minors, most of whom 13 years old and younger (6,214), while close to 1 in 3 of those registered, were registered as vulnerable (15,345). Main registered vulnerabilities concerned victims of torture (7,222), unaccompanied minors (2,713), and single-parent families with minors (2,454), with main nationalities comprising of Afghanistan (13,471), Sudan (8,641) and Egypt (7,837).

- **Systemic Access Gaps**: Delays in accessing reception persisted throughout 2025, driven by chronic, structural blockages in accessing the asylum procedure on the mainland. Individuals attempting to secure registration appointments via the Ministry's online platform were left in a protracted state of legal limbo, without access to material reception conditions. In flagrant disregard of multiple national Court Rulings, the Ministry continued to systematically deny these individuals the formal status of asylum applicants during the waiting period.

Detention of asylum seekers

- **Detention statistics:** A total of 22,520 detention orders were issued during 2025, following a removal decision (17.6% increase compared to 2024). In addition, 3,280 asylum seekers have been detained in pre-removal detention centers (PRDCs) during the year (decrease of 36.5% compared to 2024). The number of third country nationals under administrative detention at year's end stood at 2,586, with 1 in 3 (32.5%) detainees being an asylum applicant. A total of 431 UAM were detained ('hosted' according to the information provided by the Police) in PRDCs during 2025.

- **Detention without reasonable prospect of return**: the practice continued throughout the year. Indicatively, 4,330 detention orders for the purpose of removal were issued against Afghan nationals during the year, with roughly 300 Afghans remaining in detention at year's end, even though the Hellenic police expressly confirmed that returns to Afghanistan do not take place since 2021, while readmissions under the EU-Türkiye Statement remain suspended since 2020.

- **Expansion of Detention Grounds and time limits:** Law 5226/2025 drastically expanded administrative detention grounds, criminalising "illegal stay", and lengthened maximum administrative detention limits from 18 to 24 months, extending the possible duration of migration-related detention to 48 months (24 months in the context of asylum + 24 months in view of removal).

- **Deficiencies in Judicial Review:** Structural deficits in automatic legality oversight remained acute in 2025. Out of 25,497 police detention orders, less than 1% were overturned via *ex officio* judicial reviews.

Content of international protection

- **Statistics:** A total of 27,181 individuals were granted international protection in Greece in 2025 (at first or second instance). By the end of the year, 96,438 international protection Residence Permits (ADET) were active, concerning primarily nationals of Aghanistan (35.8%), Syria (20.2%), Palestine (11.5%), Iraq (8.1%) and Eritrea (4%).

- **Ongoing renewal bottlenecks:** Delays particularly in the renewal of residence permits (ADETs) persisted in 2025, with 7,640 renewal applications pending at the Asylum Service at year's end, in several cases for over a year.

- **Format Changes to Application Attestations:** The attestation of application status issued by Aliens Directorates was reformatted in 2025 to include a photograph, a fixed six-month validity, and an explicit reference to Article 31 of Law 5226/2025. However, the document lacks a unique identification number, which prevents it from being processed through the ERGANI system, actively blocking access to the labour market and social benefits.

- **De-facto Re-examinations and Mass Revocations:** In late 2025 and early 2026, the Hellenic Police initiated a highly restrictive practice during the residence permit (ADET) renewal stage, demanding that beneficiaries under the "old procedure" submit proof within 20 days detailing why they still face persecution. This has effectively functioned as a merits re-examination, sparking non-renewals and cessations of protection, particularly for Afghan nationals. In parallel, between March and April 2026, the Asylum Service proceeded with the mass revocation of refugee status for 1,203 Syrian nationals.

- **CJEU Referral**: In November 2025, the European Commission officially referred Greece to the CJEU due to discriminatory treatment regarding beneficiaries' access to social welfare. Despite this, discriminatory AMKA (Social Security) activation requirements introduced in late 2023 were maintained and continued to systematically lock beneficiaries out of public healthcare.

- **Intensified European Returns**: Readmissions of recognised refugees from other EU member states intensified during 2025, despite ongoing barriers to integration. European authorities, primarily from Germany and Switzerland, issued 3,710 readmission requests to the Hellenic Police, resulting in the physical return of 725 beneficiaries to Greek territory.

Temporary protection

The information given hereafter constitute a short summary of the 2025 Report on Temporary Protection. For further information, see Annex on Temporary Protection.

- **Key temporary protection statistics**: A total of 38,138 people were granted temporary protection (TP) or received temporary protection cards in Greece since 2022, 5,566 of which during 2025. The vast majority of TP beneficiaries since 2022 have been women (26,759), mostly between the ages of 35 and 64.

Temporary protection procedure:

- In February 2026, the temporary protection framework was officially prolonged for an additional 12 months, extending its validity up to 4 March 2027. More favourable domestic terms continue to apply to individuals who left Ukraine from 26 November 2021 onwards, and no entry denials were reported at the borders.

Content of temporary protection

- **Rights attached**: Persons benefit from specific family reunification rules foreseen for temporary protection, freedom of movement, access to the labour market and to education and vocational training, social welfare, healthcare, although not at the same level as Greek nationals or other legally residing third country nationals. Beneficiaries of temporary protection can also apply, through an electronic platform, for any residence permit of the new Migration Code (L. 5038/2023) without the requirement of a valid visa.

- **Housing**: The main form of accommodation provided was reception centres and the Helios+ integration programme. As of 31 March 2026, Ukrainian nationals represented close to 32% of the Helios+ programme's total beneficiaries, with TP beneficiaries representing close to 42% of total households benefiting from the programme's rental subsidy.

Asylum Procedure

A. General

1. Flow chart

Not available for 2025.

2. Types of procedures

Indicators: Types of Procedures

1. Which types of procedures exist in your country?
   - ❖ Regular procedure: ☒ Yes ☐ No
     - ▪ Prioritised examination:[17] ☒ Yes ☐ No
     - ▪ Fast-track processing:[18] ☒ Yes ☐ No
   - ❖ Dublin procedure: ☒ Yes ☐ No
   - ❖ Admissibility procedure: ☒ Yes ☐ No
   - ❖ Border procedure: ☒ Yes ☐ No
   - ❖ Accelerated procedure:[19] ☒ Yes ☐ No
   - ❖ Other: ☒ Yes ☐ No

2. Are any of the procedures that are foreseen in the law, not being applied in practice? ☐ Yes ☒ No

3. List of authorities that intervene in each stage of the procedure

Stage of the procedure	Competent authority (EN)	Competent authority (GR)
Application ❖ At the border ❖ On the territory	Asylum Service, RIS	Υπηρεσία Ασύλου, Υπηρεσία Υποδοχής
Dublin	Asylum Service	Υπηρεσία Ασύλου
Refugee status determination	Asylum Service	Υπηρεσία Ασύλου
First appeal	Independent Appeals Committees (Appeals Authority)	Ανεξάρτητες Επιτροπές Προσφυγών (Αρχή Προσφυγών)
Onward appeal	First Instance Administrative Court of Athens or Thessaloniki	Διοικητικό Πρωτοδικείο Αθηνών ή Θεσσαλονίκης
Subsequent application	Asylum Service	Υπηρεσία Ασύλου
Revocation / Withdrawal	Asylum service Hellenic Police (for the old procedure)	Υπηρεσία Ασύλου Ελληνική Αστυνομία
Forced returns	Hellenic Police	Ελληνική Αστυνομία
Voluntary returns	IOM	

The European Union Agency for Asylum (EUAA) is also involved at different stages of the procedure, as is explained further below under Determining authority.

17 For applications likely to be well-founded or made by vulnerable applicants.
18 Accelerating the processing of specific caseloads as part of the regular procedure, without reducing procedural guarantees.
19 Entailing lower procedural safeguards, whether labelled as 'accelerated procedure' in national law or not.

4. Determining authority

Name in English	Number of staff (2025)	Ministry responsible	Is there any political interference possible by the responsible Minister with the decision making in individual cases by the first instance authority?
Asylum Service	N/A	Ministry on Migration and Asylum	☐ Yes ☒ No

The Asylum Service is responsible for examining applications for international protection and competent to take decisions at first instance.

Staffing and capacity

Asylum Service: PD 104/2012, as modified by L 4375/2016, provides for Regional Asylum Offices (RAO) to be set up in Attica, Thessaloniki, Thrace, Epirus, Thessaly, Western Greece, Crete, Lesvos, Chios, Samos, Leros and Rhodes. It is possible to establish more than one Regional Asylum Office per region by way of Ministerial Decision for the purpose of covering the needs of the Asylum Service.[20] Further changes were introduced via P.D. 106/2020 (Article 26-31).

At the end of April 2024, the Greek Asylum Service ('GAS') had a combined staff of 965 persons (permanent and interim staff, EUAA embedded staff).[21]

Throughout 2025, the offices registered the following numbers of first-time international protection applications:

Regional Asylum Office/Units/Facility	Registrations 2025 (first time)
RAO Attica	878
RAO Piraeus	20
RAO Alimos	140
AAU Amygdaleza	970
RIC Malakasa	9,784
AAU for Asylum Applicants under custody	212
AAU Corinth	178
RAO Thessaloniki	270
Sintiki Serres	3,378
AAU Safe Countries of Origin	472
RIC Diavata	6,863
RAO Patra	170
AAU Ioannina	37
RIC Fylakio	7,644
RAO Thrace	22
AAU Paranesti	80
CCAC Lesvos	4,267
CCAC Samos	7,012
CCAC Chios	3,461
CCAC Leros	3,833

20 Article 1(3) L 4375/2016.
21 Info provided by the MoMA as part of its right to reply to the 2023 Update of the present report.

CCAC Kos	3,977
RAO Crete	67
Rhodes	40
Attica for vulnerable people	218
Thessaloniki for vulenarble people	181
AAU Xanthi	60
Fast Track-Attica	50

Source: MoMA, *Statistics: Consolidated Reports – Overviews for January to, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 7b.

EUAA: Greece has received operational support by the EASO/EUAA since 2011. The 2022-2024 operational plan was amended three times, with the latest amendment in April 2024 to take into account changes in the organisational structures of Greece authorities and the operational context, notably in light of ''the increased arrivals and persisting pressure on the national asylum and reception system since after the second quarter of 2023".[22] At the request of the Greek authorities, in December 2024, the EUAA and Greece agreed on an operational plan for 2025 with continued support with regard to asylum procedures, reception and temporary protection.[23] The plan was amended following a request by the Greek authorities to prolong support until 31 December 2026.[24]

In 2025, the EUAA deployed 587 experts in Greece,[25] most of which were temporary agency workers (576). The majority of these experts were caseworkers (69), registration information provision flow management administrative assistants (68), reception assistants – site management (67), reception assistants – case management (59), registration assistants (46) and a series of other programme and support staff (*e.g.*, field support officers, Dublin assistants, ICT assistants, quality officers – interim support, *etc.*).[26]

As of 15 December 2025, there were a total of 513 EUAA experts present in Greece, 56 of which were registration information provision flow management administrative assistants, 55 reception assistants – site management, 51 caseworkers, 46 reception assistants – case management and 37 registration assistants.[27]

In 2025, the number of lodged asylum applications registered with the support of EUAA personnel in Greece decreased to 34,023 applications for international protection (46,701 in 2024).

Of these, 83% related to the same 10 citizenships, in particular Afghans (8,601), Egyptians (5,699), Sudanese (4,982), Syrians (1,843), Bangladeshis (1,837), Somalis (1,278), Nepalis (1,087), Eritreans (1,028), Pakistanis (954) and Yemenis (946).[28]

EUAA deployed personnel did not carry out TPD registrations in Greece in 2025.

In 2025, the number of interviews carried out by EUAA caseworkers in Greece increased once more, with interviews in the asylum cases of 13,886 applicants compared to 11,973 in 2024. Of these, 85% related to the same 10 citizenships, in particular Afghans (3,680), Syrians (2,096), Egyptians (1,305), Sudanese

22 EUAA, *Operational Plan 2022-2024 agreed by the European Union Agency for Asylum and Greece – Amendment 3*, 29 April 2024, available here.
23 EUAA, *Operational plan 2025 agreed by the European Union Agency for Asylum and Greece*, December 2024, available here.
24 EUAA, *Operational plan 2025-2026 agreed by the European Union Agency for Asylum and Greece – Amendment 1*, available here.
25 EUAA personnel numbers do not include deployed interpreters by the EUAA in support of asylum and reception activities. In the course of 2025, one person was deployed under two different types of contracts.
26 Information provided by the EUAA, 05 March 2026. In the figures above, 10 persons were included under different profiles, because a change in profile took place in the course of 2025.
27 Information provided by the EUAA, 05 March 2026.
28 Information provided by the EUAA, 05 March 2026.

(1,289), Somalis (1,139), Nepalis (614), Sierra Leoneans (580), Yemenis (478), Palestinians (345), and stateless persons (321).[29]

The number of concluding remarks issued by EUAA was 604 in 2025, a decrease from 972 in 2024.[30] Concluding remarks by the EUAA in 2025 mostly concerned Egyptians (197), Sierra Leoneans (113), stateless persons (45), Sudanese (34) and Guineans (31).[31]

In Greece, in 2025, EUAA deployed personnel supported the identification of 11,124 vulnerabilities in the context of first and second line reception.[32]

In 2025, the EUAA delivered 188 training sessions to a total of 1,611 local staff members.[33]

5. Short overview of the asylum procedure

The asylum procedure in Greece underwent substantial reforms throughout 2016, many of which were driven by the adoption of the EU-Türkiye statement of 18 March 2016.

Following the July 2019 elections, the new government announced a more restrictive policy on migration and asylum.[34] As a result, the national asylum legislation was radically re-amended. L. 4636/2019 (hereinafter International Protection Act / IPA), was adopted on 1 November 2019 and entered into force on 1 January 2020, replacing the previous legislation on asylum and reception.

The IPA has been repeatedly and heavily criticised by national and international human rights bodies, including the Greek Ombudsperson,[35] the Greek National Commission for Human Rights (GNCHR),[36] UNHCR,[37] and several civil society organisations.[38] It has been categorised, *inter alia,* as an attempt to lower protection standards and create unwarranted procedural and substantive hurdles for people seeking international protection. As noted by UNHCR, the new Law reduces safeguards for people seeking international protection and creates additional pressure on the overstretched capacity of administrative and judicial authorities. The agency stated *inter alia* that "as a result, asylum seekers may be easily excluded from the process without having their international protection needs adequately assessed. This may expose them to the risk of *refoulement*".[39]

29 Information provided by the EUAA, 05 March 2026.

30 According to the workflows developed jointly between EUAA and the Greek Asylum Service the drafting of concluding remarks by EUAA caseworkers is no longer required for a large share of cases (those examined on admissibility), while in parallel is has been agreed that for efficiency reasons (as regards EUAA support to first instance processing), EUAA caseworkers will be mainly conducting interviews, and should only draft concluding remarks for a limited number of cases: Information provided by the EUAA, 05 March 2026.

31 Information provided by the EUAA, 05 March 2026.

32 Information provided by the EUAA, 05 March 2026. Vulnerability assessments in Greece are performed under reception measures for residents of reception facilities.

33 Information provided by the EUAA, 05 March 2026. These may include EUAA, national authorities and/or international organisations personnel.

34 Amnesty International, *Annual Report 2019*, Greece, available at: https://bit.ly/2LDT5L6.

35 Greek Ombudsman, *Παρατηρήσεις στο σχέδιο νόμου του Υπουργείου Προστασίας του Πολίτη περί διεθνούς προστασίας*, 23 October 2019, available in Greek at: https://bit.ly/2LAxCCH.

36 GNCHR, *Παρατηρήσεις της ΕΕΔΑ στο Σχέδιο Νόμου του Υπουργείου Προστασίας του Πολίτη «Περί Διεθνούς Προστασίας*', 24 October 2019, available in Greek at: https://bit.ly/3KPLpnH.

37 UNHCR, *UNHCR urges Greece to strengthen safeguards in draft asylum law*, 24 October 2019, available at: https://bit.ly/3fXkm9j.

38 See *inter alia* GCR, *GCR's comments on the draft bill "On International Protection"* , 23 October 2019, available here; Amnesty International, *Το προτεινόμενο σχέδιο νόμου για το άσυλο υποβαθμίζει την προστασίας και τα δικαιώματα των προσφύγων και παραβιάζει τα διεθνή πρότυπα*, 24 October 2019, available in Greek at: https://bit.ly/3dWduqV, RSA, *RSA Comments on the International Protection Bill, 21 October 2019*, available at: https://bit.ly/2LCfJU7; Actionaid Greece et al, *15 civil society organisations call upon the Government to organise a substantial public consultation prior of voting the draft law on asylum*, 31 October 2019, available in Greek at: https://bit.ly/2Zf4tFe; Amnesty International et al., *Joint press conference regarding the draft law on asylum*, 30 October 2019, available in Greek at: https://bit.ly/3bDUgVr.

39 UNHCR, *UNHCR's Intervention at the hearing for actors to the Standing Committee of Public Administration, Public Order and Justice of the Hellenic Parliament regarding the Draft Law on the Improvement of Migration Legislation*, 9 May 2020, available at: https://bit.ly/3dJEB8H.

On 10 April 2020, four months after the entry into force of the new law, the Ministry of Migration and Asylum submitted a bill entitled "Improvement of migration legislation", aiming at speeding up asylum procedures and at "responding to practical challenges in the implementation of the law". The proposed amendment further weakens basic guarantees for persons in need of protection. *Inter alia,* the draft law increases the number of applications which can be rejected as manifestly unfounded and introduces a set of provisions that can lead to arbitrary detention of asylum seekers and third country nationals.[40] The draft law was adopted by the Parliament on 9 May 2020,[41] despite concerns from human rights bodies, including the Council of Europe Commissioner for Human Rights and civil society organisations.[42] Further amendments were introduced by L. 4825/2021 and adopted in September 2021.

In June 2022, L. 4939/2022 **"**Ratification of the Code on reception, international protection of third-country nationals and stateless persons, and temporary protection in cases of mass influx of displaced persons" (hereinafter Asylum Code) was adopted by the parliament, mainly codifying amendments introduced after 2019 (*i.e.*, IPA, etc.) in one piece of legislation.

First instance procedure

Since September 2022, Asylum applications need to be lodged in Malakasa and Diavata Reception and Identification Centres (RICs), in the south and north of Greece respectively. Subsequent applications are lodged before the Regional Asylum Offices (RAO) and Asylum Units (AU) across the country. The Asylum Service is also competent for applying the Dublin procedure, with most requests and transfers concerning family reunification in other Member States. The Asylum Service may be assisted by EUAA staff in registration and interviews. Effective access to the asylum procedure still remains an issue of concern. First instance decisions rejecting an asylum application also include a removal order or incorporate a previous removal decision if one had already been issued.

Following the issuance of the Joint Ministerial Decision (JMD) on 7 June 2021, which designated Türkiye as a safe third country for applicants from Syria, Afghanistan, Somalia, Pakistan and Bangladesh,[43] applications submitted by applicants of these nationalities on the islands and in the mainland, are examined under the safe third country concept. In December 2021, the JMD was amended to include Albania and North Macedonia in the list of safe third countries.[44] Since then, application of the safe third country concept in these specific cases has been renewed via relevant JMDs,[45] which did not introduce further changes.

In a major legal development, on 27 February 2025, the Greek Council of State (CoS) officially annulled the JMD designating Türkiye as a safe third country, establishing that the underlying legal criteria had not been properly assessed. In blatant disregard of this ruling, on 9 April 2025, the government issued a new, identical JMD, re-designating Türkiye as a safe third country for applicants from Syria, Afghanistan, Somalia, Pakistan, and Bangladesh before the CoS judgment was even finalized or published. The new JMD was challenged before the Council of State by GCR and RSA in June 2025,[46] with the decision pending following a hearing on 4 November 2025.

A **fast-track border procedure** is applied to applicants subject to the EU-Türkiye statement, *i.e.*, applicants arriving on the Eastern Aegean islands after 20 March 2016. This procedure takes place in the

40 *Ibid.*; See also GCR, *GCR's comments on the draft law amending asylum legislation*, 27 April 2020, available here ; RSA, *RSAComments on the Reform of the International Protection Act*, 23 April 2020, available at: https://bit.ly/2WrMwQR.

41 L. 4686/2020, Gov. Gazette A' 96 /12 May 2020; Amendments introduced by L. 4686/2020 in May 2020 are not included in the present report.

42 Council of Europe, Commissioner for Human rights's post on X, 7 May 2020, available at: https://bit.ly/3PLbmYf.

43 Article 1 JMD 42799/2021 on the Determination of third countries designated as safe and establishment of a national list, as defined in Article 86 L. 4636/2019, available in Greek at: https://bit.ly/4aGni5U.

44 Article 1 (B) and (C) JMD 458568/2021, available in Greek at: https://bit.ly/4aGnnGK.

45 JMD 734214/2022, available in Greek at: https://bit.ly/3TMbGY3, and JMD 538595/2023, available in Greek at: https://bit.ly/3J4S24L, respectively.

46 GCR & RSA, 'Ministry of Migration and Asylum's persistence on Turkey's characterisation as a "Safe Third Country" for refugees returns to the Council of State', 11 June 2025, available at: https://tinyurl.com/4nw3ey4z.

Reception and Identification Centres (RIC) where hotspots are established (Lesvos, Chios, Samos, Leros, Kos).

Appeal

First instance decisions of the Asylum Service are appealed before the Independent Appeals Committees under the Appeals Authority. An appeal must be lodged within 30 days in the regular procedure, 20 days in the accelerated procedure, in case of an inadmissibility decision or if the applicant is detained, 15 days in the Dublin procedure, 10 days in the border procedure and in the fast-track border procedure and five days in the case of an inadmissibility decision on a subsequent application.

Appeals submitted against decisions rejecting applications in the accelerated procedure or dismissed as inadmissible on certain grounds do not have an automatic suspensive effect. The procedure before the Appeals Committees is written.

An Application for Annulment against a negative second instance decision can be filed before the First Instance Administrative Court of Athens or Thessaloniki within 30 days from the notification. No automatic suspensive effect is provided and there is no tailored free legal aid.

B. Access to the procedure and registration

1. Access to the territory and push backs

Indicators: Access to the Territory

1. Are there any reports (NGO reports, media, testimonies, etc.) of people refused entry at the border and returned without examination of their protection needs?
   ☒ Yes ☐ No
2. Is there a border monitoring system in place? ☐ Yes ☒ No
3. Who is responsible for border monitoring? ☒ National authorities ☐ NGOs ☐ Other
4. How often is border monitoring carried out? ☐Frequently ☐Rarely ☒Never
5. Are there credible reports about pushbacks? ☒ Yes ☐ No

Number of arrivals in Greece and statistics

A total of 48,298 refugees and migrants arrived in Greece during 2025, as reported by the MoMA,[47] marking a 21% decrease compared to 2024 (60,886). Of this total, 85% arrived by sea, the vast majority of whom on Crete (19,799), and the rest by land (7,582).

As reported by UNHCR in 2025,[48] a total of 41,696 refugees and asylum-seekers arrived in Greece by sea. The majority are from Afghanistan (10,156, 24%) Sudan (9,104, 22%), Egypt (8,149,(20%), Bangladesh (3,738, 9%) and Syria (1,640, 4%). Among them, 12% are women, 20% children and 68% men.

In December 2025, there was an increase in arrivals to the islands with 4,655 people arriving, compared to 2,577 in November. During 2025, the Crete region received the majority of new arrivals, accounting for

47 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 1.

48 UNCHR, *Operational Data Portal, Mediterranean Situation: Greece*, available at: https://bit.ly/3WubNsb

47%, followed by the Dodecanese islands at 18%, Samos at 12%, Lesvos at 10%, Chios at 8%, and other islands at 5%. Overall, sea arrivals in 2025, have decreased by 23% compared to 2024.[49]

Moreover, according to UNHCR,[50] 7,075 persons arrived in Greece through the Greek-Turkish land border of Evros in 2025, compared to a total of 7,702 persons in 2024.

It is noteworthy, as in previous years, that the number of entries may under-represent the number of people attempting to enter Greece and/or having already found themselves on Greek territory, as alleged pushbacks practices, such as those *inter alia* confirmed by the European Court of Human Rights (ECtHR) in *A.R.E. v. Greece* and *G.R.J. v. Greece*, have continued being reported in 2025.[51]

Lastly, as reported by UNHCR,[52] 107 persons were reported as dead or missing during 2025, once more underlying the critical gap in safe and legal pathways to protection.

In the maritime borders particularly, according to a report published by Refugee Support Aegean, during 2025, at least 98 refugees went dead or missing, following 28 fatal incidents in the maritime borders, 14 of which occurred in the North Aegean, 11 in the South Aegean, and 3 near Crete. The largest number of fatal incidents was recorded in the maritime areas of Lesvos (7) and Farmakonisi (5). The fourth quarter of the year saw the highest number of incidents and victims. The shipwreck off Ierapetra, with 17 people dead and 15 missing, stands out as one of the most devastating incidents in Greek waters in recent years. Furthermore, at least 18 women and 10 children were recorded as dead or missing. On the Turkish side of the Aegean at least 53 dead and 3 missing persons in 10 incidents were documented. Overall, excluding individual bodies that could not be linked to a specific incident, at least 154 people lost their lives or remain missing in 2025 in 38 fatal incidents on both sides of the Aegean and in the wider area of Crete.[53]

In May 2026, the historical decision of *A.R.E. v. Greece* (Application no. 15783/21) was issued. This was the first judgement on a pushback case of an asylum seeker from Evros to Türkiye by the Greek Authorities.

On 7 January 2025, the ECtHR published its judgment in the case of *A.R.E. v. Greece* (Application no. 15783/21),[54] which was legally represented by lawyers of the Greek Council for Refugees (GCR).[55] This is the first case ever examined by the ECtHR in relation to a complaint of pushback in the Evros region

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49 *UNHCR, Operational Data Portal, Greece, Sea Arrivals Dashboard December 2025 available at: https://bit.ly/3WubNsb*

50 *UNCHR, Operational Data Portal, Mediterranean Situation: Greece, available at: https://bit.ly/3WubNsb*

51 See also GCR, *GCR's Information Note on interventions and on interim measures granted by the ECtHR in cases regarding pushbacks*, 12 January 2026 update, available at: https://tinyurl.com/24yr7rae.

52 *UNCHR, Operational Data Portal, Mediterranean Situation: Greece, available at: https://bit.ly/3WubNsb*.

53 Refugee Support Aegean "*At least 98 refugees dead or missing at Greece's maritime borders in 2025: 28 fatal incidents, including 16 shipwrecks"*, 16 March 2026, available at: https://tinyurl.com/3amhkzsm.

54 ECtHR, *A.R.E. v. Greece* (Application no. 15783/21), 7 January 2025, available in French here.

55 ECtHR Press Release, *"Pushback" of Turkish national to Türkiye without examining risks she faced on her return was in breach of Convention*, 7 January 2025, available here ; GCR Press Release, *ECtHR Judgment v. Greece - Greece condemned for the first time by the European Court of Human Rights for a pushback in Evros*, 7 January 2025, available here. See also, Video of the Press conference held by GCR, 16 January 2024, available here.

by the Greek authorities. The decision enjoyed widespread coverage in the international[56] and Greek[57] media.

The case concerns A.R.E., a Turkish refugee, who was forced to leave her country due to political persecution and entered Greece in 2019, through the Evros region, in order to seek asylum. After being informally arrested and detained by the Greek authorities on 4 May 2019, she was pushed back to Türkiye on the same day without ever being given the opportunity to apply for asylum in Greece. After being illegally returned to Türkiye, she was arrested and detained by the Turkish authorities in the context of a political prosecution on the alleged charge of being a member of an illegal organisation in Türkiye.

A.R.E., legally represented by GCR, had filed a complaint before the Public Prosecutor of Orestiada, which was rejected at the second instance by the Prosecutor of the Appeals Court of Thrace on the grounds that there was no evidence against the police and that Greece, particularly the Greek police, never conducts pushbacks to Türkiye. Subsequently, in March 2021, GCR filed an application before the ECtHR on behalf of A.R.E., alleging violations of the European Convention on Human Rights (ECHR). The Court accepted her application as admissible and, eventually, condemned Greece.

On 4 June 2024, prior to its decision of 7 January 2025, the ECtHR held a Chamber oral hearing in the cases of G.R.J. v. Greece and A.E. v. Greece (later renamed as A.R.E. v. Greece).[58] In this exceptional procedure, the Court invited the parties of the two cases.[59] Both cases concerned the alleged "pushback" of the applicants from Greece to Türkiye without prior proceedings and the decisions was issued for both cases on 7 January 2025. The G.R.J case concerned the alleged pushback from Greece to Türkiye of an Afghan unaccompanied minor in Samos in 2020. In the G.R.J case, the Court concluded that there were strong indications to suggest that, at the time of the events alleged, a systematic practice of "pushbacks" from the Greek islands to Türkiye had existed but finds that the applicant had failed to provide *prima facie* evidence of his presence in Greece and of his "pushback" to Türkiye.

In the case of A.R.E. v. Greece, the Court noted that numerous official reports documented a consistent *modus operandi* by Greek authorities of forcibly returning migrants, particularly from the Evros region,

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56 See, illustratively, The Guardian, *Strasbourg court finds Greece guilty of 'systematic' pushback of asylum seekers - In 'potentially trailblazing' decision*, *European court of human rights finds country engaging in illicit deportations*, 7 January 2025, available here ; ; Euronews, *European Court rules Greece illegally deported migrant in landmark case*, 7 January 2025, available here ; Associated Press, *European court rules against Greece over migrant's illegal deportation, calls practice 'systematic'*, 7 January 2025, available here ; Sûddeutsche Zeitung, *Griechenland muss Schmerzensgeld an „Pushback"-Opfer zahlen*, 7 January 2025, available in German here ; Tagesschau, *Pushbacks in Griechenland - System statt Einzelfälle*, 7 January 2025, available in German here ; Sigrid Rausing Trust, *European Court of Human Rights finds Greece responsible for systematic pushbacks of asylum-seekers*, 16 January 2025, available here ; Infomigrant, *La Grèce condamnée par la Cour européenne des droits de l'Homme pour un refoulement illegal*, 8 January 2025 available in French here ; LeMonde, *La Grèce condamnée par la Cour européenne des droits de l'homme pour le refoulement vers la Turquie d'une demandeuse d'asile,* 7 janvier 2025, available in French here ; Open democracy, Turkish pushback survivor wins landmark case against Greece, 13 January 2025, available here.

57 To VIMA, *European Court of Human Rights Rules Against Greece for Pushbacks*, 7 January 2025, available here ; H Kathimerini, *Μεταναστευτικό: Καταδίκη της Ελλάδας για επαναπροώθηση - Η Ελλάδα καλείται να καταβάλει αποζημίωση σε μία υπήκοο Τουρκίας*, 8 January 2025, available in Greek here ; H Kathimerini, *ECHR's pushback ruling shadows Migration Commissioner's Athens visit*, 10 January 2025 available here ; EONOS, *ΕΔΑΔ: Έκρινε ένοχη την Ελλάδα για pushbacks αιτούντων άσυλο στον Έβρο*, 8 January 2025, available in Greek here ; LIFO, *Ευρωπαϊκό Δικαστήριο Ανθρωπίνων Δικαιωμάτων: Ένοχη η Ελλάδα για τις επαναπροωθήσεις στη Μεσόγειο - Το Ευρωπαϊκό Δικαστήριο Ανθρωπίνων Δικαιωμάτων έκρινε ότι η Ελλάδα απέλασε παράνομα γυναίκα τον Μάιο του 2019 και ότι διενεργούσε «συστηματικά» pushbacks*, 7 January 2025, available in Greek here ; Omnia tv, *Πρώτη καταδίκη της Ελλάδας στο Ευρωπαϊκό Δικαστήριο για επαναπροώθηση (pushback) το 2019*, 7 January 2025, available in Greek here ; Ta Nea, *Κόλαφος από την ΕΕ για τα pushbacks στον Εβρο - Το Ευρωπαϊκό Δικαστήριο Δικαιωμάτων του Ανθρώπου καταδίκασε την Ελλάδα, καθώς έκρινε ότι η χώρα μας απέλασε παράνομα γυναίκα στην Τουρκία*, 8 January 2025, available in Greek here ; EFSYN, *Ιστορική απόφαση για τις επαναπροωθήσεις ντροπής*, 17 January 2025, available in Greek here ; IN.GR, *ΕΔΔΑ: Παράνομη η απέλαση μετανάστριας από την Ελλάδα – «Συστηματική πρακτική επαναπροώθησης από τις αρχές» Σημαντική απόφαση από το Ευρωπαϊκό Δικαστήριο Ανθρωπίνων Δικαιωμάτων (ΕΔΔΑ), που χαρακτηρίζει «συστηματικές» τις επαναπροωθήσεις από την Ελλάδα*, 7 January 2025, available in Greek here.

58 ECtHR, G.R.J. v. Greece and A.E. v. Greece, application numbers 15067/21 and 15783/21, respectively.

59 IN:GR, Chamber hearing in the cases G.R.J. v. Greece and A.E. v. Greece, *Press Release by the ECtHR*, 4 June 2024, available here.

without examining their international protection claims.[60] These reports, published by credible national and international organisations, described uniform methods involving detention, confiscation of belongings, and forced returns. Based on this evidence, the Court concluded that a systematic practice of pushbacks existed at the time of the applicant's pushback. The Greek government failed to refute this evidence or provide an alternative explanation for the applicant's allegations. The Court underscored that such practices do not absolve States from their obligations to assess individual cases and ensure compliance with ECHR standards.

The ECtHR noted that the Greek authorities failed to consider the risks when removing the applicant from its territory and did not provide her with the opportunity to apply for asylum and explain her circumstances. The applicant, having crossed into Greece via the Evros River, was pushed back to Türkiye without any assessment of the dangers she faced, in clear violation of domestic, European and international law. Despite the applicant's expressed fear of persecution in Türkiye, Greek authorities ignored her asylum request, in breach of Articles 3 and 13 ECHR as they failed to assess her claims or provide an effective remedy against her expulsion. Regarding the alleged violation of Article 5(1) ECHR, the ECtHR ruled that the applicant's detention was devoid of any legal basis under Greek law. The authorities failed to document the detention formally, did not inform the applicant of the reasons for her arrest, and provided no opportunity to challenge its legality, contrary to Article 5(2) and (4) ECHR. Regarding the lack of an effective remedy, the Court determined that Greece's legal system failed to provide adequate mechanisms to address alleged violations of Articles 2 and 3 ECHR during the pushback. The investigation into the applicant's criminal complaint was deemed insufficient and did not meet the effectiveness standards required under the Convention. This constituted a violation of Article 13, read in conjunction with Articles 2 and 3 of the Convention.

The ECtHR condemned Greece and accepted that:

- the "systematic practice of pushbacks by the Greek authorities of third-country nationals from the Evros region to Türkiye",
- the pushback of A.R.E., a Turkish asylum seeker, by the Greek authorities took place,
- A.R.E. was illegally detained by the Greek authorities before the pushback,
- the Greek judicial authorities failed to conduct an effective criminal investigation and archived A.R.E.'s criminal complaint despite the *prima facie* evidence.

Therefore, the Court found violations of the European Convention on Human Rights':

- Articles 3, 3 and 13 in relation to the pushback of the victim by the Greek authorities (prohibition of torture, inhuman and degrading treatment),
- Article 5 in relation to her unlawful detention (right to personal liberty and security),
- Article 13, in conjunction with Articles 2 and 3, in relation to the ineffective criminal investigation of the case by the Greek judiciary (right to an effective remedy).

It should be emphasised that, to date, the Greek authorities still systematically deny the practice of pushbacks at the Greek-Turkish borders and there is not any official response or reaction by the Greek Authorities since the ruling of the Court that, among others and as a result, condemns Greece for the "systematic" pushback of asylum seekers.

The Court's Judgment confirms that pushbacks at the Greek borders constitute a *"systematic practice"* of the Greek authorities, as has been documented for several years in numerous reports by international, European and national organisations, as well as in the complaints of the victims of pushbacks our organisation receives on a daily basis.

On 16 January 2025, at a press conference,[61] GCR lawyers presented the key points[62] of the decision and highlighted its wider implications. This judgment, the first conviction of Greece by the ECtHR for a

60 ECRE, *Weekly Update: Mediterranean,* 16 January 2025, available here.
61 Video of the Press conference held by the GCR, 16 January 2024, available here.
62 Greek Council for Refugees, Information Note with key points of the Judgment in English , available here.

pushback case, is a landmark decision and brings to the fore important issues regarding the rule of law in Greece. At the press conference on 16 January 2025, the applicant's lawyers noted:

- *"This is a landmark judgment of the European Court of Human Rights. The recognition by the Court that pushbacks constitute a systematic practice of the Greek authorities is a vindication for the* thousands *of victims who have been denouncing this illegal practice for many years. The Greek authorities must finally stop pushbacks and the Greek judiciary must finally hold accountable those responsible for such policies and practices, which violate international and Greek law and constitute a serious blow to the rule of law in Greece."*
- *"The ECtHR concludes that "the applicant's case is merely one of many cases that demonstrate the ineffectiveness of the criminal procedure with regard to complaints of pushback". This admission is* worrying *for the administration of justice in Greece and highlights the significant gaps and deficiencies in the investigation of criminal complaints concerning pushbacks by the Greek authorities. This condemnation of Greece by the ECtHR calls for a thorough and effective investigation of the relevant allegations and accountability."*
- *"The Court's decision can be the starting point for setting a limit to a practice which - as the Court found - is systematic, is illegal and puts human lives at serious risk. It is at the same time an important* reminder *of the obligations of the Greek authorities, and of the European States in general, towards persons seeking protection on European territory, but also a reminder of the significant inadequacy of the Greek judiciary to investigate effectively complaints of pushbacks."*

In A.R.E. v. Greece, the ECtHR, analysed the broader context in which the events of the case took place, referring to a *"modus operandi"*, taking into account the reports of independent bodies such as the Greek Ombudsperson and the Greek National Commission for Human Rights, and first ruled on the question of whether Greece carries out pushbacks at its land borders. Subsequently, in reviewing the evidence presented by the applicant, the Court held that this practice constituted a *prima facie* case, in accordance with the requirements of its case law on pushbacks, and, therefore, held that the burden of proof shifted to the Greek Government. The Court noted the Greek Government's complete denial, not only of the alleged facts related to the pushback of the applicant but also of the applicant's presence in Greece on May 4, 2019. Consequently, the Court condemned Greece for its violations of the provisions of Convention.

Particularly, the Court noted that the Government does not challenge the findings of the investigation report on the alleged pushback of the applicant, which was prepared by the Forensic Architecture research group and dated May 2, 2024.[63] The Court emphasised that, based on a detailed spatio-temporal analysis, this 36-page report concludes that all the audiovisual materials are authentic and verifiable, and that it is possible to establish the truth of the applicant's account regarding her presence in Greece and the subsequent pushback on the alleged dates. In the conclusions of the decision, the Court held that the applicant provided *"several pieces of evidence that could, even individually, prima facie support her version of the events. It is for the Greek authorities to prove that the applicant did not enter Greece and was not returned to Turkey on the dates she claims. However, the Government did not present any argument or other evidence to counter the prima facie case put forward by the applicant".*[64]

The decision, as the first case of a pushback from Greece, also includes multiple other important points, such as the finding that *"push-backs from Greece to Türkiye, including in the Evros region, take place in conditions likely to endanger human life, since the victims are left adrift on inflatable boats".*[65]

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63 ECtHR, *A.R.E. v. Greece* (Application no. 15783/21), 7 January 2025, para. 256, available in French here.

64 ECtHR, *A.R.E. v. Greece* (Application no. 15783/21), 7 January 2025, para. 265, available in French here.

65 ECtHR, *A.R.E. v. Greece* (Application no. 15783/21), 7 January 2025, para. 296: *"[...] The Court notes in this regard that the relevant documentation shows that push-backs from Greece to Türkiye, including in the Evros region, take place in conditions likely to endanger human life, since the victims are left adrift on inflatable boats. In addition, push-backs follow a fairly uniform modus operandi including in particular, the confiscation of the victims' personal belongings and, sometimes, threats, humiliation and acts of physical violence"*, available in French here.

On 1 July 2025 the European Court of Human Rights (ECtHR) rejected the Greek Government's request to refer the case to the Court's Grand Chamber, thus the Judgment in A.R.E. v. Greece (no. 15783/21) has become final.[66]

Between the publication of the *A.R.E.* Judgment, on 7 January 2025, and 31 December 2025, the Greek Council for Refugees (GCR) submitted 24 requests for interim measures (R 39) to the ECtHR, which were all granted. These concerned 131 asylum seekers (including families with children). In only four of these cases were the applicants subjected to legal procedures by the Greek authorities, while in the other cases the applicants either complain that they were subjected to a pushback operation or information on their whereabouts was lost[67].

Finally, it bears emphasising that this decision comes in response to years of statements by Greek Governments that Greece does not conduct pushbacks, merely discarding the existence of such credible allegations and report by independent organisations, taking a stance of complete denial.[68]

The Pylos shipwreck

Most of the dead or missing persons of 2023 disappeared or died on the night of 13th to 14th of June 2023. That night, the overcrowded fishing vessel “Adriana”, carrying an estimated 750 persons, capsized 47 nautical miles southwest of Pylos, Greece, in the Greek Search and Rescue (SAR) zone. The vessel left Libya and was *en route* to Italy. On that one night, an estimated 650 persons went missing or died in one of the deadliest shipwrecks to ever occur in Greece and in the Mediterranean. Of those on board the “Adriana”, 104 survived, 9 of whom are currently in pre-trial detention with criminal charges of smuggling,[69] and 82 bodies were recovered.[70]

On 13 September 2023, forty[71] survivors of the deadly shipwreck in Pylos filed a criminal complaint against all responsible parties before the Naval Court of Piraeus.[72] The survivors submit that the Greek authorities failed to immediately intervene and to organise a timely and adequate rescue operation despite their duty to rescue the passengers, in accordance with international law of the sea, human rights Law, EU and domestic law.[73] In particular, the plaintiffs argue that the authorities had been informed from the outset, and later ascertained themselves firsthand from close distance, of the imminent threat to life facing passengers on board the manifestly unseaworthy and overcrowded trawler. The complainants allege that the Greek authorities not only refrained from taking the necessary rescue measures as soon as the vessel was sighted, but instead proceeded to attempt to tow the vessel, which resulted in its capsizing and sinking. The Greek authorities’ delay in initiating a SAR operation, *“until the moment of the shipwreck when it was no longer possible to rescue all the people on board”* as well as failure to deploy sufficient resources or make use of those available to them, was also noted in a leaked serious incident report

66 Greek Council for Refugees, Press Release - ECtHR : The Court rejects the Greek Government's request for a review of the pushback case A.R.E. v. Greece, 2 July 2025, available here.

67 Greek Council for Refugees, *GCR’s Information Note on interventions and on interim measures granted by the ECtHR in cases regarding pushbacks*, updated on 12 January 2026, available at: https://tinyurl.com/36kbkk4f.

68 More information and sources are provided below, see “Developments on investigating and reporting pushbacks”.

69 AlJazeera, *Egyptians accused in Pylos shipwreck case deny smuggling, blame Greece, Months after the tragic disaster that killed hundreds at sea, nine accused men languishing in prison insist they are innocent*, 12 February 2024, available here.

70 FRONTEX, *Final Serious Incident (Si) Report, Sir 12595/2023*, 1 December 2023, available here.

71 To date, 62 survivors in total have filed 6 criminal complaints and 2 relatives have filed 1 criminal complaint.

72 GCR *et al.*, Joint Press Release, *40 survivors of the Pylos shipwreck file a criminal complaint before the Naval Court of Piraeus*, 14 September 2023, available here.

73 Ibid., “*The survivors, represented by the Network for Refugee and Migrant Rights, the Hellenic League for Human Rights (HLHR), the Greek Council for Refugees (GCR), the Initiative of Lawyers and Jurists for the shipwreck of Pylos, and Refugee Support Aegean (RSA), denounce a series of violations of the Greek authorities' obligations to protect the lives of those on board and demand an effective investigation into the circumstances of the deadliest shipwreck to occur in the Mediterranean in recent years*”.

drafted by the FRONTEX Fundamental Rights Officer.[74] The complainants demand an immediate, thorough and reliable investigation and the attribution of criminal responsibility for the acts and omissions of the Greek authorities.

A number of international organisations and institutions, including the Commissioner for Human Rights of the Council of Europe,[75] and the LIBE Committee of the European Parliament,[76] have urged Greece to carry out a full and effective investigation into the circumstances of the shipwreck. The deadliest shipwreck of the Mediterranean has sparked global interest[77] and the launch of a preliminary examination by the Naval Court of Piraeus.

On the 9 November 2023, the Greek Ombudsperson announced that he was opening an independent investigation into the Pylos shipwreck, a step that was welcomed by the Council of Europe Commissioner for Human Rights.[78] The Ombudsperson decided to conduct the investigation, within its special competence as the National Mechanism for the Investigation of Arbitrary Incidents, following the express refusal of the Hellenic Coast Guard to pursue a disciplinary investigation.[79]

On 1 December 2023, the Fundamental Rights Office (FRO) of Frontex published its aforementioned serious incident report about the Pylos shipwreck, which concluded that *"there was reasonable certainty that persons aboard Adriana were threatened by grave and imminent danger and required immediate assistance. …The Greek authorities appeared to have delayed the declaration of SAR operation until the moment of the shipwreck when it was no longer possible to rescue all the people on board, deployed insufficient and inappropriate resources considering the number of persons aboard Adriana, and failed to make use of the resources offered by Frontex. Fundamental Rights Office regrets that it was not given relevant information by the Greek authorities in response to its enquiry but expects to receive the results of two ongoing national judicial proceedings, as well as the Greek Ombudsman enquiry".* [80]

On 26 February 2024, the European Ombudsperson released her conclusions on EU search and rescue and, in particular, regarding whether FRONTEX complies with its fundamental rights obligation, notably in the context of the Pylos shipwreck. In her report, the European Ombudsperson *inter alia* underlines that there are growing concerns about persistent violations of fundamental rights in Greece's border control operations, and that the investigation of the shipwreck and any assessment of the facts is severely compromised by the absence of video or other recording of the shipwreck and the following events, which raises again a pattern of inadequate handling and subsequent investigation of such incidents from the Greek authorities. Concluding, the Ombudsperson notes that "*[t]he European Union projects its identity through the prism of its commitment to the rule of law and to fundamental rights. In the aftermath of the*

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74 FRONTEX, *Final Serious Incident (Si) Report*, Sir 12595/2023, 1 December 2023, available here, p.16. The document is inter alia refered to in EfSyn, *Hot document by FRONTEX burns the Greek authorities on the Pylos shipwreck*, 1 February 2024, available in Greek here.

75 Commissioner for Human Rights of the Council of Europe, *Pylos shipwreck: the Greek authorities must ensure that effective investigations are conducted*, 28 July 2023, available at: https://bit.ly/43QaAPQ.

76 LIBE Committee of the European Parliament, *Exchange of views on the migrant boat shipwreck off the coast of Greece: extracts*, 6 July 2023, available at: https://bit.ly/3xozQQZ.

77 Indicatively: Reuters, *Greece scours shipwreck site; hundreds feared drowned in boat's hold*, 16 June 2023 available at: https://bit.ly/3VPiNSa, AP, *Independent inquiry launched into shipwreck off Greece that left hundreds of migrants feared dead*, 9 November 2023, available at: https://bit.ly/4cMkKFe.

78 Commissioner for Human Rights of the Council of Europe, *Greece: the Ombudsman institution opening an independent investigation into the Pylos shipwreck is a welcome step*, 9 November 2023, available at: https://bit.ly/4cGVDmZ.

79 The Greek Ombudsperson, Press Release, The Greek Ombudsman investigates the Pylos shipwreck case: "[a]n independent investigation is initiated by the Greek Ombudsman on the Pylos shipwreck incident. The Ombudsman Mr. Andreas Pottakis addressed two letters to the Commandant of the Hellenic Coastguard requesting a thorough internal investigation on any acts or omissions by Coastguard officers in connection to the tragic incident of 14.06.2023. Following the expressed denial of the Coastguard to initiate a disciplinary investigation, the Independent Authority decided to initiate its own investigation, in its special mandate as National Mechanism for the Investigation of Arbitrary Incidents in relation to acts or omissions of Coastguard officers upon the Pylos shipwreck. The Ombudsman considers that absolute transparency on administrative actions taken by competent officials concerning this tragic incident where many lives were lost is an elementary Rule of Law command", 9 November 2023, available at: https://bit.ly/4aIVlKI.

80 FRO Frontex, *Final Serious Incident Report*, SIR 12595/2023, 1 December 2023, p. 16, available at: https://bit.ly/3xjxX7Y.

Adriana tragedy, it should take the opportunity to reinforce that identity through reflection and through actions that would, to the greatest extent possible, prevent such a tragedy from happening again".[81] On 28 February 2024 the European Ombudsperson also stated *inter alia*: "*The rules governing the EU's border and coastguard agency Frontex must be urgently revised if Europe is to avoid a repeat of last year's tragedy off the coast of Greece in which about 600 people are thought to have died, an official investigation has found*".[82]

Meanwhile, in May 2024, the Court of Kalamata dismissed the charges of migrant smuggling, causing a shipwreck, participating in a criminal organisation and of illegal entry held against the nine Egyptians survivors of the Pylos shipwreck.[83] The Court decided that Greek jurisdiction could not be established because the overcrowded trawler sank outside the country's territorial waters. Thus, the Court dismissed the charges for the crimes of causing a shipwreck and membership of a criminal organisation and ruled that in the case of smuggling and illegal entry the legal elements were not fulfilled.[84]

In December 2024, the lawyers representing the survivors and victims of the shipwrecked fishing vessel "Adriana", were informed that the competent Deputy Prosecutor of the Naval Court of Piraeus had completed its preliminary examination and criminal investigation into the Pylos shipwreck and had transmitted the case file to the Head Prosecutor of the Court.[85]

Upon initial review of the voluminous file, the lawyers observed significant gaps and omissions in the preliminary investigation, such as the lack of summons for written explanations of those legally responsible for the failures and omissions of the Search & Rescue Operation, namely, the competent bodies of the National Search and Rescue Coordination Centre, the Operations Centre and their hierarchical superiors, *i.e.*, the leadership of the Coast Guard.[86] The lawyers further requested the Court, *inter alia*, the record of the communications of the National Search and Rescue Coordination Centre throughout the period in question, as they have not been included in the case file. The lawyers further underlined the incomplete examination of the mobile phone devices of the crew members of the Hellenic Coast Guard (HCG) patrol vessel involved in the incident (ΠΠΛΣ 920), since this examination took place without any evaluation or forensic analysis of the extracted data. The lawyers also emphasised the urgent need to lift the secrecy of telephone communications for both business and private phones of the relevant officers of the National Search and Rescue Coordination Centre and of the Operations Centre.

Therefore, on 23 December 2024, the lawyers filed a request to the competent Public Prosecutor of the Piraeus Naval Court requesting, *inter alia*, criminal prosecution for the shipwreck not only against the crew of the HCG patrol vessel but also against the competent executives of the National Search and Rescue Coordination Centre and the Operations Centre, and against the persons in charge of higher hierarchical or supervisory directorates and bodies, who are responsible for acts and omissions that led to the shipwreck and the death of 600 people. As a GCR lawyer of the Pylos case underlined: *"It is demanded and expected a thorough investigation into the case of the Pylos shipwreck, the greatest tragedy in the Mediterranean, in which hundreds of people lost their lives, and that responsibility be assigned to all those involved"*.[87]

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81 *Conclusions of the European Ombudsman on EU search and rescue following her inquiry into how the European Border and Coast Guard Agency (Frontex) complies with its fundamental rights obligations in the context of its maritime surveillance activities, in particular the Adriana shipwreck*, 26 February 2024, available at: https://tinyurl.com/38mukedp. For more information, see *inter alia*, RSA, *The European Ombudsman on the Pylos shipwreck*, 1 March 2024, available at: https://tinyurl.com/3jrxnpwu

82 The Guardian, 'Watchdog urges EU rescue rules change after migrant boat disaster off Greece', 28 February 2024, available here.

83 Aljazeera, *Greece court dismisses charges against nine Egyptians over Pylos shipwreck,* 21 May 2024, available here.

84 Legal Center Lesvos, Press Release, 21 May 2024, available here.

85 RSA *et* al, Joint Press Release, *Closure of the preliminary investigation by the prosecution of the Piraeus Maritime Court on the Pylos shipwreck - The absence of any investigation into the responsibilities of the competent search and rescue bodies and the leadership of the Greek Coast Guard is deafening*, 23 December 2024, available here.

86 *Ibid.*

87 Press article published on the Ethnos newspaper website on 18 January 2025, available here.

On 3 February 2025 the Greek Ombudsperson announced, with a press release, the completion of the investigation and the relevant conclusion re. the shipwreck of Pylos.[88] The Independent Authority had decided to initiate its own investigation, within its special mandate as National Mechanism for the Investigation of Arbitrary Incidents, in relation to acts or omissions of Coastguard officers upon the Pylos shipwreck, following the express refusal of a disciplinary investigation by the Hellenic Coast Guard. The Ombudsperson pointed out the series of serious and reprehensible omissions in the search and rescue duties on the part of senior officers of the Hellenic Coast Guard, which constitute clear indications of the existence of, inter alia, offences of deadly exposure to danger, as well as exposure to endangering the life, health and physical integrity of those on board the Adriana fishing vessel. The Ombudsperson's Report also identifies serious gaps and omissions in the case file concerning critical evidence.[89]

The Report was forwarded to the Minister of Shipping and Insular Policy for the exercise of disciplinary jurisdiction on his behalf, and to the competent Prosecuting Authority of the Piraeus Naval Court, for the evaluation of the objective and subjective substance of the relevant criminal offences. The Ombudsperson Mr. Andreas Pottakis stated that:

> For the Independent Authority, the transparency of administrative action and the attribution of responsibilities, where they exist, for the deadly shipwreck of Pylos is an elementary legal demand, inextricably linked to respect for the rule of law, as is the thorough investigation by the administration of any other incident associated with a violation of the right to life, health and physical integrity. The Ombudsman recalled the principles of the case law of the European Court of Human Rights (ECtHR), which, in the case of the Farmakonisi shipwreck, noted that the authorities "did not take, within the limits of their powers, the measures that could reasonably be considered capable of preventing the danger". The primary issue in a search and rescue operation, according to the ECtHR, is whether the authorities' efforts were "sufficiently and appropriately focused on the lives" of the persons involved.[90]

On 4 February 2025, following the Ombudsperson's Press Release, the Ministry of Shipping and Insular Policy published an Announcement[91] regarding the Press Release of the Ombudsperson, stating, *inter alia*: '*The Report objectively attempts to shift the discussion from the criminal networks of smugglers to the members of the Coast Guard, who are fighting day and night to protect the country […].*'

On 19 February 2025, following the Ministry's announcement, the Greek National Commission for Human Rights (GNCHR), the independent advisory body to the Greek State, published a statement on the need to respect the constitutionally enshrined supervisory role of the independent authorities stating *inter alia*:

> […] the Greek National Commission for Human Rights expresses its deep concern regarding the Announcement of the Ministry of Shipping and Insular Policy of 4.2.2025, which treats the investigation of the Independent Authority of the Ombudsman regarding the Pylos shipwreck as politically motivated, ignoring its institutional role as the National Mechanism for the Investigation of Arbitrary Acts. In an extremely disturbing way, the Announcement also raises issues of questioning the legitimacy of the investigation due to the expiry of the term of office of the Ombudsman, in direct contradiction to what is stated in Article 101A of the Constitution ("the term of office of the members of independent authorities shall be extended until the appointment of new members"). This attack on an Independent Authority, and indeed on grounds relating to the exercise of its powers as provided for by the Constitution and the law, is a direct challenge to the institutional role which the Constitution itself guarantees for the Independent Authorities […].[92]

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88 The Greek Ombudsperson, Press Release, 'Report of the Ombudsman on the Pylos shipwreck', 3 February 2025, available in Greek here.

89 Greek Council for Refugees et al, Joint Press Release, 'Scathing report by the Greek Ombudsman on the Pylos shipwreck', 6 February 2025, available here.

90 The Greek Ombudsperson, Press Release, 'Report of the Ombudsman on the Pylos shipwreck', 3 February 2025, available in Greek here.

91 Ministry of Shipping and Insular Policy, 'Announcement of the Ministry of Shipping and Insular Policy regarding the Press Release of the Ombudsman', 4 February 2025, available in Greek here.

92 Greek National Commission for Human Rights (GNCHR), Statement on the need to respect the constitutionally enshrined supervisory role of the Independent Authorities, 19 February 2025, available in Greek here.

On 8 February 2025, the association of employees of the Ombudsperson's Office, in reaction to the Ministry's announcement, condemned[93] the attacks of the Ministry on the independent authority due to the Ombudsperson's report on the Pylos shipwreck, calling it an institutional undermining and an attempt to devalue the authority's work. Furthermore, following the Ministry's announcement, there also were strong reactions from opposition parties, the press and civil society organisations,[94] which, *inter alia*, referred to unacceptable political interference by the Ministry in the work of the independent authority, an attempt to publicly discredit it and how the constitutionally guaranteed independent authorities are a pillar of the democratic constitutional order and guarantees of fundamental rights, while any attack on them constitutes a challenge to democracy.

In May 2025, the lawyers representing the survivors and victims of the Pylos shipwreck[95] were:

> [..] informed of the completion of the preliminary investigation conducted by the competent Deputy Prosecutor of the Piraeus Naval Court, and the criminal prosecution and referral to main investigation on felony charges against 17 members of the Hellenic Coast Guard, including senior officers of its leadership. Specifically: A criminal prosecution has been initiated and they have been referred for main investigation by the competent Prosecutor of the Naval Court for the following felony offenses:
> 1. The captain of the Hellenic Coast Guard vessel (ΠΠΛΣ 920), who was involved in the shipwreck off Pylos on 13-14/6/2023, on the charge of:
>
> a) causing a shipwreck that could have endangered human life and resulted to the death of a big number of individuals (at least 82) [Article 277 para. 1 (b) and (d) of the Penal Code]
>
> b) Dangerous interference of maritime transport by disrupting the safe navigation of vessels, which could have endangered human life and resulted to the death of others (at least 82) (Article 291 para. 1 (f), (bb), and (dd) of the Penal Code).
>
> c) Failure to provide assistance by the captain of a vessel (Article 122 of the Naval Penal Code).
>
> 2.The crew of the HCG vessel (ΠΠΛΣ 920), on the charge of simple complicity in the aforementioned acts (a) and (b) committed by the captain.
> 3.Furthermore, all of the above, as well as the then-Chief of the Hellenic Coast Guard, the Supervisor of the National Search and Rescue Coordination Centre, and the two Navigation Safety Officers on duty that day, on the charges of exposing others to danger, despite their legal obligation to rescue them, thereby leaving them in a helpless state, resulting to the death of at least 82 individuals (Article 306 para. 1, 2(b) of the Penal Code).
> According to the Order of the same competent Prosecutor, criminal prosecution was not initiated, and the case was archived with respect to four other officers of the Hellenic Coast Guard, despite their presence in the operations room and their strategic involvement in the handling of the incident, as the Prosecutor deemed them not legally competent at that time regarding the responsibility for the operation and actions of the National Search and Rescue Coordination Centre. The lawyers representing the survivors and victims of the Pylos shipwreck […]" have already filed appeals "[…] before the Prosecutor of the Court of Appeals against the Prosecutor's

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93 News 24/7, website Press Article, Ombudsman: "Orchestrated attack" after the conclusion on the Pylos shipwreck, 8 February 2025, available in Greek here.

94 TVXS, 'Shipwreck in Pylos / Nervousness in the government by the conclusion of the Ombudsman - "Raises the tones" the opposition', 4 February 2025, available in Greek here; ERTNEWS, 'SYRIZA: Unacceptable the attack of the Ministry of Shipping against the Ombudsman - Citizens are entitled to the truth about the tragedy of Pylos', 4 February 2025, available in Greek here; Η ΑΥΓΗ, 'Shipwreck in Pylos / Unprecedented attack by the government on the Ombudsman after the conclusion - "fire"', 4 February 2025, available in Greek here; The Press Project, 'Attack of the Ministry of Shipping to the Ombudsman for the conclusion on Pylos - Full coverage of the responsibilities of the Coast Guard', 4 February 2025, available in Greek here; Hellenic League for Human Rights, 'The attack on the Independent Authorities is a Questioning of Democracy', 11 February 2025, available in Greek here; Greek Council for Refugees et al, Joint Press Release, 'Scathing report by the Greek Ombudsman on the Pylos shipwreck', 6 February 2025, available here.

95 Greek Council for Refugees et al, Joint Press Release, 'Shipwreck off Pylos: criminal prosecution for felonies against 17 members of the hellenic coast guard, including senior officers of its leadership', 23 May 2025, available here.

> Order that archived the case with respect to the four officers, requesting the initiation of criminal prosecution against them as well, as they were involved in the handling of the incident on behalf of the competent bodies of the Hellenic Coast Guard – whose responsibilities had also been highlighted by the Ombudsman's investigation report – including the current Chief of the Hellenic Coast Guard […].

In November 2025, the Prosecutor of the Court of Appeal accepted the appeals and criminal proceedings were brought against all four senior officers of the Coast Guard, including its chief at the time. According to the order *"[...] the four (4) officers [...] actively participated in the management of the incident, as they were constantly and personally informed of its progress, participated in meetings to assess and plan the necessary actions, and ultimately approved (as they themselves admit) the decisions that were taken, each of them having [….] an independent legal duty to protect life at sea and, by extension, a specific legal obligation to rescue (given that they agreed to or at least shared the specific decisions that were taken), and any deviation or failure to fulfill this obligation establishes their independent criminal liability [...], while, in other words, "[...] they should have realized, based on their experience, their role, their specialized knowledge, and the information available to them, that this was a vessel in distress, they failed to take the necessary and prescribed actions to classify the vessel as a vessel in distress and activate the prescribed and appropriate operational plans [such as, indicatively, Memoranda/Action Cards No. 1 'Vessel in Distress (Regardless of Flag) within Greek SRR' and No. 13 'Major Incident', etc.] for the rescue of those on board the vessel* [....]"[96]

The main investigation before the Piraeus Naval Court is still pending.

Developments on investigating and reporting pushbacks

The Greek Authorities consistently deny all pushback allegations,[97] which to a certain extent may also explain the lack of any effective investigation into such allegations.

In its aforementioned landmark judgment in the case of A.R.E. v. Greece,[98] the ECtHR held that:

> [f]urther to the foregoing and with regard to the criminal proceedings referred to by the Government, the Court notes that it is very clear from the case-file, and in particular from the information provided by the Government itself, that all the cases in which the competent public prosecutors had opened criminal investigations were discontinued […]. As a result, none of these cases progressed beyond the preliminary investigation stage and, consequently, no proceedings were brought against those who might have been responsible. In the light of the very large number of complaints lodged and the reports of the competent national and international institutions, which point to recurrent shortcomings that hamper the effectiveness and diligence of the criminal investigations into the alleged refoulements […] the Court considers that this situation is such as to cast serious doubt on the effectiveness of the criminal proceedings […] It therefore considers that, in the present state of national practice, a criminal complaint does not constitute a remedy to be exhausted in respect of violations of Articles 2, 3 or 5 of the Convention allegedly committed in the course of refoulement.

This conclusion summarises the situation of the ongoing or conducted criminal investigations in Greece for allegations connected to pushbacks.

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96 Greek Council for Refugees et al, Joint Press Release, "Pylos shipwreck: Criminal prosecution on felony charges against the current head of the Coast Guard and senior members of its leadership " 23 May 2025, available https://tinyurl.com/3kpkd98t

97 See for example Council of Europe, Commissioner for Human Rights, Letter to the Minister for Citizens' Protection of Greece, the Minister of Migration and Asylum of Greece and the Minister of Shipping and Island Policy of Greece, 3-5-2021, CommHR/DM/sf 019-2021, "*I am deeply concerned that the official reaction of the Greek authorities has often been to simply dismiss allegations of pushbacks despite the overwhelming body of evidence that has been presented in recent years*", available here.

98 ECtHR, *A.R.E. v. Greece* (Application no. 15783/21), 7 January 2025, para. 198, available in French here.

The European Committee for the Prevention of Torture (CPT) noted, in its recent 2024 Report on Greece, that "*[t]he Greek authorities have continued to maintain that violent forcible informal removals from Greece to Türkiye do not occur*".[99] This is also one of the challenges identified by the FRONTEX Fundamental Rights Officer (FRO), who underlined "*[n]ational authorities denying by default in any involvement in fundamental rights violations and being reluctant to investigate or follow up on cases*".[100]

Illustratively, in its September 2023 report to the UN Human Rights Committee for the examination of Greece's compliance with the International Covenant on Civil and Political Rights (ICCPR), the Greek Government categorically dismissed the UN Special Rapporteur on the Human Rights of Migrants' references to Greece's pushback practices,[101] stating that they "*do not correspond to the real situation*".[102]

In 2024, the Greek delegation to the Human Rights Committee further held that:

> [p]ushbacks were not the policy of the Greek Government in any way, shape, or form; the Government policy was clear. Actions taken by Hellenic authorities at the sea borders were carried out in full compliance with international obligations. Allegations on so-called pushbacks were not compatible with the well-established operations of the Hellenic authorities. However, any allegations of pushbacks or mistreatment of third country nationals were thoroughly investigated. From 2015 to the present, the Hellenic coast guards had rescued more than 254,000 people. Several mechanisms allowed complaints against pushbacks to be submitted to the Hellenic authorities, and the coast guards had a robust disciplinary mechanism, The State had made all the progress it could considering the difficult region. Legislation protected everyone, including human rights defenders. Alleged "smear campaigns" needed to be examined by the courts; they could not always be presumed.[103]

The Greek Government has also remained opposed to the development of an independent border monitoring mechanism and has referred since 2022 to the National Transparency Authority (NTA) as the body responsible, amongst others, for the investigation of pushback allegations.[104] The NTA has been criticised for lacking expertise to investigate pushbacks and for failing to act as an independent body, as it does not comply with the constitutional prerequisites for safeguarding the independence of such authorities.[105]

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99 CPT, *Report to the Greek Government on the visit to Greece carried out by the [CPT] from 20 November to 1 December* 2023, CPT/Inf (2024) 21, p. 5, available here.

100 FRONTEX, *The Funamental Rights Officer Annual Report 2022*, p. 28, July 2023, available here.

101 See, UN Special Rapporteur on the Human Rights of Migrants, *Human rights violations at international borders: trends, prevention and accountability*, A/HRC/50/31, 26 April 2022, para. 32: "*in Greece, pushbacks at land and sea borders have become de facto general policy*", available here.

102 UN Human Rights Committee, *Third period report submitted by Greece under article 40 of the Covenant pursuant to the optional reporting procedure*, 13 September 2023, CCPR/C/GRC/3, para. 158, "[*r*]*eports indicating that the practice of so-called 'pushbacks' 'has been established as the de facto border policy' do not correspond to the real situation*", available here.

103 Un Human Rights Committee, *Experts of the Human Rights Committee Commend Greece on Measures Taken for Unaccompanied Minors, Raise Questions on Domestic Violence and Allegations of Border Pushbacks*, 22 October 2024, available here.

104 GCR, *Greek Council for Refugees input for the forthcoming report of the Special Rapporteur on the human rights of migrants with respect to human rights violations at international borders: trends, prevention and accountability*, 28 February 2022, p. 5 and footnotes 29 and 30, available at: https://bit.ly/3oleekc.

105 For more information about the Greek NTA, see AIDA, Country report: Greece, 2023 Update, p. 36, June 2024 available here. See, also, UN Special Rapporteur on human rights defenders, *Statement on preliminary observations and recommendations following official visit to Greece*, 22 June 2022, available at: https://bit.ly/3q1bwAZ. See also UNHCR, OHCHR, ENNHRI, *Ten points to guide the establishment of an independent and effective national border monitoring mechanism in Greece*, 9 September 2021, available at: https://bit.ly/3MjauaM: 'Ensure that those entrusted with monitoring fundamental rights at borders have thorough institutional experience in international human rights law, EU fundamental rights law and in fundamental rights as guaranteed by the Greek Constitution and national legislation as well as on evolving international, European and national case law interpreting such law. Institutional experience in asylum, border management and return as well as practical experience in human rights monitoring and in working with law enforcement actors are additional assets which facilitate a successful functioning of the monitoring mechanism.'

On 31 July 2023, the NTA published its annual report for 2022 which, as noted by the NTA, *"provides objective and comprehensive information on all the activities of the Authority, which were carried out during 2022, as well as the actions included in its operational planning for the following year".* [106] In the Greek version of the report, the NTA notes that, in 2022, it received a total of 2,694 general complaints, 167 of which were forwarded to other audit services (mainly to the "AADE" and the Internal Affairs Service of the Security Services) due to lack of jurisdiction.[107] This annual report does not mention any activity related to investigation on a complaint concerning pushbacks nor of any public service/authority against which allegations of being engaged in pushback operations has arisen in recent years.

On 6 September 2024, the NTA published its annual report for year 2023.[108] Apart from a reference to 8 audits carried out in Non-Governmental Organisations registered in the Registry of the Ministry of Immigration & Asylum, there is only one general reference that: '[…] *NTA carried out audits and investigations on: […] - Residence permits – refoulements […]*'. Furthermore, in the Greek version of the report, under the sub-title "*Migration*" it is only mentioned that a specialised control mechanism for migration flows has been developed in the context of which '*the investigation and evaluation of 194 reports and publications concerning incidents that allegedly took place in the context of the management of migration flows and the country's borders by the competent institutions was completed. The inspection and investigation reports are confidential with a confidential annex attached and include personal data, which are protected by the provisions of national and EU data protection legislation. The above reports have been communicated to the relevant national and international judicial authorities, as appropriate*'. No other information is provided e.g. as to the nature of the complaints, the status of the complainants and the denounced persons, or the status and/or outcome of the reported communications to the judicial authorities.

The ECtHR's judgement of 7 January 2025, in its *A.R.E. v. Greece case*,[109] challenged the Government's claims that it does not carry out pushbacks and questioned the credibility of the NTA's investigations. The Court explicitly notes that, on the contrary, reports from fully independent and credible authorities, such as the National Commission for Human Rights and the Ombudsperson, which provide credible and serious evidence that systematic pushbacks are taking place, must be taken into account in pushback complaints. On the same day, ruling on the *G.R.J* case which concerned pushback allegations from the island of Samos to Türkiye, the Court also concluded that there were strong indications to suggest that a systematic practice of "pushbacks" from the Greek islands to Türkiye had existed. The Court however could not find a violation of the Convention as it considered that the applicant had failed to provide *prima facie* evidence of his individual claim.[110] It bears emphasising that the Court did not take into account any of the NTA' findings, not only because the Greek government failed to address the applicant's lawyers' arguments to that end, but also because the Court considers that a complaint before the NTA is not considered as an effective remedy.[111]

In July 2022, a Fundamental Rights Officer (FRO) and a Special Committee on Fundamental Rights Compliance (Task Force for Fundamental Rights Compliance) was appointed within the Ministry of Migration and Asylum,[112] and, in September 2023, the FRO activated an online complaint platform.[113] According to the platform's instructions, the complaints must be submitted with a name and in writing by the victim-third country national, in Greek or English, and only about incidents that were not brought before judicial or prosecuting authorities.

106 NTA, *2022 Annual Report*, 31 July 2023, available in Greek at: https://bit.ly/3TNGjMN, and English at: https://bit.ly/4amDMAl.
107 Ibid., pp 43-44.
108 NTA, *2023 Annual Report*, 15 January 2025, available in English here and in Greek here.
109 ECtHR, *A.R.E. v. Greece* (Application no. 15783/21), 7 January 2025, available in French here.
110 ECtHR, *G.R.J. v. Greece* (Application no. 15067/21), available here.
111 ECtHR, *A.R.E. v. Greece* (Application no. 15783/21), paras 200 and 228, 7 January 2025, available here.
112 AIDA, Country report: Greece, 2023 Update, p. 37, June 2024 available here.
113 The complaint form is available at: https://bit.ly/3VLxbL8.

On 10 January 2025, the FRO published its first report,[114] covering the period between September 2023 and December 2024. In the report, the FRO noted that from the start date of the Complaints Mechanism on 26.09.2023 until 31.12.2024, a total of one hundred nineteen (119) complaints had been submitted to the Mechanism. Of these, twenty-seven (27) were submitted between 26.09.2023 and 31.12.2023, while the remaining ninety-two (92) were submitted within the year 2024. Ten of these complaints (nine related to reception conditions and one related to international protection procedures) were forwarded or partly forwarded to the competent authorities (General Secretariat of Reception of Asylum seekers of the Ministry, NTA and Asylum Service) while nine others since 2023 appeared to be ending at a preliminary stage. The rest of the complaints were dismissed. The report does not mention how many complaints were specifically submitted concerning pushback allegations nor does it specify how many complaints were dismissed as inadmissible and what violation they alleged.

The one complaint that was forwarded to the NTA merely refers to "unofficial detention". Except from the numbers and statistics, the report does not present preliminary findings, nor details the number of cases in which the FRO requested additional information from the complainants or in which the latter were called for a hearing or even information on the measures taken by the FRO to ensure an effective investigation of the complaints. Approximately 90% of the complaints have been dismissed as inadmissible and not further forwarded (87% in 2023 and 93% in2024), as the online platform and the complainant form continues to be only in Greek and English.

In 2023, the Greek National Commission for Human Rights (GNCHR) published a report on its Recording Mechanism of Informal Forced Returns, which had been launched in early 2022,[115] and to which ten civil society organisations are participating,[116] including GCR. The Mechanism initially recorded at least 50 incidents and 58 testimonies of informal forced returns which, according to testimonies of the alleged victims, occurred between April 2020 and October 2022. The total number of alleged victims in the report was approximately 2,157 third country nationals, including asylum applicants and recognised refugees in Greece. In December 2023, the "Recording Mechanism" published a follow-up report[117] to the Interim Report of the Recording Mechanism of January 2023. In the period between February 2022 and December 2022, the Recording Mechanism had recorded testimonies through personal interviews with 43 alleged victims about 50 incidents of illegal forced returns. The countries of origin of the alleged victims are listed among the countries with high recognition rates for international protection status in Greece and the EU (Syria, Palestine, Türkiye, Afghanistan, Iraq, Iran, Somalia, Cameroon, Mali and Democratic Republic of Congo). The majority of the alleged victims are unregistered asylum seekers who reported that their personal data had never been recorded by the Greek Authorities and that they were informally and forcibly returned to Türkiye. The report also flags the cases of six Turkish nationals unregistered asylum seekers politically persecuted in Türkiye, who were directly pushed back to their country of origin without any assessment of their international protection needs. According to the GNCHR, *"[t]hese incidents constitute a direct violation of the principle of non-refoulement, which is the cornerstone of international protection of asylum seekers and refugees".*[118] In the same report, and among the 43 alleged victims, five were already asylum applicants in Greece and five were recognised refugees in Greece. The latter five alleged victims were deprived of their international protection status, already granted to them by the Greek State.

In 2024, the GNCHR published a new report covering the period from January to December 2023.[119] In this period, the Recording Mechanism recorded testimonies related to approximately 45 informal forced

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114 Ministry of Asylum and Migration, FRO report, *Το Υπουργείο Μετανάστευσης και Ασύλου ενισχύει τη διαφάνεια και την προστασία των θεμελιωδών δικαιωμάτων,* 10 January 2025, available in Greek here.

115 GNCHR, *Recording Mechanism of Informal Forced Returns, Interim Report*, January 2023, available at: https://bit.ly/3IUTyH5.

116 Greek Council for Refugees (GCR), Hellenic League for Human Rights (HLHR), Network for Children's Rights, Medical Intervention, METAdrasi – ACTION FOR MIGRATION AND DEVELOPMENT, Transgender Support Association, RSA, HIAS Greece, Legal Centre Lesvos, Danish Refugee Council Greece (DRC). See https://bit.ly/3Ix1jTI.

117 GNCHR, *Full Annual Report of 2022*, published in December 2023, available at: https://bit.ly/3PSoOtv.

118 Ibid. page 5 of the report

119 All reports of the Recording Mechanism of Informal Forced Returns of the Greek National Commission for Human Rights available here.

return incidents (IFR), which had reportedly occurred between January 2022 and December 2023, through personal interviews with 37 alleged victims. According to the testimonies, the 45 IFR incidents involved a minimum of 1.438 persons, including at least 158 women, 190 children and 41 persons having special needs, such as persons with medical conditions, elderly people and people with disabilities. The countries of origin of the alleged victims are countries whose nationals are granted international protection status in Greece and the rest of the EU at significant rates (Syria, Palestine, Türkiye, Iraq, Iran, Somalia, Cameroon, Mali and Democratic Republic of Congo). Upon an invitation to that end by the ECtHR, the GNCHR submitted a third-party intervention in the cases of G.R.J v. Greece and A.E. v. Greece,[120] in which the Commission referred to the abovementioned findings.

Throughout 2024, the Mechanism received testimonies of alleged victims of pushback operations at land and sea borders, and the Full Report was published in July 2025. According to the report's findings, cases continued to refer to persons of certain nationalities having a very high recognition rate of international protection in Greece (as highlighted in the previous report). According to the conclusions from the 45 recorded alleged victims, 27 were men and 18 women, 44 were adults and 1 was a minor at the time of the interview. It is of particular importance the finding that 24 out of the 45 alleged victims fall into categories of vulnerability. (9 victims of torture, 7 victims of sexual violence, 7 victims of other serious physical or psychological violence, 6 single-parent families, as well as persons with serious health problems, mental illnesses, pregnancy or disability): "*This finding confirms that physical removal practices disproportionately affect people with a particular need for protection and enhanced safeguards. It is noteworthy that 40 out of the 45 persons stated that they were never subjected to any official procedure of registration or identification by the Greek authorities, despite their detection, a fact which constitutes a serious indication of violation of Greece's obligations under national, Union and international law, and in particular of the safeguards arising from the right of access to the asylum procedure*".[121]

The Greek Ombudsperson, after taking under consideration the number of reported pushback incidents between 2017 and March 2024, the relevant complaints submitted to its own office and the findings of its own investigations in his capacity as National Mechanism for the Investigation of Arbitrary Incidents regarding law enforcement officers, concluded that *"the persistent reluctance on the part of the disciplinary bodies of the enforcement agencies to investigate such incidents"* and *"the recurrent shortcomings impeding the effectiveness and diligence of the few investigations launched",* suggest that *[...] "unlawful pushbacks at land and sea borders present features that do not correspond or correlate to an isolated phenomenon*".[122]

The CPT of the Council of Europe has repeatedly underlined over the previous years that it receives *"consistent and credible allegations"* of pushbacks.[123] In the recent CPT Report on its *ad hoc* visit to Greece, which took place from 21 November to 1 December 2023, published on 12 July 2024,[124] the CPT underlines that " […] there is sufficient evidence to conclude that pushbacks to Türkiye have taken place and continue to take place […]". "During the 2023 visit, the CPT delegation again received many consistent and credible allegations of informal, often violent, forcible removals of foreign nationals across the Evros river or at sea to Türkiye. Such removals occurred without consideration of their individual circumstances, vulnerabilities, protection needs or risk of ill-treatment when returned ("pushbacks")".

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120 GNCHR, *Written submission to the European Court of Human Rights (Third Section) made by the Greek National Commission for Human Rights as a third party, in relation to Applications nos. 15067/21 - G.R.J. v. Greece, and 15783/21 - A.E. v. Greece*, 28 March 2024, available in English here. See, esp., paras 13-33.

121 All reports of the Recording Mechanism of Informal Forced Returns of the Greek National Commission for Human Rights available here.

122 Greek Ombudsperson, *Third party intervention before the European Court of Human Rights in the cases G.R.J. v. Greece and A.E. v. Greece (applications nos. 15067/21 and 15783/21),* p.11, 14 March 2024, available here.

123 See CPT, *Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 19 April 2018, CPT/Inf (2019) 4*, 19 February 2019, paras. 136 seq. and Committee for the Prevention of Torture, Report to the Greek Government on the visit to Greece carried out by the CPT from 13 to 17 March 2020, CPT/Inf (2020) 35, 19 November 2020, paras. 53 seq.

124 CPT, *Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 November to 1 December 2023,* published on 12 July 2024 available here.

In an August 2023 press release, a group of experts of the U.N. Human Rights Council stated that: *"We urge Greece to take steps to ensure a transparent and impartial investigation into allegations of violations of the principles of non-refoulement and non-discrimination and of the right to life involving Greek law enforcement personnel, including the Hellenic Coast Guard, and border violence."*[125]

In July 2023, the FRONTEX FRO issued a fourth opinion concluding that "*collective expulsions at sea and land borders in Greece, accompanied by additional associated fundamental rights violations, are conducted systematically rather than constituting isolated incidents*".[126] In this context, the FRO reiterated its recommendation to the FRONTEX Executive Director to trigger the mechanism to suspend or terminate FRONTEX activities in Greece, in whole or in part, unless major changes are made.[127]

In 2024, the practice of *refoulements* continued to be used as a *"front-line"* tool of Greece's migration policy, which has been described as a *"de facto general policy"* of *"pushbacks at land and sea border"* by the UN Special Rapporteur on the Rights of Migrants, as previously noted in a 2022 report,[128] to halt the flow of refugees and to deter others from attempting to irregularly cross the borders into the country. The practice is a permanent eventuality for people crossing the borders according to testimonies, media coverage and reports. Serious incidents of alleged *refoulements* have been reported in which arbitrary removal of people residing on the mainland or on the islands were carried out, even of a number of asylum applicants that have been already registered in the country.

In September 2024, GCR submitted its written contribution to the UN Human Rights Committee,[129] in which it provided the main points and reports concerning pushback practices, practices at the borders and ineffective investigations in pushback complaints. In November 2024, GCR submitted a third-party intervention to the ECtHR in the case of Muhammad v. Greece,[130] in which it pointed to the credible, consistent and numerous allegations of pushback practices at the Greek-Turkish land and sea borders and that all related domestic criminal cases "shelved"/closed at the pre-trial stage.

In June 2025, GCR submitted its written contribution to the Report on externalization of migration and the impact on the human rights of migrants of the UN Special Rapporteur for the 80th session of the General Assembly,[131] providing information on push backs as an informal practise of externalization in Greece. Among others, GCR highlighted the Commissioner for Human Rights Memorandum on migration and border control, adopted following his visit to Greece in February 2025, noting that the Greek General Prosecutor's categorical denial of systematic practices of summary returns from Greece, contradicts the judgments of the ECtHR.[132] By early April 2025, it was also reported that the Fundamental Rights Office of the European Border and Coast Guard Agency (Frontex) was investigating twelve (12) cases of alleged human rights violations at the borders by the Greek Authorities, amongst which two (2) cases regarded

125 UN Human Rights Council, *Press release: Greece: UN experts call for safe, impartial border policies and practices*, 23 August 2023, available at: https://bit.ly/4aIAtTW.

126 FRONTEX, Fundamental Rights Officer, ANNUAL REPORT 2023, July 2024, p. 12, available here.

127 Pursuant to Article 46 (4) of Regulation (EU) 2019/1896 read as follows: "The executive director shall, after consulting the fundamental rights officer and informing the Member State concerned, withdraw the financing for any activity by the Agency, or suspend or terminate any activity by the Agency, in whole or in part, if he or she considers that there are violations of fundamental rights or international protection obligations related to the activity concerned that are of a serious nature or are likely to persist".

128 Report of the Special Rapporteur on the human rights of migrants, Felipe González Morales, *Human rights violations at international borders: trends, prevention and accountability,* 26 April 2022, para.32, available at: https://bit.ly/3VNoYpV.

129 GCR, *Submission to the UN Human Rights Committee, Greece's State Party Report, 142nd Session*, *14 October – 7 November 2024*, September 2024, available here.

130 GCR, *Third Party Intervention before the European Court of Human Rights in the case Muhammad v. Greece, Application no. 34331/22*, available here.

131 GCR, GCR's Submission to the UN Special Rapporteur's on the human rights of migrants Report on the externalization of migration and the impact on the human rights of migrants, 10/06/2025 available here

132 Council of Europe Commissioner for Human Rights, Memorandum on migration and border control, following the Commissioner's visit to Greece from 3 to 7 February 2025, https://tinyurl.com/5ekra3j2

incidents reported during 2025, nine (9) regarded incidents reported in 2024, and the last (1) regarded 2023.[133]

Pushbacks at land borders

In relation to pushbacks at land borders,[134] the UN Special Rapporteur on the human rights of migrants already noted in 2021 that, in addition to '*increased militarisation of the Evros land border … which has effectively resulted in preventing entry and in the summary and collective expulsion of tens of thousands of migrants and asylum seekers',* there have been allegations that '*pushbacks are also reportedly carried out from urban areas, including reception and detention centres'*.[135] In a report issued in April 2022, the Special Rapporteur on the human rights of migrants stated that '*[i]n Greece, pushbacks at land and sea borders have become de facto general policy*'.[136] According to the abovementioned ECtHR's findings in its January 2025 A.R.E. v. Greece judgement as well as numerous credible reports, this "systematic practice" continued in 2024.

On 21 February 2022, UNHCR expressed its concerns regarding recurrent and consistent reports from Greece's land and sea borders with Türkiye. At least three people had already been reported to have died since September 2021 in the Aegean Sea, including one in January 2022, while almost 540 reported incidents of informal returns by Greece had been recorded since the beginning of 2020.[137] The International Organisation for Migration (IOM) has also been alarmed by increasing migrant deaths and continuous reports of pushbacks at the border between Greece and Türkiye.[138] Regarding pushbacks at the Evros land border, a June 2022 journalistic investigation reported that the Greek police were using foreigners as "slaves" to forcibly return asylum seekers to Türkiye.[139]

In Greece, many legal practitioners, included GCR, have resorted to litigating cases directly before the ECtHR or UN Committees, due to the ineffective procedure in domestic courts. As per a Border Violence Monitoring Network (BVMN) report, the policy of pushbacks seems *'to have contaminated the judiciary'*.[140] The majority of investigations connected to pushbacks have been closed by public prosecutors invoking lack of evidence. Many of these cases have been referred to the ECtHR as domestic remedies were ineffective.[141] This legal reality was acknowledged by the ECtHR in its abovementioned *A.R.E. v. Greece*

133 Reuters, EU border agency reviewing 12 cases of potential rights violations by Greece, 8 April 2025, https://tinyurl.com/mwve7a7y

134 ECRE, *Greece: MEPs Confront Commission Officials over Pushbacks, People on the Move Again Caught in the Stand-off with Turkiye in the Evros Region*, 9 June 2023, available at: https://bit.ly/3qqFSgk.

135 Special Rapporteur on the human rights of migrants, *Report on means to address the human rights impact of pushbacks of migrants on land and sea*, 12 May 2021, available at: https://bit.ly/3WvA94I, para. 55.

136 United Nations, *Report of the Special Rapporteur on the Human Rights of Migrants, Felipe González Morales, Human rights violations at international borders: trends, prevention and accountability*, A/HRC/50/31, available at: https://bit.ly/4eHO68L, para 32.

137 UNHCR, *News Comment: UNHCR warns of increasing violence and human rights violations at European borders,* 21 February 2022, available at: https://bit.ly/43jYnkL.

138 IOM, *IOM Concerned about Increasing Deaths on Greece-Türkiye Border,* 18 February 2022, available at: https://bit.ly/3MlQtjS.

139 '…The Greek police are using foreigners as 'slaves' to forcibly return asylum seekers to Türkiye, In recent years there have been numerous accounts from the victims, as well as reports by human rights organisations and the media, stating that the men driving these boats speak Arabic or Farsi, indicating they are not from Greece. A months-long joint investigation with The Guardian, Le Monde, Der Spiegel and ARD Report München has for the first time identified six of these men – who call themselves slaves– interviewed them and located the police stations where they were held. Some of the slaves, who are kept locked up between operations, were forcibly recruited themselves after crossing the border but others were lured there by smugglers working with a gangmaster who is hosted in a container located in the carpark of a Greek police station. In return for their 'work' they received papers allowing them to stay in Greece for 25 days'. See Der Spiegel, *'Greek Police Coerce Refugees to Commit Illegal Pushbacks'*, 30 June 2022, available at: https://bit.ly/3IvTGfB and Lighthouse reports, *We were slaves*, 28 June 2022, available at: https://bit.ly/3MTla1G.

140 BVMN, *BlackBook of Pushbacks*, December 2022, available at: https://bit.ly/3ou1EPJ, 14.

141 *Ibid*.

judgment of 7 January 2025,[142] in which the Court considered the relevant Greek criminal procedures as ineffective in cases concerning pushback allegations, as none of these cases progressed beyond the preliminary investigation stage and, consequently, no proceedings were brought against those who might have been responsible. The Court therefore held that *"in the present state of national practice, a criminal complaint does not constitute a remedy to be exhausted in respect of violations of Articles 2, 3 or 5 of the Convention allegedly committed in the course of refoulement".*[143]

Additionally, from March 2022 to December 2025, GCR supported 1,257 individuals at risk of pushback and/or victims of multiple pushbacks before the ECtHR by submitting 121 applications for interim measures under Rule 39, which have all been granted.[144] In only 29 out of these 121 cases were the asylum seekers formally arrested by the Greek authorities and the official procedure followed. In the majority of cases, the applicants or their relatives described to GCR that they have been victims of one or multiple pushback operations.

Despite the measures granted by the Court, the majority of the victims allege that they were still subsequently pushed back to Türkiye. This highlights the frequency and periodicity of pushback cases and the clear persistence of what has been refered to as Greece's "*de facto* general policy" of pushbacks by the UN Special Rapporteur on the human rights of migrants.[145]

Illustratively, the 24 cases (for the year 2025) included the cases of:

- 18 Syrian applicants, amongst whom 13 children, who were allegedly pushed back twice after the interim measures had been adopted, some of whom complaint they were subsequently returned to Syria, were they remained in danger as Alawites.
- At least 22 Turkish applicants, some of whom were subsequently imprisoned in Türkiye, due to their political persecution.
- At least 2 cases of applicants who, following their pushbacks, were deported from Türkiye to their country of origin (Syrians and Egyptians).

In the time period between the publication of the *A.R.E. decision*, on 7 January 2025 and and 31 December 2025, GCR submitted 24 requests for interim measures (Rule 39) to the ECtHR, all of which were granted. These concerned 131 asylum seekers (including families with children), of whom 28 were from Türkiye, 27 from Syria, 22 from Afghanistan, 19 from Palestine, 10 from Iran, 8 from Iraq, 7 from Egypt, 1 from Mauritania and 1 stateless person. In only four of these cases were the applicants subjected

142 ECtHR, *A.R.E. v. Greece* (Application no. 15783/21), paras 200 and 228, 7 January 2025, available in French here, paras and 199. Unofficial translation to English: "198. Further to the foregoing and with regard to the criminal proceedings referred to by the Government, the Court notes that it is very clear from the case-file, and in particular from the information provided by the Government itself, that all the cases in which the competent public prosecutors had opened criminal investigations were discontinued […]. As a result, none of these cases progressed beyond the preliminary investigation stage and, consequently, no proceedings were brought against those who might have been responsible. In the light of the very large number of complaints lodged and the reports of the competent national and international institutions, which point to recurrent shortcomings that hamper the effectiveness and diligence of the criminal investigations into the alleged refoulements […] the Court considers that this situation is such as to cast serious doubt on the effectiveness of the criminal proceedings […] It therefore considers that, in the present state of national practice, a criminal complaint does not constitute a remedy to be exhausted in respect of violations of Articles 2, 3 or 5 of the Convention allegedly committed in the course of refoulement. 199. Moreover, the Court notes that the criminal complaint lodged by the applicant in the present case was dismissed by the Public Prosecutor of the Thrace Court of Appeal by order no. 41/2020, in which he held, inter alia, that "the Greek police never carry out such acts of refoulement to Türkiye" (see paragraph 48 above). Above all, the Court notes that the criminal complaint was closed after a preliminary investigation which was manifestly inadequate. Indeed, it is clear from the file that the authorities took no steps to allow the applicant's brother to testify, despite requests to do so, or to verify the authenticity of the audiovisual material submitted to them. Nor did they take the time to carry out a serious examination of the other documents in the file, such as the documents from the Turkish judicial authorities or the statements of the witnesses named by the applicant, […] The Court concludes that the applicant's case is only one of many examples of the ineffectiveness of the criminal proceedings in relation to the allegations of refoulement"".

143 *Ibid*., para 198.

144 GCR, GCR's Information Note on interventions and on interim measures granted by the ECtHR in cases regarding pushbacks Updated on the 12 January 2026, available at: https://tinyurl.com/36kbkk4f.

145 Special Rapporteur on the human rights of migrants, *Report on means to address the human rights impact of pushbacks of migrants on land and sea*, 12 May 2021, available at: https://bit.ly/3WvA94I, para. 55.

to legal procedures by the Greek authorities, while in the other cases either the applicants complain that they were subjected to a pushback operation or information on their whereabouts was lost.[146]

On 15 January 2025, Forensic Architectures (FA) published the result of its investigative research on the situation at the Evros river.[147] FA noted that:

> 'the river is a hotspot for illegal crossings of refugees and migrants into Europe, as well as a laboratory for border defence technologies at the continent's frontier. Meanwhile, the course of the river has changed over the century. … Within that space, migrants and refugees are hunted, detained, tortured, 'pushed back' across the river by border guards, or abandoned on islets for days, even weeks. A military buffer zone, dotted with guard stations, watchtowers and fences, runs along both banks of the river, excluding monitors, researchers, and medical professionals. Survivors of 'pushbacks' describe having their phones, documents, and possessions confiscated and often thrown into the river, ensuring that little documentation of this lethal border zone escapes to the outside world".[148] In this context, as FA explains, "since early 2020, more than sixty groups of asylum seekers that attempted to cross into Greece found themselves stranded on islets in the middle of the river. These groups were either led there by smugglers or border guards from the Turkish side of the river, or forced there by Greek authorities during pushbacks. In both cases, the islets are used as spaces where asylum seekers are abandoned for weeks on end, often without clothes, food or water, so that either littoral authority can deny responsibility for their reception and rescue. Fatalities from lack of access to food, water and medical care, insect and snake bites, hypothermia, drowning, or injuries are a common outcome of this practice.'

As FA explain, the scope of this platform is meant as a useful counter-cartographic tool at the hands of asylum seekers, activists, humanitarian workers and researchers in their pursuit of accountability for ongoing border crimes, and in their efforts to support stranded groups in the region. Finally, the platform includes various data in an interactive map, such as the stranding of people on the move, the maps and aerial graphics from five different periods, infrastructures (Border Guard Stations, Watchtowers, Surveillance Antennas) and the changes in the landscape after the wildfires of August 2023 in Evros.

Pushbacks at sea

On 7 January 2025, the ECtHR published its judgment in the case of the G.R.J. v. Greece.[149] The case concerned the alleged pushback of an Afghan unaccompanied minor from the Greek island of Samos to Türkiye in 2020. In its judgement, the Court concluded that "*there were strong indications to suggest that, at the time of the events alleged, a systematic practice of "pushbacks" from the Greek islands to Türkiye had existed."*[150] However, the applicant had failed to provide *prima facie* evidence of his presence in Greece and of his personal "pushback" to Türkiye from the island of Samos on the alleged dates. Therefore, the Court underlined that the existence of a systematic practice of pushbacks does not exempt an applicant from the obligation to provide *prima facie* evidence to substantiate his or her allegations.

In July 2022, the ECtHR issued its long-awaited landmark judgment in the case of *Safi and others v. Greece* (also known as the "Farmakonisi case"),[151] which was supported by GCR, Refugee Support

146 Greek Council for Refugees, *GCR's Information Note on interventions and on interim measures granted by the ECtHR in cases regarding pushbacks*, updated on the 12th of January 2026, available at: https://tinyurl.com/36kbkk4f.

147 Forensic Architecture, *The Evros/Meric River: A century of border design*, 15 January 2025, available here.

148 Ibid.

149 ECtHR, *G.R.J. v. Greece* (Application no. 15067/21), available at: https://hudoc.echr.coe.int/fre?i=001-240283.

150 ECtHR, *G.R.J. v. Greece* (Application no. 15067/21), paras 190 and 225, available at: https://hudoc.echr.coe.int/fre?i=001-240283. Unofficial translation to English "190. *Having regard to the significant number, variety and concordance of the relevant sources, the Court concludes that there are strong indications to suggest that, at the time of the events alleged, there was a systematic practice of "pushbacks" of third-country nationals, by the Greek authorities, from the greek islands to Türkiye […]* 225. *The Court recalls that there are serious indications that, at the material time of the alleged facts, there was a systematic practice of refoulement from the Greek islands to Türkiye*".

151 ECtHR, *Safi and others v. Greece*, application no 5418/15, 7 July 2022, available at: https://bit.ly/45oTicG

Aegean with the support of Pro Asyl, the Network of Social Support of Refugees and Immigrants, the Lawyers' Group for the rights of Refugees and Immigrants and the Hellenic League for Human Rights. The case concerned the sinking of a fishing boat transporting 27 foreign nationals in the Aegean Sea in January 2014 off the island of Farmakonisi, resulting in the death of 11 people. According to the allegations of the applicants, the coastguard vessel was towing the fishing boat at very high speed in order to push the refugees back towards Turkish water, which caused the fishing boat to capsize, which the Greek Authorities denies. The Strasbourg Court found a violation of the right to life, both due to the authorities' failure to investigate such a significant case responsibly and effectively, and on account of actions that they should and could have taken to protect human lives and prevent the tragic incident. The Court also held that Coast Guard officers had inflicted degrading and inhuman treatment against shipwreck survivors that night. The judgment of ECtHR '*vindicates the victims by awarding compensation from the Greek State and brings to light an issue systematically concealed in public discourse: push backs and systematic deterrence practices which put lives at risk on a daily basis in Evros and the Aegean'*.[152]

In October 2025, the ECtHR delivered a further landmark judgment in the case of *F.M. v. Greece*, which was represented by RSA, condemning Greece for a violation of Article 2 of the ECHR (right to life). The case concerned the 2018 Agathonisi shipwreck, which resulted in the drowning of sixteen refugees. The Court found that the Greek Coast Guard failed to carry out an adequate search and rescue operation, despite being promptly and repeatedly provided with the boat's precise coordinates by a relative on Samos island, leaving passengers unassisted at sea for hours. Furthermore, the ECtHR found the state's subsequent criminal investigation to have been ineffective and structurally non-independent, noting that the inquiry was conducted by bodies with clear hierarchical and institutional links to the suspects, ignoring critical voice message evidence, and featuring severely deficient forensic reports before being improperly shelved by the Piraeus Naval Court Prosecutor.[153]

In May 2026, the Prosecutor of the Court of Appeal upheld an appeal lodged by the Greek Council for Refugees (GCR) against the dismissal of a criminal complaint concerning an October 2023 incident, where a Hellenic Coast Guard vessel rammed a boat carrying Syrian and Iranian refugees off Chios, resulting in one death and multiple serious injuries. Overturning the Naval Court Prosecutor's decision and rejecting the Coast Guard's official narrative, the Prosecutor of the Court of Appeal found "*reasonable suspicions*" that the vessel's commander intentionally rammed the refugees' boat while foreseeing and accepting the potential for death or grievous bodily harm. As a result, the Prosecutor of the Naval Court of Piraeus was ordered to initiate criminal prosecutions against the commander for homicide with eventual intent (*dolus eventualis*), grievous bodily harm, and multiple counts of dangerous bodily harm. As noted by GCR's lawyers, *"this case presents similar characteristics to the more recent case involving the ramming of a refugee boat off Chios in February 2026, which resulted in 15 deaths and many injuries, and for which an investigation into alleged criminal acts by the Coast Guard is ongoing"*.[154]

In January 2025, Aegean Boat Report (ABR) published its annual report covering the year 2024,[155] according to which 1,639 boats carrying 48,761 people arrived on the Greek islands in 2024. According to the same report, in 2024, 2,367 boats carrying 62,924 people were stopped by the Turkish Coast Guard and Police. According to ABR:[156]

> '[i]n 2024, Boats arriving has increased 13% compared to 2023, when 1.451 boats arrived, carrying 38.993 people. 14.482 people has been illegally pushed back by Greek authorities". ABR further states that "in 2024, Aegean Boat Report have registered 508 pushback cases in the

152 Press Conference: Judgement from the European Court of Human Rights in Safi and Others v Greece (Farmakonisi), Written on 07/07/2022 with a short summary of the case, available at: https://bit.ly/3OzXBfA and GCR, *Vindication by the ECHR for Farmakonisi: Press conference on Monday, 11 July 2022*, available at: https://bit.ly/3q61nmD.

153 RSA, 'BREAKING – Justice Delivered: ECtHR condemns Greece for the 2018 Agathonisi refugee shipwreck', 14 October 2025, available at: https://tinyurl.com/4mbkr639.

154 GCR, 'Order to initiate criminal prosecution for homicide with eventual intent against the commander of a Hellenic Coast Guard vessel', 20 May 2026, available at: https://tinyurl.com/h8rurhkj.

155 Aegean Boat Report, *Annual Report 2024*, available here.

156 *Ibid.*

Aegean Sea, involving 14.482 children, women and men who tried to reach safety in Europe. 40.6%, 5.882 people, had already arrived on Greek territory, arrested, forced back to sea and left drifting in life rafts, illegally deported by the Hellenic Coast Guard(HCG), on orders from the Greek government, so far there has been no reaction from the EU on these illegal actions. 21.5% of all boats/rafts picked up by Turkish coast guard in 2024 had been pushed back by Greek authorities.'

The annual report for 2025 is still pending. Nonetheless, Aegean Boat Report published in December 2025 a monthly report according to which the total number of arrivals until the end of December 2025 was forming as follows: "*In 2025 990 boats have been stopped on their way towards Greece, 25.060 people have been arrested. Boats arriving on the Greek island has been reduced due to the Greek governments pushback tactics, on Greek islands and at sea, boats picked up by TCG has increased for the same reason*".[157]

On 19 May 2023, the New York Times (NYT) published video footages of an alleged pushback from the island of Lesvos, which allegedly took place in the midday hours of 11 April 2023.[158] Amongst others, EU Home Affairs Commissioner Ylva Johansson, in an interview,[159] stated that "[w]hat seems to be in these videos is a deportation", adding that she had no reason to doubt the footage obtained by the New York Times and called on the Greek authorities to conduct a full and independent investigation into the reported incident. The Greek Prime Minister, in an interview to CNN,[160] had committed to investigating the incident, describing it as an "completely unacceptable practice". The NTA appears[161] to have been requested by the European Commissioner to activate an investigation into the incident, despite the NTA having repeatedly been criticised for its ineffectiveness in investigating similar incidents. On 21 June 2023, in response to this EU call to the NTA, 21 civil society organisations issued a Joint NGO statement in which they clearly state that there is *"[n]o monitoring of fundamental rights violations in Greece without independent and effective mechanisms".*[162] On 27 July 2023, in a joint submission to the Prosecutors of the Piraeus Naval Court, the First Instance Court of Mytilene and the Supreme Court Prosecutor, 28 civil society organisations called[163] for an effective investigation into potential criminal acts committed in relation to the aforementioned New York Times-released footages. As far as GCR is aware, there has been no update on any criminal investigation allegedly being conducted by the domestic court on this case.[164]

In November 2023, Médecins Sans Frontières/Doctors Without Borders (MSF) published a report,[165] which *"calls on the Greek authorities to investigate reports of hundreds of missing migrants and allegations of people being threatened, abducted, and ill-treated".* MSF based its report on the testimonies of 56 patients and information gathered between August 2021 and July 2023 on Lesbos[166] and Samos. MSF are also reporting that *"Since we started providing emergency medical assistance to people arriving by boat to Lesbos in June 2022, we have been unable to find approximately 940 people who were never found at the reported location".*[167] MSF calls for a permanent end to pushbacks at borders, for an

157 Aegean Boat Report, Monthly Report December 2025. All reports available here

158 The New York Times, 'Greece Says It Doesn't Ditch Migrants at Sea. It Was Caught in the Act.', 19 May 2023, available here.

159 POLITICO, *EU's Johansson slams Greece over "deportation" of migrants"*, 24 May 2023, available at: https://bit.ly/3TSJ1k1.

160 Greek Government, *Prime Minister Kyriakos Mitsotakis' interview on CNN, with journalist Christiane Amanpour*, 23 May 2023, available at: https://bit.ly/43PTTDQ.

161 Kathimerini, *Μεταναστευτικό: Ερευνα από την Εθνική Αρχή Διαφάνειας για το βίντεο από τη Λέσβο*, 25 May 2023, available in Greek at: https://bit.ly/3xExAF6.

162 Amnesty Internaitonal, *Joint NGO Statement: No monitoring of fundamental rights violations in Greece without independent and effective mechanisms 21 June 2023*, available at: https://bit.ly/3vJolmI.

163 GCR, *Intervention of 28 organisations to competent Prosecutors on the pushback incident published by the New York Times*, 27 july 2023, available at: https://bit.ly/3xqRLq1.

164 GCR, *Third Party Intervention submitted on 14 September 2024 before the ECtHR regarding the case Muhammad v. Greece*, Application no. 34331/22, available here, pp 7-8.

165 MSF, *Pushbacks, detention and violence towards migrants on Lesbos*, 9 November 2023, available at: https://bit.ly/4aNY9WY.

166 See also, Reuters, *Asylum-seekers in Greece face violence, pushbacks -aid group MSF*, 2 November 2023, available at: https://bit.ly/3xrHkme.

167 Ibid.

independent monitoring system to be set up on the Aegean islands, and for search and rescue operations to be stepped up at sea.[168]

On 16 January 2024, the ECtHR issued a decision and a press release with the title "*When firing several times at a motorboat transporting individuals illegally towards Greece, coastguards used force that was not "absolutely necessary" within the meaning of Article 2 of the Convention".*[169] The case concerned a serious gunshot wound sustained by a member of the applicants' family on 22 September 2014 near the island of Pserimos, when a vessel was intercepted transporting people illegally to Greece. Under the procedural aspect of Article 2, the Court noted that there had been numerous shortcomings in the investigation conducted by the national authorities; this had led, in particular, to the loss of evidence, and had affected the adequacy of the investigation.[170] Among other things, it had been impossible to determine whether or not the use of potentially fatal force was justified in the particular circumstances of the case. Under the substantive aspect of Article 2, the Court noted, firstly, that the respondent State had not complied with its obligation to introduce an adequate legislative framework governing the use of potentially lethal force in the area of maritime surveillance operations. It then considered that the coastguards, who could have presumed that the boat being monitored was transporting passengers, had not exercised the necessary vigilance in minimising any risk to life. The coastguards had thus used excessive force in the context of unclear regulations on the use of firearms. The Court considered that the Government had not demonstrated that the use of force had been "absolutely necessary" within the meaning of paragraph 2 of Article 2 of the Convention.

GCR represents survivors in two other pushback cases, which occurred after the individuals had already landed on the islands Lesvos and Kos. The first one concerns the case of a group of asylum applicants, who were pushed back to Türkiye upon their landing on Lesvos island and after entering a government-run quarantine facility for refugees in Megala Therma in February 2021. In both cases, the victims of the violent pushback operations – some of them in the first case – managed to re-enter Greece in 2022 and subsequently, filed an official complaint before the Public Prosecutor.[171] The criminal investigation about the alleged incident in Megala Therma reached an end and GCR submitted a full application before the ECtHR in December 2023. The second case is still pending before the competent public prosecutors and concerns the kidnapping and illegal forced return/pushback of two recognised refugees from Greece who were legally residing in the Eastern Aegean Island of Kos.

Criminalisation of Human Rights Defenders (HRD) and organisations denouncing/reporting pushbacks

In May 2022, it was reported that four organisations were under criminal investigation for potential involvement with smuggling networks, because they notified the authorities about the location of newly arrived migrants and requested that they be provided with assistance and access to asylum procedures in Greece.[172] Since then , no investigations has taken place as of December 2025 but it created an increasingly hostile environment in the field of HRDs' work in Greece and a widespread fear of criminalisation.[173]

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168 Ibid.

169 ECtHR, Application No. 3566/16, Alkatib and others v. Greece, 16 January 2024, available in French at: https://bit.ly/3PV48RU. See also the ECtHR Press Release of 16 January 2024, available at: https://bit.ly/43OWz4T.

170 Ibid.

171 For more details on the cases, See GCR, *at Europe's Borders: Between Impunity and Criminalization*, March 2023, available at: https://bit.ly/3opKToW.

172 Among others, News.IT, *Evros: Investigation into the activities of NGOs and their connection with illegal immigrant networks*, 29 May 2022, available in Greek at: https://bit.ly/4208ryu.

173 UN Special Rapporteur on human rights defenders, *Statement on preliminary observations and recommendations following official visit to Greece*, 22 June 2022, available at: https://bit.ly/3q1bwAZ, '*I also note the sense of pervasive fear that is felt by a significant segment of human rights defenders, which seems to be a direct result of the criminalization of migration and their legitimate, peaceful work for the rights of refugees, asylum seekers and migrants*'

Subsequently, on 29 July 2023, two more NGOs operating in Lesvos were targeted in a Greek Police press release.[174] The press release, entitled *"Finding the action of an organized criminal network, consisting of two (2) criminal organizations, whose members were systematically active in facilitating the illegal entry of foreigners into the Greek territory through the island of Lesvos",*[175] targeted NGOs which were going to arrival locations of third country nationals with the *"pretext of providing them with humanitarian-medical assistance".*[176] Similar to the above, the police statement triggered new smear campaigns against HRD.[177] To date (June 2025), almost two years later, no individual and member of an NGO acting on Lesvos has been prosecuted for any facts related to these statements.

In June 2022, the UN special rapporteur on human rights defenders, Mary Lawlor, carried out an official country visit to Greece from 13 to 22 June 2022 following an invitation from the Greek government. In her statement on preliminary observations, she noted that:

> 'the nature of cooperation between the Government and civil society, and the overall perception about the role of civil society and human rights defenders in Greece, has undergone a significant shift since 2019. Since then, human rights defenders have found it increasingly difficult to carry out their work, especially in fields that might be considered controversial or geopolitically complicated or sensitive. This is particularly tangible in relation to those who defend the rights of asylum seekers, migrants and refugees, including those providing humanitarian assistance, legal aid, participating in search and rescue operations and documenting pushbacks. While previously human rights defenders in these areas had enjoyed an overall conducive environment for carrying out their activities, the current policy framework, that emphasises 'security' over humanitarian assistance, has led to a number of constraints'; '[A] sense of pervasive fear […] is felt by a significant segment of human rights defenders, which seems to be a direct result of the criminalisation of migration and their legitimate, peaceful work for the rights of refugees, asylum seekers and migrants'.

As highlighted by the UN Special Rapporteur on human rights defenders, '*human rights defenders promoting and protecting the rights of migrants, asylum-seekers and refugees, including human rights lawyers, humanitarian workers, volunteers and journalists, have been subjected to smear campaigns, a changing regulatory environment, threats and attacks and the misuse of criminal law against them to a shocking degree"*.[178]

The Campaign for Access to Asylum,[179] in an announcement on 5 October 2022, underlined that:

> The authorities' systematic use of misinformation regarding "false reports on pushbacks" aims to cover up illegal practices and to target and put pressure on people and organisations that report these incidents' and added that '…The incident in Evros highlighted the problem of pushbacks in a multitude of ways. Systematic propaganda and misinformation about these practices, which often result in the loss of human lives, is aimed at concealing the truth, obscuring the consequences (deaths, drownings, violence, etc.) and, of course, at targeting lawyers, organisations, as well as media and journalists who report these incidents.

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174 Greek Police, *The activity of an organized criminal network, consisting of two (2) criminal organizations, whose members were systematically active in facilitating the illegal entry of foreigners into Greek territory, through the island of Lesbos, was identified*, 29 July 2023, available in Greek at: https://bit.ly/3VR4Bbd.

175 Ibid. Unofficial translation to English: "(d) *The members of Non-Governmental Organizations (NGOs), at the same time as they were informed about the migratory arrival, went to the areas where the newly arrived third country nationals were located, on the pretext of providing them with humanitarian-medical assistance*".

176 Kathimerini, *Λέσβος: Ερευνα για κύκλωμα διακίνησης παράτυπων μεταναστών με εμπλοκή μελών ΜΚΟ*, 29 July 2023, available in Greek at: https://bit.ly/49ppbmt.

177 Racist Crimes Watch, *Greece: New smear campaign against NGOs working with asylum seekers, P. Dimitras*, 20 July 2023, available at: https://bit.ly/4aosag4.

178 *Report of the Special Rapporteur on the situation of human rights defenders, Mary Lawlor - Visit to Greece (A/HRC/52/29/Add.1)*, available at: https://bit.ly/43n0hS1, para. 114.

179 Joint Press Release of 16 civil society organisations, *Asylum Campaign (Καμπάνια για το Άσυλο) - It is the Greek Government's responsibility to immediately put a stop to informal forced returns (pushbacks): They endanger human lives and breach the state's international obligations*, 5 October 2022, available at: https://bit.ly/3MTm7qM.

Later, in January 2023, regarding charges against 24 human rights defenders who were helping to rescue migrants in distress at sea off Lesvos Island, the UN Special Rapporteur on the human rights of migrants stated that: *'[t]rials like this are deeply concerning because they criminalise life-saving work and set a dangerous precedent. Indeed, there has already been a chilling effect, with human rights defenders and humanitarian organisations forced to halt their human rights work in Greece and other EU countries'*.[180] On 13 January 2023, the espionage charges were dropped by the Court.[181] On 30 January 2024,[182] in a new trial, the accused were found not guilty on the misdemeanours and the criminal proceedings for the felonies remain pending.

In April 2024, the Judicial Council of the Misdemeanour Court of Mitilini issued a decision to drop criminal charges against 35 international aid workers who had been prosecuted for alleged espionage and facilitating the illegal entry of migrants and not to proceed to trial.[183] The Judicial Council dismissed the prosecutor's allegations and ruled there was insufficient proof to pursue the case against the 35 individuals, mostly German nationals, stating that "*[t]here is not enough evidence to support the accusations against the defendants*."[184]

On 4 December 2025, 24 human rights defenders appeared before the Mytilene Court of Appeals, on the island of Lesvos, seven years after their initial arrests facing felony charges of 'membership of a criminal organisation', 'facilitation of the entry of third country nationals into the country', and 'money laundering'. The charges stem from work carried out by the defenders in Greece between 2016 and 2018, where they assisted people on the move whose lives were at risk while trying to reach safety to the island of Lesvos.[185] Following hearings in early 2026, all human rights defenders were acquitted on 15 January 2026, giving an end to one of the most well-known cases of criminalisation of life saving work.[186]

Since 2022, persecutions of activists working with migrants continue in 2024, notably against the founders of the Greek Helsinki Monitor (GHM)[187] and of the Aegean Boat Report (ABR), who were both subject to investigations and charged by Greek judicial authorities on the island of Kos for 'forming or joining for profit and by profession, a criminal organisation with the purpose of facilitating the entry and stay of third country nationals into Greek territory."[188] On 2nd June 2023, the Asylum Campaign requested in a press release to stop a) the prosecution of those persons and organisations operating in the context of their role

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180 *'My concerns were compounded by accounts I received during my country visit to Greece in June 2022 detailing how fear of criminalisation has spread among human rights defenders working in the field of migration in the country. As I underlined in my preliminary observations following the visit, solidarity should never be punished and compassion should never be put on trial'*: UN Special Rapporteur on Human Rights Defenders, *Human rights defenders on trial in Greece*, 9 January 2023, available at: https://bit.ly/3MVFVtp

181 France24, *Greek court drops spying charges against migrant rescuers*, 13 January 2023, available at: https://bit.ly/3BQKu1R.

182 The Press Project, *«Μεγάλη νίκη στη Μυτιλήνη: Αθώοι για τα πλημμελήματα οι 16 ανθρωπιστές – «Μετά από 6 χρόνια, επιτέλους αποδόθηκε δικαιοσύνη»,* 30 January 2024, available in Greek at: https://bit.ly/3xDvzsP.

183 Reuters, *Greek court drops criminal charges against 35 international aid workers*, 30 April 2024, available here.

184 The Guardian, *Greek court drops espionage charges against aid workers, Accused were arrested in Lesbos and accused of facilitating illegal entry of migrants into the country*, 1 May 2024, available here.

185 Amnesty International: The State of the World's Human Rights; Greece 2025, 21 April 2026 https://www.ecoi.net/en/document/2139304.html; Human Rights Watch (HRW) "*Humanitarians' Baseless Trial in Greece No Evidence of Crimes But Risk of Prison for Saving Lives"* https://www.hrw.org/news/2025/12/11/humanitarians-baseless-trial-in-greece

186 The Guardian, 'Rights groups hail acquittal after seven years of aid workers prosecuted during Greece refugee crisis', 16 January 2026, available at: https://tinyurl.com/3fbv49xf.

187 "*Some medias have publicized "what appears to be leaked information on the alleged investigation, in some cases alongside a picture of Dimitras. The money laundering case reportedly concerns "funding Dimitras received, mainly from the EU, to support human rights causes, that was used for other purposes than those claimed," according to a Kathimerini [BP1] article. Dimitras said the only EU funds his organization receives, as published on the European Commission's website, are for the fight against hate speech and called these claims unfounded "slander."* See, Human Rights Watch, *Greece: Smear campaign against rights activists*, 19 June 2023, available at: https://bit.ly/43OSihL. See, also, Asylum Campaign (Καμπάνια για το Άσυλο) Press Release, *The attempt to silence human rights defenders continues. What remains to be decided are its accompanying measures*, 22 December 2022, available at: https://bit.ly/45BXpT4.

188 Human Rights Watch, *Greece: Migrant Rights Defenders Face Charges, End Judicial Harassment of Migrant Rights Activists; Respect Asylum Obligations*, 26 January 2023, available at: https://bit.ly/43ifSlx.

as human rights defenders, against violations even by state authorities and institutions, b) the systematic propaganda and disinformation against persons and organisations that provide protection to asylum seekers, refugees and vulnerable persons in general, c) To promote the investigation of all complaints that have been brought to the attention of the competent authorities and concern incidents of illegal redeployments and c) to stop the phenomenon of violations of fundamental human rights that are systematically carried out at the borders of Greece, as well as Europe. The criminal case against HRDs Panayote Dimitras and ABR's founder Tommy Olsen for exposing violations at Greece's borders, remained pending,[189] with Dimitras still under a travel ban. In May, Dimitras and his wife were questioned in a separate investigation into alleged financial misconduct following a 2023 asset freeze.[190]

Since 2021 three criminal investigations have been initiated against Samos lawyer Mr Choulis, Head of the organisation Human Rights Legal Project, in relation to smuggling charges. In 2024 the first two were archived for lack of sufficient evidence and the third is still pending.

On 11 September 2023, the Athens Bar Association published its interpretation of the Greek Code of lawyers on legal aid provision to newly arrived third-country nationals (TCN) who seek asylum in Greece. The Association states that:[191]

- *"According to the Code, lawyers are public officials and collaborators of the judiciary who defend fundamental rights, comply with the rules of ethics and maintain confidentiality for the benefit of their clients".*
- *"The lawyers may provide legal assistance to irregularly arriving TCNs to initiate asylum applications. The possibility to apply for asylum cannot be exercised if TCNs do not have the necessary legal assistance during which they can communicate freely and appoint the lawyer as their representative".*
- *"Migrants often request lawyers not to disclose their location to the authorities as they fear being returned to their countries. In such cases, insofar as they have assumed the responsibility to provide legal assistance, lawyers are bound by their duty of confidentiality even if they have not yet met the TCN in person. In such cases, they cannot be considered as assisting in the unlawful entry of TCNs as lawyers retain the freedom to handle cases without being identified with their clients and their files and may not be subjected to instructions incompatible with the nature of their work".*

The Athens Bar Association concludes that it is not allowed to search on physical or digital files of the lawyers or of the phone communications between lawyers and the illegally-entering third country nationals, if those are necessary to fulfil their order under the scope of practising their profession as lawyers.

In April 2024, as HRW notes,[192] the Greek National Commission for Human Rights (GNCHR) "*warned of a pervasive climate of fear for migrant rights defenders, driven by smear campaigns, harassment, and threats of prosecution for providing humanitarian aid".*

More specifically, in a 22 April 2024 statement,[193] the GNCHR refers to a session of its committees, during which they held a working meeting with journalists and human rights defenders covering refugee/migration issues. *"The participants initially reported that in recent years, in the course of their profession and while covering refugee/migration issues, they have faced difficulties in accessing information and sources due to the refusal of ministries to provide data, often citing privacy or confidentiality reasons. Similarly, they do not have free access to the refugee population hosted in reception and accommodation facilities. The*

189 Human Rights Watch, *Greece: Events of 2024*, 2025, available here. See also, HRW, *Greece: Migrant Rights Defenders Face Charges - End Judicial Harassment of Migrant Rights Activists; Respect Asylum Obligations*, 26 January 2023, available here.

190 OMCT SOS-Torture Network, *Greece: Continued judicial harassment of migrants' rights defender Panayote Dimitras*, 14 August 2024, available here.

191 Greece: Athens Bar Association's interpretation of the Greek Bar Code on guaranteeing the lawyer-asylum applicant relationship without criminalisation, 12 September 2023, available at: https://bit.ly/3Ja4TCL.

192 Human Rights Watch, *Greece: Events of 2024*, 2025, available at: here.

193 GNCHR, *Statement on Human Rights Defenders Working in the Field of Refugee/Migration Issues*, Athens, 22 April 22 2024, available in Greek here.

National Commission, among others, is emphasizing once again the "watchdog" role of the media and the fact that their presence is a guarantee for ensuring the accountability of authorities. Additionally, journalists covering refugee issues often face abusive lawsuits (SLAPPs) in the course of their profession, and they are frequently subjected to verbal attacks or hate speech from official state entities or private individuals, with the tolerance of state authorities. Finally, the case of a journalist who was placed under surveillance was mentioned by the National Intelligence Service, due to what is stated, as a result of his journalistic involvement with refugee issues". The GNCHR, in its statement which was also communicated for information to the Prosecutor's Office of the Supreme Court, urgently calls on the State:

- to show zero tolerance for phenomena of harassment, attacks, hate speech, and any other targeting of human rights defenders by official state authorities, adopting a coherent policy to prevent them
- Ensure a favourable environment (enabling environment) through the legal framework for the functioning of civil society organisations and other human rights defenders, taking due account of the repeated recommendations of international and European bodies.
- Refrain from prosecuting organisations or other categories of human rights defenders for providing humanitarian aid to third-country nationals or for exercising their profession (e.g., lawyers, journalists). For those already facing criminal proceedings, ensure their rights and a swift trial in accordance with the guarantees of Article 6 of the ECHR. Specifically, for lawyers, harmonise their treatment by the relevant state authorities in accordance with the recommendations of the Athens Bar Association. It is noted that the abuse of criminal proceedings constitutes an impermissible measure for "limiting" the activities of civil society organisations. State sanctions of a criminal or civil nature, which have a punitive character and aim to discourage individuals from participating in associations (freedom of association), constitute reprisals and are prohibited.
- Ensure the unhindered exercise of journalistic duties and take protective and compensatory measures for victims of "strategic lawsuits against public participation" (SLAPPs), in the context of the relevant European Commission Recommendation. Public officials must refrain from initiating such lawsuits.

During 2025, the GNCHR, jointly with the Office of the United Nations High Commissioner for Refugees (UNHCR), expressed their "*serious concern about the escalation of negative rhetoric and the increasingly hostile climate developing against refugees, migrants and the civil society organisations that support them*". They further highlighted the particular concern raised by "*public statements, initiatives or informal leaks that stigmatise civil society actors or propose the imposition of punitive measures against organisations that may express different views or seek judicial protection on behalf of those they represent*".[194]

A draft law of the Ministry of Migration and Asylum on the promotion of policies on legal migration, which was released for public consultation on 30 December 2025 - submitted to Parliament on 23 January 2026 - includes a series of provisions[195] hampering the operation of civil society organisations and pave the way for the criminalisation of humanitarian action.[196]

According to the Draft Articles 15 and 16 of the draft law introduce, for the first time, the status of membership in a civil society organization (NGO) registered with the Ministry of Migration and Asylum is introduced as an aggravating circumstance for a range of offenses related to the broad and vague concept of "aiding and abetting" and, at the same time, offenses that under the current legal framework were classified as misdemeanors are being reclassified as felonies and punished with multi-year prison sentences. Among other things, Article 15 stipulates that mere membership in a NGO registered in the

194 The UN High Commissioner for Refugees and the GNCHR express concern about rhetoric against civil society, 28 August 2025, https://www.nchr.gr/ta-nea-mas/2074-i-ypati-armosteia-tou-oie-gia-tous-prosfyges-kai-i-ethniki-epitropi-gia-ta-dikaiomata-tou-anthropou-ekfrazoun-tin-anisyxia-tous-gia-ti-ritoriki-se-varos-tis-koinonias-ton-politon.html

195 RSA, Draft Law Attacking Civil Society in Greece RSA comments on the "promotion of legal migration policies" bill" https://rsaegean.org/en/draft-law-attacking-civil-society-in-greece/

196 GNCHR, Statement on the provisions of the draft law targeting civil society organisations https://www.nchr.gr/en/news/2181-statement-on-the-provisions-of-the-draft-law-targeting-civil-society-organisations.html

Registry of the Ministry of Migration and Asylum is sufficient to elevate the misdemeanors provided for in Article 24 of Law 5038/2023 (facilitating entry, facilitating illegal residence, refusal to surrender a travel document, etc.), to felonies for which severe prison sentences and fines are prescribed ('imprisonment of up to ten (10) years and a fine of at least twenty thousand (20,000) euros'). Furthermore, the mere initiation of criminal proceedings is sufficient to remove the organization from the Registry of the Ministry of Migration and Asylum. Similarly, in the case of a residence permit holder, the mere initiation of criminal proceedings is sufficient to revoke the residence permit. Article 16 provides that membership in a civil society organization constitutes an aggravating circumstance in relation to the offense of trafficking under Article 25 of Law 5038/2023.[197]

Legal access to the territory (beyond family reunification)

Legal gateways to enter Greece are not provided to persons in need of international protection, nor does Greece issue visas on humanitarian grounds. The only exception was in 2021, when Greece accepted 819 Afghan nationals due to 'the country's commitment to provide humanitarian assistance to Afghan nationals in danger' following the Taliban's arrival to power.[198]

2. Reception and identification procedure

2.1. The European Union policy framework: 'hotspots'

The "hotspot approach" was first introduced in 2015 by the European Commission in the European Agenda on Migration, as an initial response to increased refugee arrivals to the EU.[199] Its adoption was part of the immediate action to assist Member States which were facing disproportionate migratory pressures at the EU's external borders and was presented as a solidarity measure.

The initial objective of the "hotspot approach" was to assist Italy and Greece by providing comprehensive and targeted operational support, so that the latter could fulfil their obligations under EU law and swiftly identify, register and fingerprint incoming migrants, channel asylum seekers into asylum procedures, implement the relocation scheme and conduct return operations.[200]

In order to achieve this goal, EU Agencies, namely the EUAA (previously EASO), Frontex, Europol and Eurojust, worked alongside the Greek authorities within the hotspots.[201] The hotspot approach was also expected to contribute to the implementation of the temporary relocation scheme, proposed by the European Commission in September 2015.[202] Therefore, hotspots were envisaged initially as reception and registration centres, where Greek authorities, with the support of EU Agencies would "*swiftly identify, register and fingerprint incoming migrants*", following which *"[t]hose claiming asylum [would] be immediately channelled into an asylum procedure*".[203] Interestingly, at the time, nowhere was it specified or mandated that said "channelling" (or referral) was to be made within the premises of the initial arrival/reception facility (i.e., the RICs or "hotspots"). Instead, the initial Greek response to the "hotspot approach" seems to refer to '*[a] headquarter Hotspot in Piraeus […] where asylum seekers [would have been] received from different arrival points'*, which if implemented as such, could have perhaps led to the establishment of a more functional reception system.[204]

197 GCR *Comments by the Greek Council for Refugees on the draft bill by the Ministry of Migration and Asylum titled: "Promotion of Legal Migration Policies" (available only in Greek)* https://tinyurl.com/2s49vc3d.

198 MoMA, Press release, 23 November 2021, available in Greek at: https://bit.ly/3yzVCzV.

199 European Commission, *European Agenda on Migration*, COM(2015) 240, 13 May 2015, available at: https://bit.ly/3TrnbG3.

200 *Ibid.*

201 *Ibid*.

202 European Commission, Council Decisions (EU) 2015/1523 of 14 September 2015, OJ 2015, L239/146 and 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece, OJ 2015, L248/80, available at: https://bit.ly/43T44rt.

203 European Commission, *European Agenda on Migration*, COM(2015) 240, *op.cit.* p. 6.

204 European Commission: Migration and Home Affairs, *The Hotspot approach to managing exceptional migratory flows*, 11 September 2015, available at: https://tinyurl.com/2kxbbt9y; See also GCR, *Limits of Indignation: the EU-Turkey Statement and its implementation in the Samos 'hotspot'*; 10 April 2019, available at: https://tinyurl.com/4h3szes5.

Five hotspots, under the legal form of First Reception Centres – later known as Reception and Identification Centres (RIC) – were established in Greece on the islands of Lesvos, Chios, Samos, Leros and Kos. In 2021, on Samos, Leros and Kos, the RICs were converted into 'Closed Controlled Access Centres of Islands (CCAC) and new EU facilities were established.[205] The CCAC in Samos was inaugurated on 18 September 2021 and the ones in Leros and Kos on 27 November 2021.[206]

Reception and Identification Centres (RIC) and Closed Controlled Access Centres (CCAC)			
Hotspot	Start of operation	Capacity	Occupancy as of 31 December 2025
Lesvos			
RIC (Moria)	October 2015	Non-operational	Non-operational
CCAC (Mavrovouni)	September 2020[207]	3,881	1,145
CCAC (Vastria)	Under construction	Estimated 5,000	Non-operational
Chios			
CCAC (Chalkios)	February 2016	1,014	713
CCAC (Akra Pachi – Tholos)	Under construction	Estimated 1,800	Non-operational
Samos			
CCAC	18 September 2021	3,664	1,796
Kos			
RIC	June 2016		
CCAC	27 November 2021	3,455	1,363
Leros			
CCAC	27 November 2021	2,152	1,771
TOTAL		**14,166**	**6,788**

Source: National Coordination Centre for Border Control, Immigration and Asylum, *National Situational Picture regarding the islands at eastern Aegean sea* as of 31 December 2025, available at: https://tinyurl.com/4t2ke5jw.

Local communities, as well as local authorities have expressed their opposition against the creation of the new CCAC because they do not consider them necessary and because they have strong concerns both related to the degradation of the islands and the rights of newcomers. In Lesvos and Chios, several protests took place and citizens attempted to disrupt the construction of the centres.[208] In Leros and Kos, criticism against the construction of the new facilities was expressed not only by local communities but also by the local authorities. The Mayors of both islands refused to attend the inauguration of the new centres. In 2021, the local authorities of both Leros and Samos challenged[209] – with no success[210] – the construction of new centres. At the end of October 2024, the Head of the Region of North Aegean,

205 Ministerial Decision 25.0 / 466733/15-12-2021, according to which the RIC of Samos, Leros and Kos are renamed as 'Closed Controlled Access Centres of Islands (C.C.A.C.I.)', See also Article 8 par. 4 L.4375/2016, see also EU Commission, DG Migration and Home, *Annual Activity Report 2020,* https://tinyurl.com/4ctyva7w.

206 MoMA, *The Minister for Migration and Asylum, Mr. Notis Mitarachi, inaugurated the new closed controlled access centres in Samos*, 18 September 2021, available at: https://bit.ly/3DHQzOe; MoMA, N. Mitarachi: *Today in Leros and Kos, as a few days ago in Samos and in a few months in Chios and Lesvos, we inaugurate the new Closed Controlled Access Centres, with a view to the future. Images we can all recall from the period 2015-2019 belong definitely to the past*, 27 November 2021, available at: https://bit.ly/3j61isb.

207 A new facility in Kara Tepe (Mavrovouni) was established in September 2020 after Moria RIC burnt down. In November 2022, the RIC in Mavrovouni has been converted in CCAC. (Article 12, Presidential Decree 77/2022- Gov. Gazette 212/A/17-11-2022).

208 Tvxs, *Χίος – Λέσβος: Μαχητικό «όχι» των κατοίκων στις προσφυγικές δομές – φυλακές*, 6 January 2022, available in Greek, https://tinyurl.com/27xjwmuw .

209 CNN Greece, *Προσφυγικό: Στο ΣτΕ ο δήμος Λέρου κατά της κατασκευής ΚΥΤ στο Λακκί*, 4 January 2021, available in Greek at: https://bit.ly/3DFVT4y and ECRE, *Greece: Significant Decrease of Arrivals – Chaos Continues*, 15 January 2021, available at: https://bit.ly/37tbYPr.

210 Δημοκρατική , *ΣτΕ, Απορρίφθηκε η αίτηση του Δήμου Λέρου για ακύρωση της απόφασης κατασκευής της νέας κλειστής δομής,* , 9 June 2023, available at, https://tinyurl.com/4mxvfhv4.

repeated the vivid opposition of the Regional Authority against the construction of the new structures in Lesvos and Chios,[211] an opposition that was restated during 2025.[212]

In 19 August 2022, a decision of the Greek Council of State paved the way for the continued construction of a new EU-funded CCAC in a 71,250 km2 forest in Vastria, on Lesvos island. However, an application for suspension by the North Aegean Region and by local communities (Komi and N. Kydonia), regarding the access road to the structure of Vastria was accepted by the Commission of Suspensions of the Greek Council of State in temporary decision 199/2022-19/12/2022. This prohibited any construction until the final judgment of the court on the application for its annulment, as it was considered that the construction of the road would lead to irreversible destruction of the forest and impact the rare birdlife of the protected area.[213]

In August 2023, following an application submitted by the North Aegean Region, the Greek Council of State, in 1335/2023 decision,[214] annulled the authorisation approving the CCAC's construction project in Lesvos, due to lack of an environmental study. In the same judgement, the Council of State annulled the authorisation approving the intervention to the forest area for the construction of the road giving access to the CCAC.[215] Subsequently, the then-Minister of MoMA declared that the Ministry has already taken all the necessary steps for the proper environmental classification and approval of the construction of the structure and its accompanying works and so, according to him, its construction was estimated to be finalised by spring 2024.[216] However, The North Aegean Region appealed to the Council of State against the validity of the Environmental Impact Assessment (EIA) submitted by the State in September 2023. During the Council's scheduled session on 16 October 2024, the State decided to withdraw the EIA with the reservation of replacing it with another.[217] According to information published by the local authorities, the MoMA is in the process of signing a joint ministerial decision by the competent ministers, which repeals the annulled by the Council of State joint decision [No. 364995/25-07-2023 (D' 701/2023)] and grants a new permit for the construction of the site in Vastria.[218]

In Chios, no construction work took place in 2024 either, as the examination of the application submitted by the State to exercise a right to access the area of the construction, had been pending before the Chios Court of the First Instance.[219] On 21 October 2024, the Court ruled that the rightful owner of the disputed land is the Municipality of Chios, not the Greek State, thereby reaffirming the local community's long-running opposition against the construction of the closed structure at the Tholos site.[220]

On **Samos** and **Leros**, the CCAC have been moved to different areas compared to where the previous RICs were located, namely in Zervou (Samos) and Lepida (Leros). Similarly, the new facilities under construction on Lesvos and Chios are located in different areas, namely in Plati – Vastria (Lesvos) and in

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211 TaNeA, *ΞΕΚΟΨΕ Ο ΜΟΥΤΖΟΥΡΗΣ ΚΑΘΕ ΒΛΕΨΗ ΓΙΑ ΤΗ ΒΑΣΤΡΙΑ: «Θα φτάσουμε στα όρια»*, 31 October 2024.

212 Region of Northern Aegean, "Dinner with Ambassadors", 4 April 2025, available in Greek at: https://tinyurl.com/2pdauyp3 and politikalesvos, "Warning statement from Regional Governor Kostas Moutzouris: 'Southern Crete is experiencing today what we lived through in 2015-2020 – No to new facilities'", 9 July 2025, available in Greek at: https://tinyurl.com/y7bkx523.

213 Commission of suspensions, Council of State, 19-12-2022, decision 199/2022, available in Greek at: https://bit.ly/3Vdnva1.

214 Summary of Greek Council of State's the decision n.1335/2023 available in Greek at: https://tinyurl.com/5n88drdz.

215 TaNea, *Council of State: Invalid licensing of a structure in Plati – Vastria, Lesvos,* 9 August 2023, available in Greek at: https://tinyurl.com/mpvj7xcv.

216 LesvosNews.Net, *Τι θα γίνει τελικά με την Βάστρια; Ι απαντά ο Υπουργός*, 19 October 2023, available in greek at: https://tinyurl.com/sn4snjn5.

217 RSA, *Refugee facilities on the Aegean islands*, Lesvos, 10 December 2024, available at: https://tinyurl.com/3rjz3ku2.

218 POLITIKA, ΠΕΡ. ΒΟΡΕΙΟΥ ΑΙΓΑΙΟΥ για Βάστρια: «Η Διοίκηση με νέα ΚΥΑ περιφρονεί τις αποφάσεις του ΣΤΕ, 23 October 2024, available here.

219 Ert News, *Chios: Discontinuation of the hearing for the New Structure in Tholos*, 20 September 2023, available in Greek at: https://tinyurl.com/3x2w8sxy.

220 Ert News, *Χίος: Δημοτική η έκταση στο Θόλο με απόφαση δικαστηρίου*, 25 October 2024 available at: https://tinyurl.com/bdne3dc2.

Akra Pachi – Tholos (Chios). In **Kos**, the CCAC has been expanded in an area attached to the then-existing RIC located in Pyli.

The new structures have been placed in remote locations, isolated from urban areas with very poor connection to the main cities of each island. More specifically, the new centre in Samos is located 7km away from the city of Vathy, the new centre in Leros is 6km from the city of Agia Marina and the centre in Kos is 15km far away from the city of Kos. Similarly, the new centre in Lesvos is being constructed in an area which is 30km from the city of Mytilene and the planned facility in Chios, is located 11km from the city of Chios.[221]

Conditions prevailing in the old RICs, converted into CCACs, namely the existing structures in Lesvos and Chios, have not improved and people continue to be hosted in degrading conditions. In the former Reception and Identification Centre (RIC) of Vial, renamed as "CCAC" in Chios, the conditions remain substandard, in need of maintenance and disinfection due to cockroaches and rodents. The food is of poor quality and there are no refrigerators to store it, even though meals are sometimes distributed all at once during the weekend. There is limited provision of interpretation services, which are in any case provided only during the weekdays and working hours (from morning until early afternoon). Moreover, the medical division of the RIS had no stable presence of doctor since March 2021. As a result, the vulnerability assessment procedure has been conducted principally by the nursing staff and Doctors of Medical Units of other CCACs or the Chios General Hospital. Due to limited provision of interpretation, psychosocial evaluations are nearly impossible due to the severe shortage of interpreters, who must focus on urgent needs.[222]

Similarly, the former RIC in Lesvos, which has been converted into CCAC, remains completely inadequate. As reported, large number of individuals, including vulnerables, at the Lesvos facility reside in tents (RHU) or rubhalls. Moreover, inaccessible and poor sanitation facilities, shortages of hot water, constant power cuts, poor quality of food and shortages of basic supplies such as blankets and clothing are observed. During 2024, the medical and psychosocial division of the RIS in Lesvos remained understaffed, leaving individuals with obvious vulnerabilities unidentified. Moreover, references for understaffing concerned also interpretation provision services[223] (for detailed information on reception conditions, see Conditions in reception facilities).

The new CCAC are also a cause for serious concern, despite the large amount of funding that was used for their construction. More specifically, the Commission granted the Greek Government €121 million in November 2020 for the construction of CCAC on Samos, Kos, and Leros. In April 2021, the grant agreement was amended to include additional funding (€155 million) for the CCACI on Chios and Lesvos. The grant agreement was further amended in September 2021, and in February 2022.[224] According to the MoMA's website, €43 million were granted for the construction CCAC of Samos, €39,36 million for the construction of CCAC of Kos, and €35.3 million for the CCAC of Leros.[225]

Conditions prevailing in the new centres appeared to be better than the ones in the RICs in terms of infrastructure. Yet in practice, the majority of the facilities hailed as significant improvements to residents' quality of life by the European Commission and the Greek authorities – such as restaurant and communal areas, shared kitchens, IT 'labs', distribution points for non-food items, as well as playgrounds and recreational areas – have never been used.[226] This, coupled with the shortcomings in the provision of basic services and material conditions resulted in a severe deterioration of living conditions in the CCAC.

221 RSA, *What is happening today in the refugee structures on the Aegean islands,* available at https://tinyurl.com/bdpc6byj.

222 RSA, *Refugee facilities on the Aegean islands, Chios,* 10 December 2024, available at: https://tinyurl.com/2c2skt5s.

223 RSA, *Refugee facilities on the Aegean islands", Lesvos*, 10 December 2024, available at: https://tinyurl.com/3rjz3ku2.

224 European Commission DG Migration and Home Affairs, *Annual Activity Report 2021 Annexes*, 2 May 2022, https://tinyurl.com/3985fuc5.

225 MoMA, *R.I.C & C.C.A.C.*, available in Greek at: https://tinyurl.com/4a4kb3f3.

226 GCR& Oxfam International, *Submission Inquiry on Fundamental Rights in the EU-funded Migration Facilities on the Greek Islands Case OI/3/2022/MHZ*, November 2022, available at: https://tinyurl.com/5ebxr3rh

More specifically, in all CCAC, shortcomings in access to sanitary facilities and items, provision of hot water, as well as in the maintenance of the containers used for accommodation have been observed. Issues with food quality and quantity persist. Moreover, the medical divisions of all CCAC face significant shortages in medicines and supplies and are deprived of on-site doctors, which results in shortcomings in the identification of vulnerabilities. Interpretation services are also limited and insufficient to cover the actual needs.[227]

Moreover, in the CCAC of Leros, long lasting issues with provision of water (running, hot and potable), malfunctions in the sewage system, challenges related to cleanliness and access to sanitation facilities, poor quality of food and shortages of basic supplies such as hygiene items and clothing are observed. [228]

The living condition in the CCAC of Samos are alarming. The condition of the containers, where even the vulnerable applicants reside, are completely deplorable and in need of maintenance, disinfection and cleaning. Many beds have no mattress and residents have very limited access to basic hygiene items. The supply of running and drinking water also remains unstable.[229]

In Kos, the residents of the CCAC have very limited access to basic supplies and good quality food, while the accommodation areas are in very poor condition, partially damaged and in need of maintenance. Living conditions in the CCAC further deteriorate in times of mass arrivals due to lack of adequate spaces to accommodate people, newly-arrived individuals are placed in common spaces (*i.e.,* restaurants, classrooms), without beds, mattresses, blankets, etc. Part of the PRDC in Kos is also used as accommodation area. Issues related to restricted freedom of movement even between the different sections of the CCAC persist. As a result, the access of the residents to sections where the offices of the administration are based is hindered.[230]

Regarding the conditions prevailing in the CCAC, the CPT has observed:

> 'The living conditions at the CCACs visited were poor at the time of the visit, notably due to overcrowding, and the conditions of detention for large numbers of persons met at Kos CCAC could only be described as inhuman and degrading. For instance, in some accommodation areas, up to eight persons were accommodated in 10 m2 rooms and many persons had to sleep on the floor without even a mattress. The former RIC area had been temporarily re-opened even though it was unfit for human habitation and most containers had no functioning sanitary facilities and no electricity. Further, there was a lack of hygiene and cleaning products, as well as non-food items (including beds mattresses, and blankets, as well as winter clothing and shoes) offered to foreign nationals. The totally chaotic and undignified way in which food was distributed at Samos CCAC, with hundreds of persons jostling to get their portion of food, should also be reviewed. The Greek authorities should ensure that all persons who are detained in a CCAC or RIC are offered decent living conditions.'[231]

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227 RSA, *What is happening today in the refugee structures on the Aegean islands*, available at https://tinyurl.com/bdpc6byj; RSA, *Refugee facilities on the Aegean islands, Kos*, 10 December 2024, available here; RSA, *Refugee facilities on the Aegean islands, Leros*, 10 December 2024, available here; RSA, *Refugee facilities on the Aegean islands, Samos*, 10 December 2024, available here; information also based on GCR's observations from the field.

228 RSA, *Refugee facilities on the Aegean islands, Leros*, 10 December 2024, available here.

229 RSA, *Refugee facilities on the Aegean islands, Samos*, 10 December 2024, available here, also based on GCR's observations from the field.

230 GCR, *Absolutely inadequate conditions in the new Closed Controlled Access Center (CCAC) of Kos: The European Court of Human Rights has granted Interim Measures*, 14 December 2023, available at: https://tinyurl.com/mr36kzwr and Civil Society Joint Statement, *Not again in 2024: Call for upholding human rights in the Samos Closed Controlled Access Centre*, 31 January 2024, available at: https://bit.ly/3vKHJje, RSA, "Refugee facilities on the Aegean islands", Kos, 10 December 2024, available here, GCR's observations from the field.

231 CPT, *Executive Summary of the CPT Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 November to 1 December 2023*, available here; and CPT, *Council of Europe anti-torture Committee (CPT) again calls on Greece to reform its immigration detention system and stop pushbacks*, 12 July 2024 available here.

Furthermore, repeated reports by civil society organisations since the inauguration of CCACs to date, indicate prison-like conditions in the CCACs.[232] As the European Ombudsperson has pointed out, the new structures on the islands "*are, rather, reminiscent of detention facilities*", raising doubts as to "*how respect for human dignity and protection of the best interests of the child and of vulnerable individuals can be ensured" in these facilities*". Also, the European Ombudsperson suggested that the Commission should carry out a fundamental rights impact assessment of the centres, with a view to identifying measures to mitigate any potential risks.[233] Moreover, the CPT has pointed out that '*the new EU-funded "Closed Controlled Access Centres" (CCACs) on the Aegean Islands have the potential to offer better living conditions for migrants and asylum seekers for periods of up to a few months. However, they face significant shortcomings, and the basic reception and protection needs of applicants for international protection are often not met. In the CPT's view, the excessive security and unnecessary barbed wire fencing make the CCACs unsuitable for accommodating children and persons in a vulnerable situation. Moreover, when the number of foreign nationals arriving on the islands increases, the systems break down quickly and many persons find themselves being subjected to treatment which could be described as inhuman and degrading. This was the situation found by the CPT delegation during the visit, notably at the Kos and Samos CCACs'.*[234] The Ministry of Asylum and Migration focuses on the 24/7 surveillance and security control mechanisms of the new centres, while the residents face practices of illegal *de facto* detention and arbitrary restrictions of personal liberty and freedom of movement and have limited access to healthcare.

In view of the above, the European Court of Human Rights has granted interim measures, pursuant to Rule 39 of the Rules of the Court, with regards to reception conditions in the Closed Controlled Access Centers (CCACs) in Samos and Kos. More specifically:

- In September 2023, the European Court of Human Rights (ECtHR) granted interim measures in a case concerning a single mother residing at the Samos CCAC along with her six-month old baby with a serious heart condition, ordering the Greek Government to ensure that the baby will be provided with medical treatment and that both the baby and mother will be provided with suitable accommodation.[235]
- On 12 December 2023, the European Court of Human Rights (ECtHR) has granted Interim Measures with regards to two Afghan women and their five minor children, residing at the Closed Controlled Access Centre (CCAC) of Kos in absolutely inadequate conditions, ordering the Greek authorities to ensure that the Applicants "*have full access to reception conditions which respect human dignity and take into account their multiple vulnerabilities.*[236]

On 5 February 2024, the European Court of Human Rights granted Interim Measures with regards to a single woman asylum applicant and her infant child, who resided in inhuman conditions in the Samos Closed Controlled Access Centre (CCAC) ordering Greek authorities to provide her with safe and suitable accommodation.[237]

No significant developments were noted during 2025. GCR Submission to the Committee of Ministers of тhe Council of Europe concerning the execution of the *M.S.S. v. Greece* group of judgments in April 2025

232 Civil Society Joint Statement, *Unlawful detention and worsening conditions: Over 4,000 asylum seekers unlawfully detained on Samos and Lesvos*,19 September 2023, available at: https://tinyurl.com/727ubb4r.

233 European Ombudsperson, *Decision in strategic inquiry OI/3/2022/MHZ on how the European Commission ensures respect for fundamental rights in EU-funded migration management facilities in Greece*, 7 June 2023, https://tinyurl.com/3v82dswd, para. 48.

234 CPT, Executive Summary, CPT/INF (2024)21-Part, available here and CPT, *Council of Europe anti-torture Committee (CPT) again calls on Greece to reform its immigration detention system and stop pushbacks*, available at: https://tinyurl.com/442wpk7t.

235 HRLP, *Interim measures granted by the ECtHR for a woman and her daughter on Samos*, 20 September,2023, available at: https://tinyurl.com/2p3u7bcp.

236 ECtHR, M.K. and Others v. Greece [Application no. 42416/23]. See also, GCR, *Absolutely inadequate conditions in the new Closed Controlled Access Center (CCAC) of Kos: The European Court of Human Rights has granted Interim Measures*,14 December 2023, available at: https://tinyurl.com/mrw65ahy.

237 ECtHR, H.T. and M.T. v. Greece [Application no.2868/24]. See also IHaveRights, *Degrading conditions in Samos CCAC: The European Court of Human Rights grants Interim Measures*", 7 February 2024, available at: https://tinyurl.com/3m959tz6.

According to the submission, poor or inhuman and degrading conditions and/or uninhabitable housing units, no functioning sanitary facilities and insufficient availability of electricity, hot water, heating or cooling, as well as concerns with regards to hygiene and the safety of vulnerable groups have been reported since the beginning of the operation of the CCACs and up to the writing of this report.[238]

Hotspot transformation following the EU-Türkiye statement

In March 2016, the adoption of the highly controversial EU-Türkiye Statement, committing 'to end the irregular migration from Türkiye to the EU',[239] brought a transformation of the so-called hotspots on the Aegean islands.[240]

With the launch of the EU-Türkiye Statement, hotspot facilities turned into closed detention centres. People arriving after 20 March 2016 through the Aegean islands, and thus subject to the EU-Türkiye Statement, were automatically *de facto* detained within the premises of the hotspots in order to be readmitted to Türkiye in case they did not seek international protection or their applications were rejected, either as inadmissible under the Safe Third Country or First Country of Asylum concepts, or on the merits.[241] Following criticism by national and international organisations and actors, and due to the limited capacity to maintain and run closed facilities on the islands with a high number of people, the practice of blanket detention was largely abandoned from the end of 2016 onwards. It has been replaced by a practice of systematic geographical restriction, *i.e.*, an obligation not to leave the island and reside at the hotspot facility, which is imposed indiscriminately to every newly arrived person (see Freedom of Movement).

L.4825/2021[242] replaced Article 8(4) L.4375/2016[243] as follows:

'The Regional Services of the Reception and Identification Services are:

a. the Reception and Identification Centres (RIC),

b. the Controlled Structures for Temporary Accommodation of asylum applicants and

c. the Closed Controlled Access Centres, which are structured and have the responsibilities of RIC and within which, in separate spaces, facilities of temporary

238 GCR Submission to the Committee of Ministers of The Council of Europe concerning the execution of the M.S.S. v. Greece group of cases April 2025 available here

239 European Council, *EU-Türkiye statement*, 18 March 2016, available at: http://bit.ly/1VjZvOD.

240 The Greens / European Free Alliance in the European Parliament, *The EU-Türkiye Statement and the Greek Hotspots, a failed European pilot project in refugee policy*, June 2018, available at: https://bit.ly/3sYrduD.

241 In this respect, it should be mentioned that on 28 February 2017, the European Union General Court issued an order, ruling that 'the EU-Türkiye Statement, as published by means of Press Release No 144/16, cannot be regarded as a measure adopted by the European Council, or, moreover, by any other institution, body, office or agency of the European Union, or as revealing the existence of such a measure that corresponds to the contested measure.' Therefore, 'the Court does not have jurisdiction to rule on the lawfulness of an international agreement concluded by the Member States'. The order became final on 12 September 2018, as an appeal lodged before the Court of Justice of the European Union (CJEU) was rejected. See, General Court of the European Union, Cases T-192/16, T-193/16 and T-257/16 *NF, NG and NM v. European Council*, Order of 28 February 2017. See also, General Court of the European Union's press release, 28 February 2017, available at: https://bit.ly/46KLkdk. See also, CJEU, Cases C-208/17 P, C-209/17 P and 210/17 P *NF, NG and NM v European Council*, Order of 12 September 2018.

242 Article 28 L.4825/2021 on 'Reform of deportation and return procedures of third country nationals, attraction of investors and digital nomads, issues of residence permit and procedures for granting international protection, provisions of competence of the Ministry of Immigration and Asylum'.

243 According to Article 8(4) L. 4375/2016, '[t]he Regional Services of the Reception and identification Service shall be: a. The Reception and Identification Centres (RIC) b. Mobile Reception and Identification Units (MRIU) c. The Open Temporary Reception Structures for third-country nationals or stateless persons who have applied for international protection, d. The Open Temporary Accommodation Structures for third-country nationals or stateless persons: who are under a return procedure in accordance with Article 22 of law 3907/2011, or with paragraph 3 of this Article in conjunction with Article 30 of law 3907/2011 or whose removal has been postponed in accordance with Article 24 of law 3907/2011 or who fall under the provisions of Article 76 para. 5 or Article 78 or Article 78a of law 3386/2005'. Article 30(4) L. 4686/2020 amended Article 8(4) L.4375/2016 and foresaw the establishment of the so called 'Closed Temporary Reception Facilities' for asylum seekers against whom a detention decision has been issued and the 'Islands' Closed Controlled Facilities', for asylum seekers, persons under a removal procedure and persons under geographical limitation. Article 8(4) L. 4375/2016 as amended by Article 30(4) L. 4686/2020 was applied until the entry into force of L. 4852/2021 on 4 September 2021.

accommodation and the special detention facilities provided in Article 31 of L. 3907/2011 operate.
d. Within the premises of the above-mentioned facilities, special areas dedicated to people belonging to vulnerable groups as per Article 14(8) are provided'[244]

Although the Rule of Procedure of Closed Controlled Access Centres on the islands does not provide for a blanket prohibition of exit, the regime of *de facto* detention has been reintroduced in practice since the implementation of the CCAC. According to the Asylum Code, this 'restriction of liberty' which amounts to *de facto* detention, is provided by way of exception and shall not exceed 25 days.[245] However, on arrival, newcomers might remain under arbitrary restriction of liberty until they are registered by the RIS. During this time, people are denied exit from the CCAC (see below, Reception and Identification procedures on the islands).

From April 2016 to 31 March 2020, 2,140 individuals were returned to Türkiye on the basis of the EU-Türkiye Statement (19% Syrian nationals). Of those, 43 were returned on the basis that their asylum claims were found inadmissible at second instance based on the "safe third country" concept and, of all those returned, 23% had not expressed the will to apply for asylum or had withdrawn their asylum application in Greece.[246] No readmission operations have taken place since 30 March 2020.[247]

According to official data, returns under the EU-Türkiye Joint Declaration have not resumed since March 2020.[248] It should be noted that both Greek authorities and the European Commission[249] have requested Türkiye to resume returns based on the EU-Türkiye Joint Declaration.[250] However, despite the suspension of readmissions to Türkiye since March 2020, Greece included Türkiye in the national list of Safe Third Countries pursuant to JMD 42799/2021 (FEK B' 2425/07.06.2021). This list remains in force pursuant to JMD538595/2023 (FEK B' 7063/15.12.2023) amending the above mentioned initial JMD and thus the applications lodged by individuals falling under the scope of JMD are still examined in the context of the Safe third country concept and the Fast-Track Border Procedure.

On 2 February 2023, the Council of State issued its decision 177/2023,[251] on an annulment application lodged by the Greek Council for Refugees (GCR) and Refugee Support Aegean (RSA) against the aforementioned JMD. In its decision, the Council of State formulated preliminary questions to the CJEU regarding the national list which includes Türkiye as a safe third country for asylum applicants originating from Syria, Afghanistan, Somalia, Pakistan and Bangladesh, whose applications are therefore being rejected as inadmissible. In particular, the Council of State submitted preliminary questions regarding the 'influence on the legality of the national list of the fact that, for a long period (over 20 months), Türkiye has refused the readmission of applicants for international protection, while at the same time it is not clear whether the possibility of a change in Türkiye's attitude in the near future has been taken into account'.[252]

On 14 March 2024 the preliminary questions referred by the Plenary Session of the Council of State (CoE) in its judgment No. 177/2023 concerning the inclusion of Türkiye in the national list of Member States of

244 As amended by Article 62 L.4939/2022.
245 Article 40 (a) L.4939/2022.
246 UNHCR, *Returns from Greece to Türkiye*, *in the framework of the EU - TUR Statement. Source: Greek Ministry of Citizen Protection,* 31 March 2020, available at: https://bit.ly/3xtx5hp.
247 HIAS, RSA, GCR, *Asylum Case Law Bulletin, Vol.2/2023*, December 2023, Decision No. IP/21911/2023, issued on 18 July of 2023 by the 20th Appeals' Committee, p.7, available in Greek at: https://tinyurl.com/255ucet2.
248 MoMA, *Information Note, November 2024 Asylum Reception Integration Procedures*, available in Greek here.
249 European Commission, *Key Findings of the 2023 Report on Türkiye*, 8 November 2023, available at: https://tinyurl.com/wdv96598; And MoMA, Information Note, November 2024 Asylum Reception Integration Procedures, available in Greek here.
250 EUAA, *The EU- Turkey Statement, Asylum report 2022, Return of former applicants*, available at: https://tinyurl.com/r3nxu7r2.
251 Greek Council of State, Decision 177/2023, 3 February 2023, available in Greek at: https://bit.ly/3GvzhGl.
252 RSA, *Greek Council of State: Preliminary questions regarding Turkey as a safe third country*, 6 February 2023, available at: https://bit.ly/4156P7u; RSA, *Key points on the Greek Council of State ruling on the "safe third country" concept*, 17 February 2023, available at: https://bit.ly/3RriH0o.

the European Union national list of 'safe third countries' (JMD 42799/2021), was discussed at an oral hearing before the Court of Justice of the European Union (CJEU) in Luxembourg on 14 March 2024.[253]

At the hearing, the legal representatives of GCR and RSA focused on how the inclusion of Türkiye in the national list of "safe third countries" practically "consolidates the policy of abdication of responsibility for the protection of refugees in Europe".[254]

On Friday 4 October 2024, the CJEU, in line with the Advocate's General Opinion,[255] ruled that Member States cannot issue a decision rejecting an asylum application as inadmissible on the basis of the concept of a "safe third country" in cases where they have established that the asylum seeker will not be allowed to enter the territory of a country designated as safe. The Court accepted, however, that a country may be listed as a safe third country even if, despite its legal obligation, that third country has, in general and without any prospect of a contrary development, suspended the admission or readmission of those applicants to its territory. Therefore, the decision on the existence or not of the possibility of readmission to the third country, in this case Türkiye, becomes a prerequisite at the stage of issuing the decision on the asylum application and not at the stage of its execution, as has been the practice by asylum examination authorities in Greece, up to the present.[256] On 27 February 2025, the Plenary Session of the Greek Council of State ruled by majority that the Joint Ministerial Decision (538595/12.12.2023), which established Türkiye as a safe third country, must be annulled. The decision accepted the fact that the necessary legal criteria outlined in Article 91 of Law 4939/2022, which are in line with EU Directive 2013/32/EU, were not sufficiently assessed. Furthermore, the Court unanimously annulled the individual decisions made by the Appeals Committees that rejected the examined asylum applications from Türkiye nationals based on Türkiye's designation as a safe third country. The Court finally noted that, since Turkey had suspended the readmission of asylum seekers in March 2020, the Greek authorities cannot reject asylum claims as inadmissible on the grounds of Türkiye being a safe third country, in line with the CJEU's ruling in October 2024 (C-134/23).[257] However, concerns have been and continue to be raised regarding the compliance of the Ministry and responsible authorities with the Council of States' decision.[258]

On 9 April 2025, even before the Council of State's decision was published, the Greek government released a new, identical Joint Ministerial Decision re-designating Türkiye as a "safe third country" for asylum seekers originating from Syria, Afghanistan, Somalia, Pakistan and Bangladesh. The Ministers co-signed the new Joint Ministerial Decision, without waiting for the finalisation and publication of the Council of State judgment. In a joint press release GCR and RSA uderlines that the particular practice is in blatant violations of principles of legality and legal certainty and in dereliction of Article 95(5) of the Constitution, which provides that "*[...] the administration has an obligation to comply with judicial decisions[...]*". In addition to applying for judicial review of the new Joint Ministerial Decision, GCR and RSA stated they will exhaust legal avenues - including the law on the administration's obligation to comply with court decisions - to legally claim and impose sanctions.[259] The new JMD was again challenged before the Council of State by GCR and RSA in June 2025,[260] with the decision pending, following a hearing on 4 November 2025.

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253 GCR RSA Joint Press Release, *Hearing before the Court of Justice of the European Union on Thursday 14 March on the preliminary questions of the Greek Council of State regarding Turkey as a "safe third country",* 13 March 2024, https://tinyurl.com/yjpfa4w2

254 ECRE, *Greece: More Crossings and Pushbacks in the Aegean Sea — One of "Moria6" Loses Appeal Against Arson Conviction — NGO Report on Sexual and Gender-based Violence in Asylum Policy on Lesvos — Concerns about Lack of Accommodation on Crete Following Large Number of Arrivals — CJEU Hearing on Designation of Türkiye as a "Safe Third Country*", 15 March 2024, available at: https://bit.ly/3VOMdzq.

255 See Opinion of the CJEU Advocate General in Case C-134/23, available here.

256 See Judgment of the CJEU in Case C-134/23, available here. See also GCR, *Joint Press Release*, *CJEU ruling on the concept of "safe third country",* 8 October 2024, available here.

257 Announcement by the President of the Council of State on the outcome of the conference on cases discussed in plenary on 7 February 2025 concerning the designation of Türkiye as a safe third country, available at: https://tinyurl.com/yc6kwjb4.

258 Documento, "Βαφτίζει «ασφαλή χώρα» την Τουρκία η Βολουδάκη – Νέα πρόταση στο ΣτΕ από το υπουργείο Μετανάστευσης, 27 March 2025, available in Greek at: https://tinyurl.com/4a4rtmpw.

259 GCR/RSA New designation of Türkiye as a "safe third country" for refugees in defiant contempt of the Greek Council of State's ruling 14 April 2025 https://tinyurl.com/mrdasbys.

260 GCR & RSA, 'Ministry of Migration and Asylum's persistence on Turkey's characterisation as a "Safe Third Country" for refugees returns to the Council of State', 11 June 2025, available at: https://tinyurl.com/4nw3ey4z.

2.2. The domestic framework: Reception and Identification Centres

The 2010 Greek Action Plan on Asylum already provided that third-country nationals should be subjected to first reception procedures upon entry. The competent authority to provide such services was the First Reception Service (FRS), established by L 3907/2011, as described in the previous country report.[261] On 3 April 2016, in the light of the EU-Türkiye statement of 18 March 2016, the Greek Parliament adopted a law 'on the organisation and operation of the Asylum Service, the Appeals Authority, the Reception and Identification Service, the establishment of the General Secretariat for Reception, the transposition into Greek legislation of the provisions of Directive 2013/32/EU, provisions on the employment of beneficiaries of international protection and other provisions. This reform was passed through L 4375/2016.[262]

L 4375/2016 partially attempted to regulate the establishment and function of the hotspots and the procedures taking place thereat. However, national legislation has failed to effectively regulate the involvement of the EU Agencies, for example Frontex agents. Following the enactment of L 4375/2016, the FRS was succeeded by the Reception and Identification Service (RIS). The RIS is currently subsumed under the General Secretariat for Reception of Asylum Seekers of the Ministry of Migration and Asylum.[263] The IPA, in force since 1 January 2020, regulated the functioning of the RICs and the conduct of the reception and identification procedure in a similar way. Under the Asylum Code,[264] the relevant regulations were codified to include Closed Controlled Access Centre of Islands (CCACI.).[265] Article 38 of the Asylum Code, provides that: 'All third-country nationals and stateless persons who enter without complying with the legal formalities in the country, shall be submitted to reception and identification procedures.'[266] Reception and identification procedures are carried out in five stages:[267]

1. Information on rights and obligations, transfer to other facilities, the possibility to seek protection or voluntary return, in a language the person understands or in a language that a person may reasonably be supposed to understand and in an accessible manner, by the Information Unit of the Reception and Identification Centre (RIC) or the Closed Controlled Access Centre (CCAC) or in case of mass arrivals, by the Police, Coast Guard or Armed Forces;[268]

2. Channelling to reception and identification procedures: According to the law, newly arrived persons should be directly transferred to a RIC or CCAC, where they are subject to a 5-day "restriction of freedom within the premises of the centre" (*περιορισμός της ελευθερίας εντός του κέντρου*), which can be further extended by a maximum of 25 days if reception and identification procedures have not been completed.[269] This restriction of freedom entails "the prohibition to leave the Centre and the obligation to remain in it".[270] Such a restriction is ordered on the basis of a written, duly motivated decision;[271]

3. Registration and medical checks, including identification of vulnerable groups;[272]

4. Referral to the asylum procedure: As soon as asylum applications are made, the Special Rapid Response Units (*Ειδικά Κλιμάκια Ταχείας Συνδρομής*) of the Asylum Service distribute the cases according to country of origin. Subsequently, they proceed to prioritisation of applications according to nationality (see Prioritised Examination);[273]

261 AIDA, *Country Report Greece 2022 update*, June 2023, p.42 available at: https://tinyurl.com/m5wkkj3.
262 L 4375/2016, Gov. Gazette 51/A/3-4-2016, available at: http://bit.ly/2kKm2cu.
263 Article1 PD, 18/2020 (ΦΕΚ 34/A/19-2-2020), available in Greek at: https://bit.ly/3wfJUHz.
264 Asylum Code, available in Greek: https://bit.ly/3Ek1hfp.
265 See also Article 12 of PD 77/2023 on the Establishment of Closed Controlled Access Centers.
266 Article 38(1) Asylum Code.
267 Article 38(2) Asylum Code.
268 Article 39 Asylum Code.
269 Article 40 Asylum Code.
270 *Ibid*.
271 Article 40(a) Asylum Code.
272 Article 41 Asylum Code.
273 To exit Article 42(c) Asylum Code.

5. Further referral and transfer to other reception or detention facilities depending on the circumstances of the case.[274]

2.2.1. Reception and identification procedures on the islands

Situation upon arrival in RICs

At the early stages of the implementation of the EU-Türkiye Statement, individuals arriving on the Eastern Aegean islands and thus subject to the Statement, were systematically and indiscriminately detained. Such measure was imposed either *de facto*, under the pretext of a decision restricting the individual's freedom within the premises of the RIC for a period of maximum 25 days, or under a deportation decision together with a detention order. This differs from the "geographical restriction" on the island, mentioned below.

In practice, newcomers arriving on the Eastern Aegean islands and falling under the EU-Türkiye Statement were subjected to a "restriction of freedom of movement" decision issued by the Head of the RIC, preventing them from exiting the RIC until their registration and identification by the RIS. At the same time, upon arrival, a removal decision "based on the readmission procedure" and a pre-removal detention order was issued by the competent Police Directorate upon arrival, parallel to the decision of the Head of the RIC. The removal decision and detention order are suspended by a "postponement of deportation" decision of the General Regional Police Director. The latter decision imposed a geographical restriction, ordering the individual not to leave the island and to reside – in most cases – in the RIC or another accommodation facility on the island until the end of the asylum procedure.

Once the asylum application was lodged, a geographical restriction was applied by the Asylum Service as well as by the RIS, by including relevant marking on the International Protection Applicant Card. For more details on the geographical limitation on the Greek Eastern Aegean Islands, see Reception Conditions, Freedom of movement. It is due to this practice of indiscriminate and *en masse* imposition of the geographical limitation measures to newly arrived persons on the islands that a significant deterioration of the living conditions on the islands has occurred.

Situation upon arrival in CCACs

Although the Rule of Procedure of CCAC on the islands does not provide for a blanket prohibition of exit, the regime of *de facto* detention has been reintroduced in practice since the implementation of the CCACs in 2021. According to the Asylum Code, this 'restriction of liberty' which amounts to *de facto* detention shall not exceed 25 days from the day of arrival in the RIC or CCAC, Also, the 'restriction of liberty' is provided in the Law by way of exception.[275] However, upon arrival especially when the arrivals are increased and registration procedures are conducted with delay, newcomers might be placed under arbitrary restriction of liberty until their registration by the RIS is concluded. Until then, people are denied exit from the CCACs and certain cases they are restricted in the so-called 'waiting areas'. Moreover, in few cases, newcomers remained under arbitrary restriction of their liberty for more than 25 days.[276]

Decisions imposing the 'restriction of liberty' shall be issued by the Head of the RIS within five days from the arrival. However, it has been observed that these are not always notified as provided by the Law to the *de facto* detained persons.

During 2024, registrations and identification procedures were concluded in a much faster pace, compared to 2023 and therefore 'waiting periods' were eliminated or reduced to few days, unless mass arrivals occurred and/or limited interpretation services- especially in certain languages- resulted in delays. In the

274 Article 43(a) Asylum Code.
275 Article 40 (a) L.4939/2022
276 GNCHR, *On-site visit to Samos: Non-compliance with basic standards reception conditions at the CCAC of Samos*, 2 April 2024, available in Greek here.

majority of the cases newcomers waiting to be registered are placed directly in sections of the CCACs used as accommodation areas. In Kos and Samos, sections used in past as 'Safe Areas', in which dire conditions prevail, might host the newcomers until registration. In Chios, the so called 'Agnodikis' section, which was previously used as COVID-19 quarantine site, has been used in exceptional cases as a 'waiting area'. Moreover, in Lesvos exit from the accommodation structures ('οικίσκους') where newcomers are placed, is permitted only in case of emergency until registration. During their waiting period, confined newcomers have extremely hindered access to any services, including medical support, unless urgent medical needs occur. The potential repercussions for limited access are significant, as newcomers are frequently exposed to violence *en route* and/or in their country of origin and present specific health vulnerabilities. This includes, for example, survivors of shipwrecks, GBV survivors, pregnant women, individuals with non-communicable chronic diseases, such as diabetes or cardiovascular conditions who may need immediate (health) support.

Based on observation from the field, in practice, newcomers are allowed to exit the CCACs following registration, despite the imposition of the 'restriction of liberty', with the exception of Samos that followed different practices during the reporting period.[277]

A geographical restriction is also systematically imposed on every newly-arrived person on the Greek islands by the Head of the Asylum Service, imposing the obligation to remain on the islands. This is separate to the decision of the Head of the CCAC imposing a *de facto* detention period of up to 25 days, within the premises of the respective CACC (so-called "restriction of movement"). For more details on the geographical limitation on the Greek Eastern Aegean Islands, see Reception conditions - Freedom of movement.

Unaccompanied children, are prohibited from exiting the "SAFE Zone", which is a fenced container section of the CCACs guarded by security personnel and where they are subject to "restriction of liberty" until their placement and transfer to shelters for minors. During 2024, the waiting period for the placement of unaccompanied minors (UAM) in a 'restriction of liberty status' in CCAC to shelters for minors was short. However, by the end of 2024n the waiting time had alarmingly increased. As a result, the number of minors in the "SAFE Zones" of CCACs of Samos, Leros and Kos by far exceeded the actual capacity of the sites, further restricting the already limited access to essential services for children, such as medical care, legal aid and representation, education and often lack of essential clothing, blankets and bedding.[278] Minister Nikos Panagiotopoulos noted during a visit in Samos on February 2025 that the designated "SAFE zone", designed for 200 minors, currently held 500, many exceeding the 25-day legal stay limit, some even having stayed for over 120 days.[279] Similarly, the Leros "SAFE Zone" had reached over two times the sections' nominal capacity by the end of November 2024, with the people living under deplorable conditions and constant police interventions in the "SAFE Zone" section.[280] On 5 February 2025, the European Court of Human Rights (ECtHR) acknowledged the grave risks that children in CCACs face and granted interim measures in the case *O.A. and Others v. Greece* concerning four unaccompanied children in the CCAC of Samos. The ECtHR ordered the Greek authorities, among other actions, "to ensure their protection from ill-treatment, if necessary, by facilitating their lodging of criminal complaints," as children report being subjected to police violence within the so-called "safe areas", recognising that due to the extreme congestion and the absence of child-appropriate services, these children's daily lives are marked by tension, insecurity, and fear.[281]

This judgment is part of a growing body of recent interim measures by the ECtHR highlighting the ongoing serious risks and harmful, inappropriate conditions faced by children in the "safe zones" of island CCACs. On 2 July 2025, the ECtHR granted interim measures upon an urgent request submitted in late June on

277 GNCHR, *On-site visit to Samos: Non-compliance with basic standards reception conditions at the CCAC of Samos*, 2 April 2024, available in Greek here.

278 GCR, Joint Press Release "Hundreds of unaccompanied children in Unsafe Zones: Need for an Immediate Activation of Relocation", 05 December 2024, available at: https://tinyurl.com/vuyau9zh.

279 Kathimerini, "Samos' 'safe zone' leaves migrant kids in limbo, 28 February 2025, available at: https://tinyurl.com/27vyukbf.

280 Δημοκρατική Ρόδου, "Tense atmosphere in the accommodation of unaccompanied minors in the Facility of Leros", 21 November 2024, available in greek at: https://tinyurl.com/y9ns2v88.

281 ECtHR, *O.A. and Others v. Greece*, *[Application no.2570/25]:* available at: https://tinyurl.com/4juu77jz.

behalf of ten unaccompanied children held in the so-called “safe zone” of the CCAC of Kos. Some of the children had already been detained for five months under conditions described as overcrowded, unhygienic, and unsafe, with the presence of insects, insufficient food in both quality and quantity, and no access to medical or psychological care. The Court ordered the Greek authorities to provide adequate reception conditions, sufficient food and clean water, new clothing, bedding and hygiene products, to ensure access to appropriate medical and psychological care, and facilitate their swift transfer to shelters or other suitable accommodation in accordance with Greek law.[282]

Similarly, on 23 June 2025, the ECtHR granted interim measures for thirteen unaccompanied children detained in the “safe zone” of the CCAC of Leros, ordering the authorities to urgently provide clothing, hygiene items, medical care, and to relocate the children to safe and appropriate accommodation.[283] Earlier, on 12 May 2025 and 19 May 2025, the Court had issued similar interim measures concerning a total of forty-six unaccompanied children residing in the “safe zone” of the Samos CCAC.[284]

Since detention (or “protective custody”, as it was called) was officially abolished in Greece in 2020,[285] the prolonged restriction of minors in the “SAFE Zones” of CCACs has been characterised as *de facto* detention of children also by recent national administrative court decisions.[286] The situation of overcrowding and *de facto* detention under inadequate living conditions remains the reality for unaccompanied minors in CCACs waiting placement in shelters.

Since the implementation of the EU-Türkiye Statement, all newcomers are registered by the RIS.[287] In 2024 the pace of conclusion of Reception and Identification Services has been accelerated compared to 2023. According to GCR observations from the field, as a rule RIS’ registration is completed with few days. As already reported, during 2024, due to the understaffing of the Medical and Psychosocial Divisions of the RIS, coupled with the limited interpretation services, there were recorded significant shortcomings or lack of provision of medical and psychosocial assessment/services, as required by law.[288] Moreover, a long lasting issue regarding Identification Procedures concerns the lack of transparency in the way the authorities identify newcomers’ data, such as their country of origin.[289] In many cases, the Police and/or Frontex determine a nationality to individuals- different to what the latter had declared- in a way that this determination cannot be disputed and challenged. For example, stateless Bidoons born and raised and/or residing for years in Kuwait are erroneously identified as Iraqi nationals and Eritreans with lengthy residence in Ethiopia are incorrectly identified as Ethiopian nationals[290] (see also Identification).

The registration of initial asylum claims on the islands was conducted by the RIS.

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282 ECtHR, Interim Measure Decision, Application no. [details confidential], *Kos CCAC – 10 unaccompanied minors*, 2 July 2025. (Legal representation by NGO, Equal Rights Beyond Borders, Press Release available at: https://tinyurl.com/bdz9cf9e).

283 ECtHR, Interim Measure Decision, Application no. [details confidential], *Leros CCAC – 13 unaccompanied minors*, 23 June 2025 (Legal representation by NGO Equal Rights Beyond Borders, Press Release available at: https://tinyurl.com/4hdjdffu).

284 ECtHR, Interim Measure Decisions, *Samos CCAC – 21 and 25 unaccompanied minors*, 12 and 19 May 2025 respectively (Legal representation by NGO Human Rights Legal Project, Press Release available at: https://tinyurl.com/348m85bv).

285 Article 43 of law 4760/2020.

286 See e.g., 1st Instance Administrative Court of Syros, Decision AP 7/2025, 21 February 2025; 1st Instance Administrative Court of Rhodes, Decision AP 16/2025, 5 March 2025; see also, Human Rights Legal Project, ‘Court Acknowledges De Facto Detention, Declares it Unlawful in Groundbreaking Decision’ (21 February 2025), available at: https://tinyurl.com/bdjxcs4r; see also, Equal Rights Beyond Borders, ‘Greek Court Rules Minor‘s Stay in “Safe Zone” as Unlawful Detention’ (12 March 2025), available at: https://tinyurl.com/547kfjzn.

287 Article 8(2) L 4375/2016 as amended by Article 116(3) L 4636/2019, Article 9 L 4375/2016 as amended by Article 39 IPA; see also, Ministerial Decree No 1/7433, Governmental Gazette B 2219/10.6.2019, *General Operation Regulation of the RICs and the Mobile Units of Reception and Identification*.

288 Equal Rights Beyond Borders, HIAS Greece & RSA, *Tthe state of the border procedure on the greek islands*, September 2022, available at: https://bit.ly/3AtPXLu, 13.

289 Equal Rights Beyond Borders, HIAS Greece & RSA, *Tthe state of the border procedure on the greek islands*, September 2022, available at: https://bit.ly/3AtPXLu, 13. RSA, *The Workings of the Screening Regulation,* January 2021, available here.

290 GCR’s observation on the file.

In Kos, a Pre-removal Detention Center (PRDC) of nominal capacity of 567 places is operational.[291]

Lastly, there are growing concerns regarding the provision of Reception and Identification services at entry points deprived of reception facilities and services, until the transfer of the newcomers in RICs and CCACs. Even in Rhodes, Gavdos and Crete, where there is a steady flow of arrivals,[292] there is no provision for the satisfaction of not even the most basic needs of the people arriving with regard to respect for human dignity until their transfer. As a result, access for new arrivals to fundamental rights such as housing, food and health care, an obligation and responsibility of the central administration, is left to the discretion of local authorities and civil society. Up until spring 2024, newcomers from Grete/Gavdos were transferred directly to PRDCs, where they remained detained without being subjected to any Reception and Identification Procedures, in contravention with what the Law provides. Following reactions, arrivals from Crete/Gavdos are channeled to RICs in the mainland for registration.

Every person arriving in the Aegean Islands without documentation must be brought by the Police or the Coast Guard to the nearest of the five island CCAC or the three mainland RIC for the purposes of identification.[293] Concerns are raised regarding individuals who arrived in Rhodes and remained undetected by the authorities there. Some of them reach Kos on their own by boat and present themselves to the police authorities. The latter issue a decision for return and a police note (Υπηρεσιακό Σημείωμα) granting them 25 days to return, despite the fact that they have express their will to apply for asylum. Additionally, the RAO refuses to schedule and conduct their registration on the grounds that their registration falls under the competency of RICs of Malakasa/Diavata. Many cases result in detention upon expiration of the 25 days to return and individuals end up filing their asylum application from detention, as detainees. During detention, they have no access to RIS services, as they are not considered newcomers by the RIS. Therefore, they are not provided –amongst others- with Reception and Identification procedures and they are not assessed regarding potential vulnerabilities. This is the case even following their release, regardless the fact that they might be asylum seekers at the time. Only detainees released following objections before the Administrative Court of First Instance of Rhodes are accepted in the CCAC, provided the decision accepting Objections is requesting the Administration to ensure their access to RIS' services.[294]

Actors present in the RIC and CCACI

In addition to civil society organisations, a number of official actors are present in the RIC facilities on the islands, including RIS, Frontex, the Asylum Service, the EUAA and the Hellenic Police.

Police: The Police is responsible for guarding the external area of the hotspot facilities, as well as for the identification and verification of nationalities of newcomers. According to the IPA, the registration of the applications for international protection, the notification of the decisions and other procedural documents, as well as the registration of appeals may be carried out by police staff.[295] Moreover, in exceptional circumstances, the interviews of the applicants under the "fast track border procedure" may be carried out by police staff, provided that they have received the necessary basic training in the field of international human rights law, the EU asylum acquis and interview techniques.[296] However, during 2023 and 2024 all the interviews, including those of the "fast track border procedure", were exclusively conducted by EUAA or Asylum Service staff. Finally, the decisions on applications for international protection are always taken by the Asylum Service.

Frontex: Frontex staff also participates in the identification and verification of nationalities. Although Frontex should have an assisting role, in practice, it conducts nationality screening almost exclusively, as

291 MoMA, *Reception and Identification Service, Reception and Accommodation, RIC and CCAC, Kos CCAC*, available here.

292 RSA, 'Crete – Gavdos: Sixfold increase in refugee arrivals in 2024 – Lack of organised first reception and accommodation infrastructure', 30 January 2025, available at: https://tinyurl.com/2k59jnm3.

293 Parliamentary Control No. 517/30.10.2024 *Question to Hellenic Parliament*, available in Greek at: https://tinyurl.com/ys6nwynh.

294 Based on GCR observations on the field.

295 Article 90(2) IPA.

296 Article 90(3), b IPA.

the Greek authorities lack relevant resources, such as interpreters. The conduct of these procedures by Frontex is defined by an internal regulation. It should be noted that, even though the Greek authorities may base their decision concerning the nationality of a newcomer exclusively on an assessment by Frontex, documents issued by the latter are considered to be 'non-paper' and thereby inaccessible to individuals. Assessments by Frontex are thus extremely difficult to challenge in practice.

UNHCR/IOM: provide information to newly arrived persons.

Asylum Service: According to IPA, the Asylum Service is present in the hotspots. Specifically:

> '(a) third-country national or stateless person wishing to seek international protection, shall be referred to the competent Regional Asylum Office, a Task Force of which may operate in the RIC; (b) both the receipt of applications and the interviews of applicants may take place within the premises of the RIC, in a place where confidentiality is ensured'.[297]

EUAA (previously EASO): EUAA also participates in the asylum procedure. EUAA experts have a rather active role within the scope of the Fast-Track Border Procedure, as its officers conduct first instance personal interviews, and they issue opinions regarding asylum applications. Following a legislative reform in 2018, Greek-speaking EASO (now EUAA) personnel can also conduct any administrative action for processing asylum applications, including in the Regular Procedure.[298] Following a mission conducted in Greece in 2019, ECRE published a report in November 2019 which provides a detailed overview on the role of EASO in Greece.[299]

RIS: The RIS previously outsourced medical and psychosocial care provision to NGOs until mid-2017. Since then, the provision of said services have been undertaken by the Ministry of Health, throughout different entities under its supervision. At the end of 2019, the National Organisation for Public Health (*Εθνικός Οργανισμός Δημόσιας Υγείας, ΕΟΔΥ,* also EODY), a private entity supervised and funded directly by the Ministry of Health and Social Solidarity,[300] was the competent body for the provision of medical and psychosocial services in CCACs. EODY had serious shortcomings in staffing and medical supplies, resulting in poor provision of services, including vulnerability assessment procedures. As of 8 June 2024, EODY was replaced by 'Ippocratis I' project run by IOM.[301] Since then, the project has initiated a recruiting process, however shortages in medical staff and supplies (i.*e.*, no doctor in Samos, Leros, Chios and Kos) are observed in all Medical and Psychosocial divisions of CCACs, fact that has significant impact on the provision of vulnerability assessment/ provision of health services.[302] 'Ippocrates I' staff is present in the CCAC only during the weekdays and working hours (from morning until early afternoon) .

Security personnel in CCACs: The surplus private security personnel guarding each accommodation and other sections of the CCAC is not assisted by interpreters. The lack of interpretation services leads to the endogenous inability of the CCAS's residents to communicate their needs; especially considering that the latter cannot access services or exit their containers if they do not carry with them their asylum applicant's ID cards.

In the aftermath of the fires which destroyed the Moria facility on the Greek island of Lesvos, the Task Force was set up within the European Commission's Directorate General for Migration and Home Affairs (DG HOME). The mission of the Task Force is the coordination of the Union's work on all strategic,

297 Article 39(6) IPA

298 Article 65(16) and 90(3) b IPA. See also ECRE, *The Role of EASO Operations in National Asylum Systems,* November 2019, available at: https://bit.ly/3cSt5rs.

299 ECRE, *The Role of EASO Operations in national asylum systems*, November 2019, available at: https://bit.ly/3cSt5rs.

300 Established by L 4633/2019.

301 IOM, *IPPOKRATIS I - Provision of medical and psychosocial services to residents of the accommodation facilities under the responsibility of the Reception and Identification Service*, available here.

302 RSA, *What is happening today in the refugee structures on the Aegean islands*, available at https://tinyurl.com/bdpc6byj, RSA, *Refugee facilities on the Aegean islands, Kos*, 10 December 2024, available at: https://rsaegean.org/el/kos-2024/, RSA, "Refugee facilities on the Aegean islands", Leros, 10 December 2024, available at: https://rsaegean.org/el/leros-2024/, RSA, "Refugee facilities on the Aegean islands", Samos, 10 December 2024, available at: https://rsaegean.org/el/samos-2024/, also based on GCR's observations from the field.

operational, legal and financial issues linked to migration management. The Task Force works in a matrix approach, tapping into established resources in DG HOME's relevant units (policy, operational, financial) and cooperates closely with all other Commission services and EU agencies involved. Its work covers a wide range of coordination and support activities for Member States both in the Eastern and Southern external borders. The Task Force has a coordinating and supporting function and does not change or replace the prime responsibility of the national authorities in migration management on their territory.[303] However, issues arise as its actual role remains unclear. Moreover, its contribution to the fulfillment of the objectives for which it was created is doubted.[304]

2.2.2. Reception and identification procedures in Evros

Individuals entering Greece through the Greek-Turkish land border in Evros are not subject to the EU-Türkiye statement. Therefore, they are not subjected to the fast-track border procedure and there is no geographical restriction imposed on them while their asylum application remains pending.

However, they are subjected to reception and identification procedures at the RIC in Fylakio, Orestiada, which was inaugurated in 2013 and is since operating as a closed facility. People transferred to the RIC in Fylakio are also subjected to a "restriction of freedom of movement" applied as a *de facto* detention measure, meaning that, according to the Law they remain restricted within the premises of the RIC for a period of 5 days that can be extended for up to an additional 20 days. However, according to GCR observation, in few cases, *de facto* detention in the RIC exceeded 25 days, mostly due to delays in transfers in second line reception facilities, which have reached their capacity.[305]

During the reported period, it has been observed that certain arrivals from entry points other than Evros, were channelled to Fylakio RIC, in order to be subjected to reception and identification procedures, as a result of the lack of capacity in the RICs in the mainland (namely in Malakasa and Diavata).

New arrivals, including families and minors, once detected and apprehended by the authorities, are first transferred to a border guard police station or the Pre-Removal Detention Centre (PRDC) in Fylakio, where they remain in detention (so called 'pre-RIC detention') pending their transfer to the RIC Fylakio. By the end of 2024, the period of pre-RIC detention was limited to a few days as far as GCR is aware.

By the end of September 2024, 5,746 individuals were registered by the RIS in Evros, out of which 4,331 were men and 1,415 were women.[306] According to official statistics, the nominal capacity of the Fylakio RIC is 768 places, out of which 284 places belong to the Pre-removal Detention Center. It shall be noted that during 2024, a new section (extension) of the RIC, which has 142 accommodation places, started to be in use.[307] Moreover, the Safe Zone for UAMs was inaugurated in September 2024. During 2025, 7,673 individuals were registered by the RIS in Evros, out of which 5,751 were men and 1,922 were women.

Since 2022, the lodging of asylum applications is no longer conducted by GAS. In the scope of Reception and Identification procedures, RIS conducts the registration of the asylum applications, during which all personal details of the applicants and the reasons for seeking international protection are recorded. According to GCR observation, registration took place immediately upon arrival for all newcomers (single adults, families and UAMs). In a number of cases concerning UAMs, the registration of the asylum application took place in the presence of a Guardianship Officer, however before they were officially appointed to a child protection actor.

303 EU Commission, Task Force Migration Management, available at: https://tinyurl.com/4hyxbes9.

304 RSA, *What is happening today in the refugee structures on the Aegean islands,* available at https://tinyurl.com/bdpc6byj.

305 GCR, *Reception of asylum seekers in Greece: the demand for humane conditions remains*, 9 November 2023, https://tinyurl.com/5d789w58. Still valid observation in 2024.

306 As per the latest available data (time of writing) published on the MoMA's website, under Statistics. See also, *Reception and Identification Service, 2024, nine months of 2024, registrations of TCNs/stateless persons per location of registration*, available in Greek here.

307 MoMA, *Reception and Identification Service, Reception and Accomodation, RIC and CCAC, Fylakio RIC,* available in Greek (2024) https://migration.gov.gr/statistika/

Following the conclusion of the Reception and Identification Procedures, newly arrived persons were released and the vast majority were referred by the RIS to open reception facilities in the mainland, with the exception of UAMs who remained in the RIC, pending their placement and transfer to a shelter for minors.

During 2024, depending on the capacity of the second line reception facilities,[308] and ensuing delays in official transfers of applicants from the Fylakio RIC to other facilities in the mainland, according to GCR observation, in certain cases registered applicants who had initially expressed their wish to be referred to such facilities as part of their right to reception conditions, have been given the option to be released and leave the RIC on their own. However, in order to do so, applicants are first required to sign a solemn declaration, stating an address, as well as their willingness to no longer be included in official transfers to other facilities on the mainland, and for their right to reception conditions to be waived. Accordingly, this practice, aimed at decongesting the Fylakio RIC, needs to be checked, at least, with respect to the extent to which applicants are effectively informed of the consequences of singing this form, particularly given the link between residence in the Greek reception system and access to a set of provisions, both under material reception conditions (receipt of financial aid), and in the context of limited support to integration (enrolment to Helios) for those that may end up being granted international protection in Greece.

By the end of December 2024, 343 UAMs (308 boys and 35 girls) were registered by the RIS in Evros.[309] During 2025, 322 unaccompanied minors were registered (310 boys and 12 girls).[310]

During 2023, the waiting period for the placement of UAMs in a 'restriction of liberty status' (namely in protective custody or in the RIC) to shelters for minors remained short. According to official data available, the average waiting time for the placement was 8.8 days.[311] Transfers from the RIC in Fylakio to shelters for minors were conducted with delays of up to 2-3 weeks. By exception, according to GCR observations, certain transfers were carried out after a period that exceeded one month.

3. Registration of the asylum application

Indicators: Registration

1. Are specific time limits laid down in law for making an application? ☐ Yes ☒ No
   - ❖ If so, what is the time limit for making an application?

2. Are specific time limits laid down in law for lodging an application? ☐ Yes ☒ No
   - ❖ If so, what is the time limit for lodging an application?

3. Are making and lodging an application distinct stages in the law or in practice? ☒ Yes ☐ No

4. Is the authority with which the application is lodged also the authority responsible for its examination? ☐ Yes ☐ No It depends. RIS personnel may also fully register asylum applications.

5. Can an application for international protection for international protection be lodged at embassies, consulates or other external representations? ☐ Yes ☒ No

3.1. Rules for the registration and lodging of applications

Article 69 of the Asylum Code transposes Article 6 of the recast Asylum Procedures Directive on access to the procedure.

308 GCR, *Reception of asylum seekers in Greece: the demand for humane conditions remains*, 9 November 2023, https://tinyurl.com/5d789w58.

309 As per the latest available data (time of writing) published at the MoMA's website, under Statistics. See also *Reception and Identification Service, 2024, nine months of 2024, registrations of TCNs/stateless persons per location of registration*, available in Greek here.

310 Ibid

311 Data received from the General Secretariat for Vulnerable Persons & Institutional Protection of the MoMA, on 7 January 2025.

As outlined below, Greek law refers to simple registration (*απλή καταγραφή*) to describe the notion of "registration" and full registration (*πλήρης καταγραφή*) to describe the notion of "lodging" of an application for international protection under the Directive.

On Friday 11 July 2025, the Hellenic Parliament adopted a legislative provision introduced by the Ministry of Migration and Asylum (Article 79 of Law 5218/2025, Government Gazette Issue 125/A/14.07.2025[312]), which came into force on 14 July 2025. The provision imposes a three-month suspension (from 14-07-2025 to 14-10-2025) on the "making"/registration of asylum applications by people arriving in Greece illegally by any watercraft from North Africa and provides for their return to the country of origin or departure, without registration of their asylum applications. Among others, the Greek Ombudsman,[313] the Greek National Commission for Human Rights,[314], the Association of Administrative Judges,[315] the Council of Europe Commissioner for Human Rights,[316] the UN High Commissioner for Refugees,[317] as well as 109 human rights organizations,[318] have stressed that the amendment suspending access to asylum for three months is incompatible with international refugee law, international human rights law, and EU law, all of which are binding on Greece and allow no derogation from their application.

The Greek Council for Refugees[319] and other organizations visited the Pre-Departure Detention Center (PROKEKA) in Amygdaleza, where third-country nationals, subject to the provision on the suspension of asylum, who arrived in Gavdos (island south of Greece) from Libya, on 18 July 2025, have been transferred and are being held. Return decisions have been issued against them and they remain in immigration detention in view of the implementation of their removal. With support from GCR lawyers, Sudanese detaines submitted to the PROKEKA officer on duty statements of intent to apply for asylum so that the competent Asylum Service could be officially informed. Greek Authorities have refused to register their asylum applications by invoking the legislative amendment suspending access to asylum. On 12 August 2025, GCR lawyers representing 4 Sudanese asylum seekers submitted Applications for Annulment and for Suspension,[320] with a request for a temporary order, before the Administrative Court of Athens against the return decisions as well as the administration's refusal/omission to register their asylum applications. Said legal remedies do not have an automatic suspensive effect. On 13 August 2025, GCR lawyers representing the same Sudanese asylum seekers and RSA lawyers representing other asylum seekers from Sudan submitted requests for interim measures (R39) before the European Court of Human Rights (ECtHR). On 14 August 2025, the ECtHR granted interim measures under Rule 39, indicating to the Greek Government not to remove them from the country until a decision on their Applications of Suspension is issued by the Administrative Court of Athens. On 25 August 2025, the Judge on duty of the Administrative Court of Athens accepted the request of temporary order of the Sudanese asylum seekers, represented by GCR, and granted a suspension of removal from the country until a decision on their Applications of Suspension is issued.[321] The examination/hearing of said legal remedies

312 Available in Greek here.

313 Greek Ombudsman, Statement, Υπόμνημα | Αναστολή υποβολής αιτημάτων ασύλου και αφίξεις πολιτών τρίτων χωρών στην Κρήτη, 10-7-2025, available in Greek here.

314 Greek National Commission for Human Rights, Statement, Δήλωση της ΕΕΔΑ: Η αναστολή της υποβολής αιτήσεων ασύλου και η παραβίαση του διεθνούς δικαίου, 11-7-2025, available in Greek here.

315 Association of Administrative Judges, Press Release, Για την τροπολογία περί αναστολής για 3 μήνες της δυνατότητας υποβολής αιτήσεων χορήγησης ασύλου από άτομα που εισέρχονται στη χώρα παράνομα με οποιοδήποτε πλωτό μέσο που προέρχεται από τη Βόρεια Αφρική, καθώς και της επιστροφής των ατόμων αυτών, χωρίς καταγραφή, στη χώρα προέλευσης ή καταγωγής, 11-7-2025, available in Greek here.

316 Council of Europe Commissioner for Human Rights, Statement, The Commissioner urges the Greek parliament to refrain from suspending the registration of asylum applications, 11-7-2025, available here.

317 UNHCR, Press release, UNHCR deeply concerned by Greece's suspension of asylum applications, 10-7-2025, available here.

318 109 organisations call for the unlawful suspension of access to asylum in Greece to be immediately withdrawn, Joint Statement, 16-7-2025, available here.

319 Greek Council for Refugees, Press Release, No right to asylum and living in appalling conditions: GCR visit to Pre-departure Detention Center in Amygdaleza for those recently arrived in Gavdos from Libya, 30-7-2025, available here.

320 Greek Council for Refugees, Press Release, GCR files legal remedies for refugees subject to the recent amendment by the Ministry of Migration and Asylum on the suspension of asylum, 13-8-2025, available here.

321 Greek Council for Refugees, Press Release, The Administrative Court of First Instance of Athens, as the European Court of Human Rights had also ruled earlier, grants a suspension of removal from the country to Sudanese refugees affected by the amendment imposing a 3-month suspension of access to asylum, 26-8-

(Applications for Annulment and for Suspension) had not been scheduled - apart from 1 to take place early 2026, - at the time of writing.

Registration of applications for international protection ("*Καταγραφή*")

Article 69(1) of the Asylum Code provides that any foreigner or stateless person has the right to "make" an application for international protection. The application is submitted before the competent receiving authorities, *i.e.*, the Regional Asylum Offices (RAO), the Autonomous Asylum Units (AAU) or the Mobile Asylum Units of the Asylum Service or the Regional Reception and Identification Services,[322] depending on their local jurisdiction, which shall immediately proceed with the "full registration" (*πλήρης καταγραφή*) of the application.

Following the "full registration" of the asylum claim,[323] the application for international protection is considered to be lodged (*κατατεθειμένη*).[324]

The Asylum Code provides that such full registration shall take place no more than 15 working days from the time of simple registration. More precisely, according to the Asylum Code, where "for whatever reason" full registration is not possible, following a decision of the Director of the Asylum Service, the Receiving Authorities may conduct a "simple registration" (*απλή καταγραφή*) of the asylum applicant's necessary details within 3 working days, and then proceed to the full registration by way of priority within a period of not exceeding 15 working days from "simple registration".[325] In such a case, upon "simple registration", the applicant receives a document indicating their personal details and a photograph, to be replaced by the International Protection Applicant Card when their full registration is eventually carried out, *i.e.*, upon the lodging of the full application.[326]

According to the Asylum Code, if the application is submitted before a non-competent authority, that authority is obliged to promptly notify the competent receiving authority and refer the applicant thereto.[327] An asylum application will not be considered properly lodged until it is fully registered by the Asylum Service, as the competent authority.

For third-country nationals willing to apply for asylum while in detention, the competent Detention Authorities shall ensure the immediate preparation and submission of a written declaration to that effect, following which the detention authority must register (simple registration) the application on an electronic network connected to the Asylum Service within three working days.[328]

Moreover, according to the Asylum Code, the lodging of the application with the Receiving Authorities must be carried out within seven working days after the "simple registration" by the detention authority or the RIS.[329] In order for the application to be fully registered, the detainee is transferred to the competent RAO or AAU.[330]

Lodging of applications ("*Κατάθεση*")

No time limit is set by law for lodging an asylum application. However, Article 83 of the Asylum Code transposes Article 13 of the recast Asylum Procedures Directive that refers to applicants' obligations and foresees that applicants are required to appear before competent authorities in person, without delay, in order to submit their application for international protection.

2025, available here; Refugee Support Aegean, Press Release, European Court of Human Rights blocks deportation of refugees detained by Greece under unlawful asylum suspension, 18-8-2025, available here.

322 Article of Asylum Code.
323 Article 69(1) of Asylum Code.
324 Article 69(3) of Asylum Code.
325 Article 69(2) of Asylum Code.
326 *Ibid*.
327 Article 69(9) of Asylum Code.
328 Article 69(7) (b) of Asylum Code.
329 *Ibid.*
330 *Ibid.*

Applications must be lodged in person,[331] except under *force majeure* conditions.[332] According to the Asylum Code, the lodging of the application must contain *inter alia* the personal details of the applicant and the full reasons for seeking international protection.[333]

As a general rule, the Asylum Code provides that the asylum applicant's card, which is provided to all persons who have been fully registered, *i.e.*, lodged their application, is valid for 1 year, which can be renewed as long as the examination is pending.[334] However, the Asylum Code provides for a number of cases where the asylum applicant's card can be valid for shorter periods. Thus, the validity of an asylum applicant's card can be set for a period:

- No longer than 3 months, where the applicant belongs to a nationality with a recognition rate lower than 35% in accordance with the official EU statistics and by taking into consideration the period for the issuance of a first instance decision expected;[335]
- No longer than 30 days, where the communication of a decision or a transfer on the basis of the Dublin Regulation is imminent;[336]
- No longer than 30 days, where the application is examined "under absolute priority" or "under priority", under the accelerated procedure, under Article 89 (inadmissible) or under the border procedure.[337]

In 2025, the Asylum Service registered a total of 61,629 applications for international protection, including 6,248 subsequent applications, primarily by nationals of Afghanistan (15,296), Egypt (9,548), Sudan (8,179), Syria (3,511) and Bangladesh (3,132).[338]

Role of the EUAA in registration[339]

In 2025, the number of lodged asylum applications registered with the support of EUAA personnel in Greece decreased to 34,023 applications for international protection (46,701 in 2024).

Of these, 83% related to the same 10 citizenships, in particular Afghans (8,601), Egyptians (5,699), Sudanese (4,982), Syrians (1,843), Bangladeshis (1,837), Somalis (1,278), Nepalis (1,087), Eritreans (1,028), Pakistanis (954) and Yemenis (946).[340]

EUAA deployed personnel did not carry out TPD registrations in Greece in 2025.

3.2. Access to the procedure on the mainland

Access to the asylum procedure has remained a structural and endemic problem in Greece for many years, both during the period when the police authorities[341] were competent for the asylum procedure and even after the start of the operation of the Asylum Service in 2013 (for more information see the AIDA reports for 2023 and previous years).

On 13 July 2022, the Ministry of Migration and Asylum operationalised a new online platform for booking of appointments for lodging an initial asylum application in person for asylum applicants in Greece, which,

331 Article 83(3) of Asylum Code.
332 Article 83(4) of Asylum Code.
333 Article 69(1) of Asylum Code.
334 Article 75 (1) of Asylum Code.
335 Article 75 (2) of Asylum Code.
336 Article 75 (3) of Asylum Code.
337 Article 75 (4) of Asylum Code.
338 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 7c and 7d.
339 It should be noted that Regulation 2021/2023 entered into force on 19 January 2022, transforming EASO into the EU Agency for Asylum (EUAA).
340 Information provided by the EUAA, 05 March 2026.
341 Greek Ombudsperson, "*Problems in the reception and examination of asylum applications at the Athens Aliens Department*", 2005, available in Greek here. ; see also GCR, *Asylum campaign invitation to a press conference*, 12 October 2012, available here.

as noted in several national Court decisions in cases represented by GCR,[342] is tantamount to confirming a person's will to apply for asylum and therefore that that person has the status of an asylum applicant. The procedure applies to all third country nationals who have not been through reception and identification procedures. The platform is available in twelve languages (Greek, Kurmanji, Albanian, Georgian, Arabic, Bengali, Dari, English, Farsi, Pashto, Turkish and Urdu), and after applicants have provided their personal information, they are asked to choose one of two registration facilities: Diavata RIC (Thessaloniki) or Malakasa RIC (Attica). Once the electronic form is completed, a registration appointment would be assigned to the applicant and communicated via email.

Upon appearance at the above RICs at the pre-arranged appointment, asylum seekers are subject to *de facto* detention period of maximum 25 days in order for the procedure to be completed, despite the Directive's provision "*not to hold a person in detention for the sole reason that he or she is an applicant for international protection*".[343] During this *de facto* detention period, asylum applicants complete their asylum interview and wait for the first instance decision on their case.

The Asylum Service does not publish specific data on the pre-registration of applications through the platform.

As of 15 May 2024, there was a discontinuation of the provision of interpretation services which until then was exclusively provided by the organisation METAdrasi, due to the expiration of its contract with the Ministry of Immigration and Asylum and also due to months of delayed payments. Previously, as of 29 April 2024, for the same reasons, the provision of services to the Asylum Service had also been discontinued. The interpretation services are funded by European funds, from the Asylum, Migration and Integration Fund (AMIF) for the period 2021-2027.

As a result, Asylum Service in almost the entire territory stopped carrying out all procedures related to the applications for international protection (indicatively: registration of both initial and subsequent asylum applications, conducting interviews, service of decisions, etc.).

Although the law requires that interpretation services be provided by the state in a language understood by applicants throughout the entire reception and identification and asylum process, in many cases, the gaps in interpretation have been attempted to be filled in questionable -and not provided by law- ways. Illustratively, asylum seekers are often requested to state their consent to the proceedings being carried out in Greek by signing solemn declarations confirming that they understand the language; asylum seekers are requested to sign declarations that they accept third parties who are not certified interpreters to assist them during the proceedings; on the recommendation of the Asylum Service, the asylum seeker is accompanied by a lawyer, who is required to sign the act of lodging an appeal and, thus, assume responsibility of informing on the document and interpreting for the asylum seeker.[344]

Due to these deficiencies, in 2024, access to the asylum procedure was extremely limited, exposing third country nationals wishing to file an application for international protection to the risk of arrest and administrative detention, in a legal limbo without any official documentation or legal status, unsupported by appropriate structures to provide for their essential needs, creating at the same time huge delays in the processing of already registered asylum applications.[345] Despite the resuming of interpretation services, significant delays in both registering and examining international protection claims continued throughout 2025. On several occasions the registering platforms had exhausted capacity informing applicants that no appointment is available. Continuing postponement of interviews and thus delays in examination and decision issuance continued too, particularly among the Arabic-speaking population.

342 Indicatively, ΔΠρΚαβ. 164/2023, ΜΠρΑθ 1524/2023 and ΔΠρΚομ ΑΠ163/2023.

343 Article 8 (1) RCD

344 RSA, *Major deficiencies in the provision of interpretation services in Greece, Even asylum interviews are no longer being conducted*", 5 November 2024, available here.

345 For this situation, individualized interventions were made by organizations to the Ministry of Migration and Asylum, as well as questions raised within the framework of Parliamentary Control by Members of Parliament from opposition parties. See, Ελληνικό Κοινοβούλιο, Μέσα Κοινοβουλευτικού Ελέγχου, 20 january 2025, available here.

3.3. Access to the procedure from administrative detention

Access to the asylum procedure for individuals detained for the purpose of removal remains problematic. The application of a detained person having expressed the wish to apply for asylum is registered with delay. The person remains detained between the expression of the intention to apply for asylum and the registration of the application, by virtue of a removal order. The person is deprived of any of the procedural guarantees provided to asylum applicants, despite the fact that according to Greek law, any individual who expresses the intention to lodge an application for international protection is an asylum applicant. Since the waiting period between expression of intention and registration is not counted in the duration of detention, asylum applicants may be detained for a total period exceeding the maximum detention time limit for asylum applicants.

In practice, the lack of adequate information to persons in detention, the lack of free legal aid scheme and the lack of interpretation services in pre-removal detention centres and other police facilities, as recently found by the CPT, significantly hinder access to asylum for those in detention.[346]

The time period between the expression of intention to apply for asylum and the registration varies depending on the circumstances of each case, and in particular, the capacity of the competent authority, the availability of interpretation, and the number of people wishing to apply for asylum from detention.

The discontinuation of interpretation services in asylum procedures from mid-2024 onwards, as mentioned above, has inevitably led to an increase in the length of detention of administrative detainees who wished to apply for international protection. Despite the resuming of interpretation services during 2025, delays continued.

C. Procedures

1. Regular procedure

1.1. General (scope, time limits)

Indicators: Regular Procedure: General

1. Time limit set in law for the determining authority to make a decision on the asylum application at first instance: 6 months

2. Are detailed reasons for the rejection at first instance of an asylum application shared with the applicant in writing? ☒ Yes ☐ No

3. Backlog of pending cases at first instance as of 31 December 2025: 28,317[347]

4. Average length of the first instance procedure in 2025:
   Data on the average length of the first instance procedure is not published.

According to data published by the Ministry of Migration and Asylum (MoMA),[348] a total of 55,381 (first time) applications for asylum were lodged before the Asylum Service in 2025, a decrease of 19.74% compared to the 69,000 (first time) applications lodged in 2024.[349]

346 CPT, *Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 November to 1 December 2023*, 12 July 2024, CPT/Inf (2024) 21, available here, paras. 33-37.

347 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 10a.

348 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 7c.

349 MoMA, Statistics, *Consolidated Reports - Overview*: December 2024 - International Protection | Appendix A, available at: https://migration.gov.gr/statistika/, table 7c.

According to Article 88(3) Asylum Code, an asylum application should be examined "the soonest possible" and, in any case, within six months of lodging, in the context of the regular procedure. This time limit may be extended for a period not exceeding three months, in cases where a large number of third-country nationals or stateless persons simultaneously apply for international protection. In any event, as per the same article, the examination of the application should not exceed 21 months.

Where no decision is issued within the maximum time limit fixed in each case, the asylum applicant has the right to request information from the Asylum Service on the timeframe within which a decision is expected to be issued. As expressly foreseen in the Asylum Code, '*this does not establish an obligation on the part of the Asylum Service to issue a decision within a specific deadline*'.[350]

Applicants who are recognised as refugees are given only an excerpt of the relevant decision, which does not include the decision's reasoning. According to the Asylum Code, in order for the entire decision to be delivered to the individual recognised as a beneficiary of international protection, a special legitimate interest (*ειδικό έννομο συμφέρον*) must be proven.[351]

Duration of procedures

The extent to which delays in the procedure observed in the previous years are still pertinent in 2025 is not possible to assess, as data on the duration of the procedure at first instance is not published by the MoMA, nor was it provided following GCR's relevant request for information.

That being said, ongoing delays of months and in some cases of even more than a year in the conduct of asylum interviews on account of gaps in the provision of interpretations services were reported in **Malakasa** RIC and **Ritsona camp** as well as most Regional Asylum Offices and Asylum Units in mainland Greece in 2024 and 2025. The same gaps also impacted on applicants' ability to communicate their needs with the camp's and the asylum service's staff.[352]

1.2. Prioritised examination and fast-track processing

The Asylum Code sets out two forms of prioritised examination of asylum applications.

Firstly, the Asylum Service shall process "by way of absolute priority", claims concerning:

(a) Applicants undergoing reception and identification procedures who do not comply with an order to be transferred to another reception facility, if their non-compliance hinders the smooth completion of the examination procedure;[353]
(b) Applicants who are detained.[354]

In accordance with Articles 46(c) and 50(8) Asylum Code, processing by way of "absolute priority" means the examination procedure needs to be concluded within 20 days, albeit Articles 42(γα) and 88(7) Asylum Code, both of which cite the preceding articles, mention a 15-day deadline for the same purpose, highlighting an inconsistency in the law.

Secondly, the law provides that an application may be registered and examined by way of priority for persons who:[355]

350 Article 88(6) Asylum Code.
351 Article 74(6) Asylum Code.
352 RSA, *Huge deficiencies in the provision of interpretation services in Greece, Asylum interviews are no longer even being conducted*, 5 November 2024, available here. See also: Civil Society Organizations Open Letter to the Minister of Migration and Asylum and the Minister of Health, *Put an end to the disruption of interpretation services still undermining asylum seekers' rights in Greece,* 1 November 2024, available here.
353 Article 46(c) Asylum Code
354 Article 50 (8) Asylum Code.
355 Articles 38(2) and 88(7) Asylum Code.

(a) Belong to vulnerable groups, insofar as they are under a "restriction of liberty" measure in the context of Reception and Identification procedures;
(b) Fall under the scope of the Border Procedure;
(c) Are likely to fall within the Dublin Procedure;
(d) Have cases which may be considered as manifestly unfounded;
(e) Represent a threat to national security or public order; or
(f) File a Subsequent Application;
(g) Come from a First Country of Asylum or a Safe Third Country;
(h) Have cases reasonably believed to be well-founded.

From 2014 up until the first half of 2021, Syrians and stateless persons were eligible to a fast-track procedure examining their cases and often resulting in the granting of refugee status. This also applied to those who formerly resided in Syria who could provide original documents such as passports, or who had been identified as Syrians/persons with a former residence in Syria within the scope of the Reception and Identification Procedure, provided that the EU-Türkiye Statement and the fast-track border procedure did not apply in their cases.[356] The specific fast-track procedure (examination in the merits) is still applicable to this day, though admissibility proceedings may precede it.

However, since December 2021, pursuant to Joint Ministerial Decision 458568/2021 and the subsequent relevant JMDs designating Türkiye as a safe third country for applicants from Syria, Afghanistan, Pakistan, Bangladesh and Somalia,[357] applications by these nationalities are firstly channelled through the admissibility procedure to assess whether Türkiye is a safe third country for them or if their cases are admissible and should therefore be examined on the merits (for more details, see also Safe Third Country).

1.3. Personal interview

Indicators: Regular Procedure: Personal Interview

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the regular procedure? ☒ Yes ☐ No
   - ❖ If so, are interpreters available in practice, for interviews? ☒ Yes ☐ No
2. In the regular procedure, is the interview conducted by the authority responsible for making the decision? ☒ Yes ☐ No
3. Are interviews conducted through video conferencing? ☒ Frequently ☐ Rarely ☐ Never
4. Can the asylum applicant request the interviewer and the interpreter to be of a specific gender? ☒ Yes ☐ No
   - ❖ If so, is this applied in practice, for interviews? ☒ Yes ☐ No

According to the Asylum Code, the personal interview with the applicant may be omitted where:[358]
(a) The Asylum Service is able to issue a positive decision on the basis of available evidence.
(b) It is not practically feasible, in particular when the applicant is declared by a medical professional as unfit or unable to be interviewed due to enduring circumstances beyond their control.

Moreover, the law foresees that when the applicant is not in a position to continue the interview for reasons attributable to them, "*the interview is concluded*". In this case, the applicant is provided with the opportunity to submit a written memo and supplementary evidence within five days.[359] According to the Asylum Code,

356 Information provided by the Asylum Service, 31 March 2021.
357 JMD 458568/2021, Gov. Gazette B' 5949/16-12-2021.
358 Article 82(7) Asylum Code.
359 Article 82(7) Asylum Code.

the omission of a personal interview does not adversely affect the in-merits decision on the application, in which the reasons for omitting the interview should be stated.[360]

The Asylum Code further provides that, where the interview has been scheduled within 15 days from the lodging of the application and where the applicant is vulnerable, the authorities provide them with reasonable time not exceeding three days to prepare for the interview and obtain counselling. The possibility to request reasonable time is not granted to asylum applicants who are not vulnerable or whose interview has been scheduled more than 15 days after the lodging of the application.[361]

Under the regular procedure, the interview takes place at the premises of the RAO or remotely, with applicants remaining at the Camp they reside on the designated day, and is conducted by one caseworker, who can be physically present or connect remotely. The personal interview of adult asylum applicants takes place without the presence of the applicant's family members, unless the competent Asylum Service handler considers their presence necessary.[362] Moreover, the personal interview must take place under conditions that ensure confidentiality.[363]

The person conducting the interviews should be sufficiently qualified to take into account the personal or general circumstances regarding the application, including the applicant's cultural background. In particular, the interviewer must be trained on the special needs of women, children and victims of violence and torture.[364] In case of female applicants, the applicant can request a case worker/interpreter of the same sex. If this is not possible, a note is added to the transcript of the interview.[365]

The EUAA's role in the regular procedure

In 2025, the number of interviews carried out by EUAA caseworkers in Greece increased once more, with interviews in the asylum cases of 13,886 applicants compared to 11,973 in 2024. Of these, 85% related to the same 10 citizenships, in particular Afghans (3,680), Syrians (2,096), Egyptians (1,305), Sudanese (1,289), Somalis (1,139), Nepalis (614), Sierra Leoneans (580), Yemenis (478), Palestinians (345), and stateless persons (321).[366]

The number of concluding remarks issued by EUAA was 604 in 2025, a decrease from 972 in 2024.[367] Concluding remarks by the EUAA in 2025 mostly concerned Egyptians (197), Sierra Leoneans (113), stateless persons (45), Sudanese (34) and Guineans (31).[368]

Interviews conducted through videoconferencing

In GCR's experience, interviews continued to be conducted through video conferencing in 2025, with either the interviewer or interpreter (or both) participating through digital means. This was particularly the case for applicants residing in mainland camps, who were interviewed without having to leave the camp, as well as in certain RAOs with certain interviewers being based in other RAOs. There have also been some cases where the interview was conducted remotely by phone rather than through video conferencing.

360 Article 82(9) Asylum Code.
361 Article 82(4) Asylum Code.
362 Article 82(10) Asylum Code.
363 Article 82(11) Asylum Code.
364 Article 82(12)(a) Asylum Code.
365 Article 82(5) Asylum Code.
366 Information provided by the EUAA, 05 March 2026.
367 According to the workflows developed jointly between EUAA and the Greek Asylum Service the drafting of concluding remarks by EUAA caseworkers is no longer required for a large share of cases (those examined on admissibility), while in parallel is has been agreed that for efficiency reasons (as regards EUAA support to first instance processing), EUAA caseworkers will be mainly conducting interviews, and should only draft concluding remarks for a limited number of cases: Information provided by the EUAA, 05 March 2026.
368 Information provided by the EUAA, 05 March 2026.

At the beginning of the interview, the caseworker requests the applicant's consent for the use of videoconferencing to carry out the interview. The applicant consent is given orally and is recorded in the audio recording of the interview and in the written transcript. However, in GCR's experience, applicants are not informed about possible consequences in case of refusal to use digital tools, such as rescheduling the interview at a later date. Other issues arising from the use of digital tools include technical issues, such as poor internet connection and inadequate sound quality. Even under ideal conditions, video conferencing may negatively affect the quality of the interpretation and possibly the interview due to the loss of non-verbal communication cues.

1.3.1. Recognition rates, quality of interviews and decisions

The Asylum Service issued a total of 41,667 in-merit decisions during 2025, of which 8,328 concerned the accelerated procedure.[369]

Decisions on the merits by the Asylum Service: 2025			
Refugee status	Subsidiary protection	Rejected	Exclusion (Article 1F Refugee Convention)
24,353	2,384	14,876	54

Source: MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 8a.

While recognition rates at first instance remain high (in terms of in-merit decisions), a number of first instance cases demonstrate the persistence of long-standing concerns vis-à-vis the "deterioration in quality at first instance", *inter alia* due to the way in which interviews were conducted, the assessment of the asylum claims and/or the decisions delivered."[370] There also seems to be a new evaluation of the situation prevailing with regard to Syria and Afghanistan, so that during 2025, the first rejections of international protection (refugee status as well as subsidiary protection) from persons of Syrian and Afghan nationality occurred.

Regarding interviews, GCR is aware of several cases of persons that have been through their interview by a case worker appointed to a different RAO/AU responsible for the lodging application and later on a third asylum office, namely AU Nikaias, was called to access the interview and issue the decision. The practice was noticed primarily in persons residing in camps out of Attica, the interview was conducted remotely by a case worker situated in a completely different area and then the file passed on to a different authority. While the lodging of the application was at AU for international protection (Fast Track- regular procedure), the interview was conducted by persons appointed to RIC Malakasa while the case was referred afterwards to AU Nikaias for decision. The particular situation has proven to cause extreme delays since despite referral to the authority the case was pending the appointment of a case worker for months. The interview was conducted in July 2025 but the decision was still pending by the time of the writing this report.[371] Long waiting and extreme delays is issuancing decisions has been noted repeatedly by the end of the year especially with regard to cases of Arabic-speaking population.

Examples of such cases in 2025 include:

- The case of a young single man from Syria, of kurdish origin, whose application was rejected after it was found at the first instance that the situation in his country of origin does not indicate that he would face such a degree of hardship or danger upon his return meriting international protection [372]
- The case of a single man from Egypt, who was interviewed a year after surviving the deadly shipwreck of Pylos in June 2025. By the end of the year the decisions on his case was not issued.[373]
- The case of a single-mother of two, survivor of SGBV from Togo. Her interview had been postponed several times since 2024 and all through 2025.[374]
- The case of a couple from Syria extremely vulnerable due to health issues. The interview was conducted by the end of July 2025. No decision was issued by the end of the year or early 2026. [375]

369 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 8a.
370 AIDA, Country Report: Greece, 2019 Update, pp. 58-59, available here.
371 Case file with the author.
372 Decision on file with the author.
373 File with the author.
374 File with the author.
375 File with the author.

1.3.2. Interpretation

The law envisages that interpretation is provided to applicants both during the registration of their asylum request as well as during their interview at first and second instance.[376] In case interpretation in the language of the choice of the applicant is unavailable, interpretation is provided in the official language of the country of origin or in a language that the applicant may reasonably be expected to understand.[377]

The Asylum Service uses interpreters in all dealings with the applicants, including the individual interviews. There is no relevant provision for the presence of cultural mediators. The Asylum Code does not include a provision for a specific training or guideline for interpreters.

Interpretation for registrations of asylum requests, as well as interviews before the authorities is provided both by interpreters of the NGO METAdrasi and EUAA interpreters, yet challenges continued to be reported in 2025.

On 14 May 2024, METAdrasi announced that following the cessation of the provision of interpretation services in the asylum procedures on 6 May, it would also move forward with the cessation of interpretation services throughout Greece's camps, on account of the expiration and delays in the timely renewal of the contracts it had signed with the MoMA, while once more noting that it had yet to receive due payments for the services provided by its interpreters in the previous months.[378] Following these developments, on 17 May 2024, the MoMA issued its own announcement, noting interpretation gaps had been addressed with the support of EUAA personnel and referring to delays, from the side of METAdrasi NGO, in presenting the necessary documents provided by law in order to sign a new contract, as the designated provider of interpretation services.[379] However, despite assurances, throughout 2024 there was nearly no interpretation available within the Asylum Service and extremely limited numbers of interpreters in refugee camps both on the mainland and the Greek islands.[380] Despite the resuming of interpretation services, delays noted affected scheduling and services throughout 2025.

As regards remote interpretation, its use continued to be observed frequently and was not limited to remote RAOs and AAUs, that may not have a sufficient number of interpreters.

Technical deficiencies and constraints should be taken into consideration when assessing the quality of remote interpretation. When it comes to rare languages, if no interpreter is available to conduct a direct interpretation from that language to Greek (or English in cases examined by EUAA case workers), more interpreters might be involved in the procedure to translate through different languages.

1.3.3. Recording and transcript

The Asylum Code provides for the audio recording of the personal interview. A detailed report is drafted for every personal interview, which includes the applicants' main arguments and all the essential elements of their claim. The audio recording of the interview accompanies the report. For interviews conducted by videoconference, audio recording is compulsory. When audio recording is not available, the report includes a full transcript of the interview and the applicant is invited to certify the accuracy of the content of the report by signing it, with the assistance of the interpreter who also signs it, where present.[381] The applicant may at any time request a copy of the transcript, a copy of the audio file or both.[382]

376 Article 82(3) Asylum Code.
377 Article 74(3) Asylum Code.
378 METAdrasi, *End of the provision of interpretation services in the asylum procedures and the Reception and Identification* Centres throughout Greece, 14 May 2024, no longer available online. Also see Kathimerini, Refugees without the possibility to communicate, 17 May 2024, available in Greek here.
379 MoMA, Anouncement, 17 May 2024, available in Greek here.
380 Fenix, *Open Letter: Put an end to the disruption of interpretation services still undermining asylum seekers' rights in Greece*, 01 November 2024, available here.
381 Article 82(13) Asylum Code.
382 Article 82(15) Asylum Code.

1.3.4. Notification of First Instance Decisions

The IPA introduced the possibility for first instance decisions to not be communicated in person to the applicant ('fictitious service', *πλασματική επίδοση*) or the first instance decision to be communicated to the applicant by administrative authorities other than the Asylum Service. Both practices have been maintained in the Asylum Code, significantly limiting applicants' ability to be informed about the issuance of the first instance decision and/or the content of said decision and/or the possibility to lodge an appeal. Consequently, deadlines for submitting an appeal against a negative first-instance decision may expire without the applicant being actually informed about the decision, for reasons not attributable to themselves. As the Greek Ombudsperson has noted with regard to the provisions of fictitious service, said provisions effectively limit asylum applicants' access to legal remedies.[383]

More precisely, according to the Asylum Code, a first instance decision can be communicated:

- in person or;
- with a registered letter sent by the Asylum Service to the applicant or;
- by e-mail to the applicant or;
- by uploading the Decision on an electronic application managed by the Asylum Service, through which applicants have unique access through an account they maintain, or;
- by communicating the decision to authorised lawyers, consultants, and representatives.[384] In this regard, it should be mentioned that according to the Aylum Code, once a lawyer is appointed by the applicant at any stage of the procedure, the lawyer is considered to be a representative of the applicant for all stages of the procedures, including the service of the decision. This remains the case regardless of whether the applicant is actually and in fact represented by the lawyer at the time of the fictitious service, unless the appointment of the lawyer is revoked by a written declaration of the applicant with an authenticated signature.[385]

The deadline for lodging an appeal against a negative decision starts on the day following its fictitious service. However, when the service of the decision is made via electronic means, the deadline begins 48 hours after the dispatch of the electronic message.[386] According to Article 87(3) of the Asylum Code, together with the decision, a document in the language that the applicant understands or in a language that they may reasonably be supposed to understand is also communicated to the applicant, which explains in simple language the content of decision, its consequences and actions they may pursue. Alternatively, a link to the webpage of the Ministry of Migration and Asylum where relevant information is provided is included in the document.

If the applicant resides in a Reception and Identification Centre or is detained in a detention facility, the decision is sent to the Head of the RIC or of the Detention facility, who has to ensure that a notice of receipt, as well as the times of delivery and distribution of the documents to applicants for each working day and time, is posted immediately in visible areas of the premises and draws up an act of receipt and posting. The deadline for lodging an appeal is three days after the act of receipt and posting has been drafted.[387]

No *force majeure* reason has to be invoked in order for a decision to be fictitiously served. If the applicant cannot be found/contacted through one of the abovementioned means, and no lawyer has been appointed, the decision is served to the Head of the RAO/AAU of the Asylum Service or the head of the RIC or the detention facility, after which it is deemed that the applicant has been notified of the decision.[388]

383 Ombudsperson, Παρατηρήσεις στο σχέδιο νόμου Προσαρμογή της Ελληνικής Νομοθεσίας προς τις διατάξεις της Οδηγίας 2013/33/ΕΕ (αναδιατύπωση 29.6.13) σχετικά με τις απαιτήσεις για την υποδοχή των αιτούντων διεθνή προστασία κ.ά. διατάξεις, April 2018, available in Greek here.
384 Article 87(3) Asylum Code.
385 Article 76(7) Asylum Code.
386 Article 87(3) Asylum Code.
387 Article 87(4) Asylum Code.
388 Article 87(5) Asylum Code.

In practice, on the mainland, first instance decisions are mainly served to applicants by e-mail, through their legal representatives or more seldom by registered mail. In cases of electronic notification of first instance decisions, provision of legal aid for the appeals procedure can be requested either in person at the competent RAO or through the electronic platform of the Ministry for Migration and Asylum.[389] If the latter is the only option (*e.g.*, because the applicant lives far from the competent RAO), it significantly hinders the ability to appeal for those not familiar with the use of electronic applications or who do not have access to the required equipment/internet. Moreover, in practice, the notification of first instance decisions is also carried out by the Head of the RICs on the islands and in Evros and the Head of Pre-removal detention facilities in Athens (Amygdaleza and Tavros). In both cases, the inability of the applicants to understand the content of the communicated documents and the procedure they have to follow has been observed.

1.4. Appeal

Indicators: Regular Procedure: Appeal

1. Does the law provide for an appeal against the first instance decision in the regular procedure? ☒ Yes ☐ No
   - ❖ If yes, is it ☐ Judicial ☒ Administrative
   - ❖ If yes, is it automatically suspensive ☐ Yes ☒ Some grounds ☐ No

2. Average processing time for the appeal body to make a decision: Reported at 90 days for the mainland, albeit without specification of the type of procedure concerned and based on data covering the period between 1 December 2019 to 31 December 2025.[390]

1.4.1. Administrative review

Since the entry into force of the IPA on 1 January 2020, the Independent Appeals Committees are the sole administrative bodies competent for the examination of appeals lodged against first instance asylum decisions.

Establishment and Composition of the Independent Appeals Committees of the Appeals Authority

The legal basis for the establishment of the Appeals Authority was amended several times in recent years and has been further amended by the IPA.[391] More precisely, following an amendment in 2016, the composition of the Appeals Authorities consisted of two active Administrative Judges in the new three-member Appeals Committees (*Ανεξάρτητες Αρχές Προσφυγών*) and a third member, holding a university degree in Law, Political or Social Sciences or Humanities with specialisation and experience in the fields of international protection, human rights or international or administrative law.[392] According to the amendment introduced by the IPA, the three-member Appeals Committees are composed by three active Administrative Judges of First Instance Administrative Courts and Administrative Courts of Appeal. Moreover, a single member/Judge Committee has been introduced.[393]

389 MoMA, Asylum Services, available here.
390 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 10b.
391 More precisely, it was amended twice in 2016 by L 4375/2016 in April 2016 and L 4399/2016 in June 2016, in 2017 by L 4461/2017 and in 2018 by L 4540/2018; See AIDA, Country Report: Greece, 2019 update, available here.
392 Article 5 L. 4375/2016 as amended; the third member is appointed by UNHCR or the National Commissioner for Human Rights if UNHCR is unable to appoint one. If both are unable, the (now) Minister for Migration Policy appoints one.
393 Article 116(2) and (7) IPA.

These amendments have been highly criticised and issues of unconstitutionality have been raised due to the composition of the Committees *inter alia* by the Union of Administrative Judges,[394] and the Union of Bar Associations.[395]

The Administrative Court of First Instance of Thessaloniki, considering an application for annulment with regards to the compliance with the Greek Constitution of the single member/Judge Appeals Committee, sent a question for a preliminary ruling to the Council of State (CoS), whose Plenary Session, following a reference from its Fourth Chamber, ruled by majority, in December 2024, that the provision of Law 4686/2020, which stipulates that the Independent Appeals Committees operate under a one-member composition, is contrary to the Constitution. The CoS also deemed that for reasons of public interest the decision will have to be published and applied after April 2025. After the publication, appeals against decisions of the Asylum Service will not be heard by Independent Appeals Committees with a one-member composition.[396]

As mentioned above, Appeals Committees are composed of active administrative judges of both First Instance and Administrative Courts of Appeal. However, following the entry into force of the IPA, the responsibility for the judicial review of the second instance decisions issued by the Appeals Committees has been attributed to the First Instance Administrative Courts and thus further issues of constitutionality may occur. In October 2020, the Council of State triggered its pilot procedure upon referral of three cases from the Administrative Court of Athens, supported by RSA, with a view to adjudicating on the constitutionality of the competence of Administrative Courts to judicially review decisions of the Appeals Committees, given that second instance decisions may be – and often are – taken by Committees composed by higher-court judges (Administrative judges of the Administrative Courts of Appeal).[397]

In October 2021, the Council of State held by majority that the competence of First Instance Administrative Courts to judicially review decisions of the Appeals Committees, even in cases where the second instance decisions on asylum applications are taken by Committees composed by higher-court judges, is constitutional.[398] Specifically, it considered that Appeals Committees are a "collective administrative body" which exercises "competences of a judicial function", and that judges participate therein not as judicial officials but as "state officials – members of independent authorities of the executive". First-instance Administrative Courts therefore judicially review decisions by executive bodies, not rulings by judicial officials. Accordingly, the judicial review carried out by lower judges of decisions taken by higher judges was not deemed contrary to the principle of judicial independence and impartiality.[399]

The Appeals Authority consisted of 21 Independent Appeals Committees,[400] which were reduced to 20 following JMD 109288/30.04.2024 (Gazette B' 2602/01.05.2024).

EUAA's role at second instance

Since 2017, the law foresees that "in case of a large number of appeals", the Appeals Committees might be assisted by "rapporteurs" provided by EUAA (at the time, EASO).[401] These rapporteurs have access to the files and are entrusted with drafting a detailed and in-depth report, that will contain a record and

394 Union of Administrative Judges, *Υπόμνημα Ενόψει της συζήτησης του σχεδίου νόμου του Υπουργείου Προστασίας του Πολίτη «Περί Διεθνούς Προστασίας και άλλες διατάξεις»,* 30 October 2019, available in Greek here.

395 Union of Bar Associations, *Επιστολή του Προέδρου της Ολομέλειας των Δικηγορικών Συλλόγων προς τον Υπουργό Προστασίας του Πολίτη για το σχέδιο νόμου για τη Διεθνή Προστασία*, 25 October 2019, available in Greek here.

396 Ertnews, *The Council of State judges the unilateral composition of Independent Appeals Committees in asylum procedures unconstitutional*, 03 December 2024, available in Greek here.

397 Council of State, *Γνωστοποίηση της υπ' αριθ. 19/12-10-2020 πράξης της Επιτροπής του άρθρου 1 παρ. 1 του ν. 3900/2010*, 13 October 2020, available in Greek at https://tinyurl.com/eufakwy5; RSA, *The Council of State pilot procedure on judicial review in the asylum procedure*, 1 February 2021, available at: https://bit.ly/480b4DN.

398 Council of State, Decision Nr. 1580-1/2021, October 2021.

399 Council of State (Plenary), Decisions 1580/2021 and 1581/2021, 8 October 2021, para. 14.

400 JMD 27290/2020, Gov. Gazette B'4896/6-11-2020.

401 Article 62(6) L 4375/2016, as inserted by Article 101(2) L 4461/2017.

statement of the facts of the case along with the main claims of the appellant, as well as a matching of said claims (*αντιστοίχιση ισχυρισμών*) with the country of origin information that will be presented before the competent Committee in order to decide.[402] Both the IPA and the Asylum Code have maintained the same tasks for "rapporteurs" provided by EUAA.[403] However, according to the IPA, this is not only foreseen "in case of a large number of appeals". Articles 95(4) IPA and 100 (4) Asylum Code provides that each member of the Appeals Committee may be assisted by "rapporteurs" provided by EUAA.

As in previous years[404], data on the number of Rapporteurs during 2025 was not published by the MoMA. Though the 2025 EUAA operational plan for Greece includes reference to support provided by the Agency to the Greek authorities in the context of Appeals,[405] there is no specification on the type and number of relevenat personnel.

Number of appeals and recognition rates at second instance

A total of 12,552 appeals were lodged against Asylum Service decisions throughout Greece in 2025, of which 12,129 on the mainland and 423 on the islands.[406] The Independent Appeals Committees handed down a total of 10,700 decisions in 2025, 319 of which concerned archivals and implicit/explicit withdrawals.[407]

Decisions by the Independent Appeals Committees: 2025			
Refugee status	Subsidiary protection	Rejected	Inadmissible
319	125	6,388	3,502

Source: MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 8b. An additional 19 appeals against decisions revoking protection status were accepted, while 28 out of the 6,388 rejected cases concerned the maintenance of subsidiary protection granted at 1st instance.

As in previous years,[408] the recognition rate at second instance remained exceptionally low. Out of the total in-merit decisions (6,879), the rejection rate reached 92.9%, while refugee recognition rate stood at 4.6% and subsidiary protection rate at 1.8%. The majority of second instance decisions granting international protection in 2025 concerned stateless persons (44%), followed by nationals of Afghanistan (29.03%), Syria (26.16%), Eritrea (15.38%), and China (13.64%), with Nepal (0%), Bangladesh (0%), India (0%), Albania (0.36%) and Pakistan (0.64%) being at the lower end of the spectrum.[409]

Out of the 3,502 decisions rejecting appeals as inadmissible, close to half (49.5% or 1,732) were rejected due to late submission,[410] i.e., on grounds that the appeal had been filed after the deadline provided in the law.

According to the Ministry, the recognition rate between at frist instance (AS) has been 53,1% refugee status and 5,2% subsidiary protections while at the second instance the rate was 3.1 % and 1.2 % respectively. [411]

402 Article 62(6) L 4375/2016, Article 95(5) IPA.
403 Article 62(6) L 4375/2016, Article 95(5) IPA, Article 100(5) Asylum Code.
404 See previous AIDA reports n Greece, avilble at: https://asylumineurope.org/reports/country/greece/.
405 EUAA, *Operational plan 2025 agreed by the European Union Agency for Asylum and Greece*, available at: https://tinyurl.com/mrxmpbws, pp. 7-8.
406 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarpTable 9a.
407 *Ibid.* Table 8b.
408 See previous AIDA reports on Greece, available at: https://asylumineurope.org/reports/country/greece/.
409 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp p.15.
410 *Ibid.* Table 8b.
411 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp, p.15.

An important difference between the practice of the Appeals Committees and the Asylum Service continues to be the comparatively more systematic use of subsidiary protection. This trend continues to raise concerns about possible shortcomings in the substantive assessment of asylum applications, given the extremely low number of applications heard orally in the Appeals Committees.[412]

Examples of such cases issued in 2025 include:

- The case of a separated minor from Syria of Kurdish origin residing in Greece with his brother. The Appeals Committee rejected his claim of international protection and ordered his return to Syria, while the Committee responsible for his brother's case recognized him as a refugee due to his Kurdish origin in conjunction with prevailing circumstances in Syria. Both committees seem to be unaware of the other case and the family link between the two persons.
- The case of a young man from Afghanistan being away from his country of origin since his teenage years. Despite particular claim of persecution in his written submission, the Committee rejected his claim due to a lack of a particular fear of persecution. Subsidiary protection was also denied due to the change of circumstances in Afghanistan.
- The case of a young male from Egypt suffering for a extremely rare terminal disease, who was hospitalized during the procedure. Despite several documents being provided for by the hospital, and the fact he was incapacitated at the time, the Committee reject his claim and ordered his return.[413]

Time limits for lodging an Appeal before the Appeals Committees

An applicant may lodge an Appeal before the Appeals Committees against a first instance decision of the Asylum Service rejecting their application for international protection.[414]

The appeal may be lodged against a decision rejecting the application as unfounded under the regular procedure or against the part of the decision that grants subsidiary protection. The deadline for submitting an appeal is 30 days from the notification of the decision or from the date they are presumed to have been notified.[415] The deadline is shortened to 20 days if the applicant was notified of the rejection decision while in detention.[416]

Scope of the Appeal

According to Article102(10) Asylum Code, the Appeals Committees conduct a full and *ex nunc* examination of the asylum application.[417] Based on legal precedents, Committees have the power to carry out their own assessment of the evidence and elements of the file.[418] Contrary to this position, however, some Committees have declared themselves as lacking jurisdiction to examine issues such as the need of the applicant for special procedural guarantees, where the first instance authority concluded that they are not vulnerable.[419]

Form of the Appeal

412 Refugee Support Aegean, The Greek asylum procedure in figures in 2023, available here.
413 All decisions are with the author.
414 Article 97(1) Asylum Code.
415 Article 97(1) Asylum Code
416 Article 97(1) Asylum Code
417 Council of State (Plenary), Decision 1694/2018, 21 August 2018, para 19.
418 19th Appeals Committee, Decision 6219/2021, 25 May 2021, para 4; 12th Appeals Committee, Decision 56970/2021, 10 June 2021, para A.7; 11th Appeals Committee, Decision 59841/2021, 11 June 2021, para 7; 11th Appeals Committee, Decision 62800/2021, 14 June 2021, para 9; 3rd Appeals Committee, Decision 75059/2021, 18 June 2021, para II.2; 6th Appeals Committee, Decision 140330/2021, 21 July 2021, 12; 8th Appeals Committee, Decision 1592/2021, 21 July 2021, para 3; 12th Appeals Committee, Decision 233902/2021, 9 September 2021, 3.
419 6th Appeals Committee, Decision 2411/2019, 28 February 2020, para 10; 6th Appeals Committee, Decision 30955/2020, 18 May 2021, para II.4.

According to Article 98 Asylum Code, the appeal, *inter alia*, has to be submitted in writing and mention the "specific grounds" on which the applicant relies to challenge the first instance decision. If these conditions are not fulfilled, the appeal is rejected as inadmissible without an examination on the merits.

This provision has been largely criticised as it severely restricts access to the appeal procedure in practice, and appears to contradict EU law.[420] As noted by UNHCR at the time of the provision's introduction in law in 2019 (under Article 93 IPA), *"[i]n some circumstances, it would be so difficult to appeal against a rejection that the right to an effective remedy enshrined in international and EU law, would be seriously compromised"*.[421]

In practice, the requirements set by the Asylum Code (and previously by the IPA) can only be fulfilled when a lawyer assists the applicant. Yet considering the gaps in the provision of free legal aid, this remains a challenge.

Out of the total 12,039 appeals against first instance negative decisions submitted in 2024,[422] legal aid was provided in less than two out of three cases (total of 7,902[423] cases or roughly 65.63% of cases).[424] Since it is unlikely that a third of appellants (4,137 or 34.36%) had either sufficient funds to secure a private lawyer and/or received free legal aid by NGOs, as in previous years,[425] this discrepancy highlights the ongoing challenges that applicants face in accessing and securing state funded free legal aid and in turn in accessing effective remedies.

During 2025, a total of 12,552 appeals against first instance negative decisions were submitted.[426] A total of 48 appeals were rejected as inadmissible on formal grounds («τυπικοί λόγοι») during 2025.[427] No information on legal aid statistics is available for 2025. Nonetheless, since the number of appeals is higher than in 2024, and the capacity of the legal aid registry remains the same, it is safe to conclude that the applicants faced the same challenges in assessing free legal aid.

Suspensive effect

The Asylum Code provides for the suspensive effect of appeals before the Appeals Authority. It also introduces a number of exceptions to this rule. In particular, those concerning applications rejected in the accelerated procedure or dismissed as inadmissible under certain grounds. In such cases, the appellant may submit an application before the Appeals Committees, requesting their stay in the country until the second-instance appeal decision is issued. Suspensive effect covers the period "during the time limit provided for an appeal and until the notification of the decision on the appeal".[428]

More precisely, according to Article 110 Asylum Code,[429] the appeal does not have an automatic suspensive effect in case of an appeal against a first instance decision rejecting the application as inadmissible:

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420 Namely Article 46 of the recast Asylum Procedures Directive and Article 47 of the EU Charter of Fundamental rights.

421 UNHCR, *UNHCR urges Greece to strengthen safeguards in draft asylum law*, 24 October 2019, available here.

422 MoMA, Statistics, *Consolidated Reports - Overview: December 2024 – International Protection | Appendix A*, available in Greek https://tinyurl.com/26ynfarp table 9a.

423 It is also worth noting that according to the data provided by the Ministry of Migration and Asylum, in response to Parliamentary Question no 3383/838/13.02.2025, 7,491 persons applied for legal aid in 2024, while 7,902 persons received it.

424 As per information disclosed by the Minister of Migration and Asylum in reply to parliamentary question no. 3383/838/13.02.2025 on 7 March 2025. The reply is available in Greek at: https://tinyurl.com/2xwpkare.

425 For instance, *AIDA report on Greece: 2021 update*, May 2022, available here, 20 and AIDA report on *Greece: 2022 update*, June 2023, available here, 71.

426 MoMA, Statistics, *Consolidated Reports - Overview: December 2025 – International Protection | Appendix A*, available in Greek https://tinyurl.com/26ynfarp , table 9a.

427 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 8b.

428 Article 110(1) Asylum Code.

429 Article 104 L. 4636/2019 as amended by Article 20 L. 4825/2021 and Article 110 Asylum Code.

i) because another EU Member State has granted international protection status;
ii) because another State, bound by Regulation (EU) No 604/2013 of the European Parliament and of the Council, has taken responsibility for the examination of the application for international protection, pursuant to the Regulation
iii) by virtue of the first country of asylum concept;
iv) because the application is a subsequent application, in which no new elements or findings have been found during the preliminary examination; in case of an appeal against a second subsequent asylum application, and in a number of cases examined under the Accelerated Procedure.

In its report "Comments on the Draft Law of the Ministry of Immigration and Asylum", the National Commission for Human Rights remarked that, while the abolition of the automatic suspensive effect of an appeal against a decision rejecting an application for international protection is in principle in conformity with Union law, an appeal against a return or removal decision pursuant to Article 6 par. 6 or Article 8 par. 3 respectively of Directive 2008/115/EC should automatically have a suspensive effect, as this decision may expose the third country national to a real risk of treatment contrary to the Charter of Fundamental Rights of the European Union in conjunction with Article 33 of the Geneva Convention.[430] As further noted by FRA:

> 'If a return decision were to be implemented before a final decision on international protection, this would also undermine the right to asylum (Article 18 of the Charter) and the principle of non-refoulement (Article 19 of the Charter and Article 3 of the ECHR) as interpreted by the CJEU and the ECtHR in their respective case law. Closely connecting or merging the two procedural steps must not lead to the reduction of safeguards which are necessary to ensure that Articles 18 and 19 of the Charter are not circumvented.'[431]

The practice of the Appeals Committees in 2022 and 2023 showed that the requirement of a separate request for suspensive effect under Article 104(2) IPA and Article 110(2) Asylum Code has introduced a superfluous procedural step, as the Committees systematically dismiss requests for suspensive effect as having no object (*άνευ αντικειμένου*), after having issued a positive or negative decision on the merits of the appeal, since the abovementioned application is examined on the date of the hearing of the case and the relevant ruling is included in the decision issued upon the appeal.

In 2021, 4,653 requests were submitted to the Appeals Authority to stay in the country until the second-instance decision has been issued. During the reference period, the Appeals Authority issued 4,476 second instance decisions rejecting requests for suspensive effect and ordering the removal of the appellant.[432] Relevant data for 2022, 2023, 2024 and 2025 was not provided.

Procedure before the Appeals Authority

Written procedure: As a rule, the procedure before the Appeals Committee is conducted in writing and the examination of the Appeal is based on the elements in the case file.[433] The Appeals Committees shall invite the appellant to an oral hearing when:[434]

(a) The appeal is lodged against a decision which withdraws the international protection status (see Cessation and Withdrawal);
(b) Issues or doubts are raised relating to the comprehensiveness of the appellant's interview at first instance; or
(c) The appellant has submitted substantial new elements.

430 GNCHR, *Comments on the Draft Law of the Ministry of Immigration and Asylum*, July 2021, available in Greek at: https://tinyurl.com/58y2mveh.
431 European Union Agency for Fundamental Rights (FRA), *The recast Return Directive and its fundamental rights implications, FRA Opinion – 1/2019 [Return],* 10 January 2019, available at: https://tinyurl.com/bdh44fmz.
432 Information provided by the Appeals Authority, March 2022.
433 Article 102(1) Asylum Code.
434 Article 102(3) Asylum Code.

As per data that has become available in the context of parliamentary scrutiny,[435] a total of 310 oral hearings were conducted throughout 2024. This amounts to less than 2.5% of the 12,911 second instance decisions issued during the year. No statistical information is available for 2025.

Article 111 of the Asylum Code prohibits the Appeals Committee from reverting a case to the Asylum Service for a new first instance interview. In cases, however, where the Appeals Committee considers it necessary to hold an interview, the law provides that the interview shall be conducted by the Committee itself, in accordance with the provisions of Article 82.[436] The Council of State held that the above provision on the prohibition of reverting cases back to the Asylum Service is compliant with Directive 2013/32/EU, since the interview conducted by the Appeals Committee with the applicant ensures the respect of requirements and guarantees provided in the Directive for the personal interview.[437]

Obligation of the Appellant to be present before the Appeals Committees on the day of the examination: Despite the fact that the procedure before the Appeals Committees remains written without hearings as a rule, Articles 102(2) and 83(3) of the Asylum Code impose an obligation on the appellant to personally appear before the Appeals Committee on the day of the examination of their appeals on penalty of rejection of their appeal as *manifestly unfounded*.[438] This is an obligation imposed on the appellant even if s/he has not been called for an oral hearing, though exceptions are provided where:

a) The appellant resides in a RIC or Accommodation Centre, in which case a written certification of the Head of the RIC or the Accommodation Centre can be sent to the Committee prior to the date of the examination, certifying that s/he remains there. This certification must be issued no more than three days prior of the examination of the appeal.[439]

b) A geographical limitation or an obligation to reside in a given place of residence has been imposed on the appellant, in which case a declaration signed by the appellant and verified by the Police or the Citizens Service Centre (KEP), can be sent to the Appeals Committee, prior to the date of the examination. This signed declaration and the authentication of the appellant's signature upon the document must be issued no more than three days prior to the examination of the appeal.[440]

In both cases, Article 83(3)(β) Asylum Code provides that if the aforementioned certificates are not received by the Appeals Authority, the applicant shall be deemed to have implicitly withdrawn their appeal in accordance with the provisions of Article 86 Asylum Code. Alternatively, in both cases, the appellant's lawyer or other authorised adviser can instead appear before the Committee on behalf of the appellant. This possibility is subject to the appellant having such an authorised representative.

Lastly, the appellant's obligation to present themselves before the Appeals Authority is temporarily suspended in case of *force majeure*, such as serious illness or serious physical disability, which makes it impossible for the appellant to appear in person, for as long as the grounds constituting *force majeure* remain in effect. In such a case, the appellant must submit a request, citing in a concrete manner the grounds amounting to *force majeure* or insurmountable impediment which makes it impossible for them to appear in person, and must immediately substantiate their allegation through written evidence and relevant certificates or a certificate from a public authority. Where it is established that these grounds exist, and provided that the applicant appears in person before the competent authorities, the consequences of the prior failure to appear are waived.[441]

Evidently, these provisions impose an unnecessary administrative obligation (in-person appearance of the applicant/lawyer as well as submission of extra certifications) and a disproportionate "penalty", as the

435 See RSA, *Asylum procedure statistics in Greece 2024: Four in five asylum applications granted*, 5 May 2025, available at: https://tinyurl.com/3nnbb7dh, p.12.
436 Article 111 Asylum Code.
437 Council of State, Decision Nr. 689/2021, March 2021.
438 Article 102(2) Asylum Code.
439 Article 83(3)(α) Asylum Code.
440 Article 83(3)(β) Asylum Code.
441 Article 83(4) Asylum Code.

in-merits rejection of an appeal without examination of the substance raises serious concerns as to the effectiveness of the remedy and the principle of *non-refoulement*. This obligation also disregards the criticism that the law on asylum "*puts an excessive burden on asylum applicants and focuses on punitive measures. It introduces tough requirements that an asylum applicant could not be reasonably expected to fulfil*".[442] As noted by UNHCR already in 2020, these provisions "*are expected to have a negative impact on applicants' access to the second instance and the proper examination of their appeal, and as such seriously undermine the right to an effective remedy*".[443] The First Instance Administrative Court of Thessaloniki filed a request for preliminary ruling by the CJEU,[444] asking the Luxemburg Court whether the non-appearance of the appellant before the Appeals Committees on the day of the examination of their appeal and the rejection thereof as "manifestly unfounded", without a full and *ex nunc* examination of both facts and points of law, complies with the right to an effective remedy provided in the Article 46 of the Directive 2013/32/EU.[445] The case is still pending before the Court. However, according to the Opinion of the CJEU's Advocate General, published on 6 February 2025, the provisions laid down by Greek legislation concerning the examination of appeals against a first instance negative asylum decision by the Appeals Committees make it excessively difficult to exercise the right of appeal and disproportionately impede the right to appeal and judicial protection.[446]

In 2025, a total of 4,680 appeals were rejected as *manifestly unfounded*, of which 67.4% (or 3,154) concerned the application of the safe country of origin concept.[447] For the rest (1,526), statistics issued by the MoMA do not include a breakdown and, therefore, it remains impossible to assess the exact legal basis of these rejections.

Issuance of a Decision: Article 106 Asylum Code provides that decisions have to be issued as soon as possible and in any case:

(a) Within thirty (30) days of the hearing of the case in the regular procedure,
(b) Within twenty (20) days of the hearing in the accelerated procedure,
(c) Within ten (10) days of the hearing when the appellant is under administrative detention,
(d) Within twenty (20) days of the hearing when the application was rejected at first instance as inadmissible in accordance with Article 89.

An exception is introduced for priority cases, as the decision must be issued within 15 days of the hearing.

Notification of second instance decision: Similar to the fictitious service at first instance, the Asylum Code provides for the possibility of a fictitious service (*πλασματική επίδοση*) of second instance decisions as described above.[448] Considering that the "fictitious" service of the second instance decision triggers the deadline for lodging an appeal, these deadlines for legal remedies against a negative second instance decision may expire without the applicant being actually informed about the decision. As noted by the Greek Ombudsperson, these provisions *"effectively limit the access of asylum applicants to judicial protection"* and though *"the need to streamline procedures is understandable ... in a State governed by law, this cannot restrict fundamental democratic guarantees, such as judicial protection"*.[449]

442 UNHCR, "UNHCR urges Greece to strengthen safeguards in draft asylum law*"*, 24 October 2019, available at: https://tinyurl.com/2vmnjc3x.

443 UNHCR, *UNHCR Comments on the Law on 'International Protection and other Provisions' (Greece),* February 2020, available here, Ibid.

444 CJEU, *Case C-610/23, Al Nasiria, Request for a preliminary ruling from the Dioikitiko Protodikeio Thessalonikis (Greece) lodged on 3 October 2023 — FO v Ypourgos Metanastefsis kai Asylou*, available here.

445 See First Instance Administrative Court of Thesssaloniki, *Decision Nr 560/2023*, 19 December 2023, available in Greek here.

446 *Opinion of the CJEU Advocate General of 6 February 2025 - Case C-610/23 (Al Nasiria), FO v Minister for Immigration and Asylum*, 6 February 2025, reference for a preliminary ruling from the Administrative Court of First Instance of Thessaloniki (Greece), available here.

447 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp Table 8b.

448 Article 87 and 108 Asylum Code.

449 Ombudsperson, *Παρατηρήσεις στο σχέδιο νόμου Προσαρμογή της Ελληνικής Νομοθεσίας προς τις διατάξεις της Οδηγίας 2013/33/ΕΕ (αναδιατύπωση 29.6.13) σχετικά με τις απαιτήσεις για την υποδοχή των αιτούντων διεθνή προστασία κ.ά. διατάξεις*, April 2018, available in Greek at: https://tinyurl.com/2xkbed6r, pp 7-8.

The right to remain in the country is revoked once the second instance decision is issued, irrespective of when the decision is communicated.[450] As noted by UNHCR:[451]

> '*UNHCR is concerned that such amendment would allow for the removal of a person from the territory before a second instance decision is notified to him/her. The parallel notification of a negative appeal decision is also undermining the right to judicial protection […], as persons whose claims are rejected will not be able to submit an application for annulment or an application for suspension in practice, which could ultimately lead to a violation of the principle of non-refoulement. The deprivation of legal stay before a notification of a negative decision has further premature negative repercussions on the enjoyment of the rights of asylum applicants from which they are to be excluded only following the notification of negative decision (e.g. the right to shelter and cash assistance)*.'

Individuals whose asylum applications are rejected at second instance no longer have the status of "asylum applicant",[452] and thus do not benefit from reception conditions.

450 Article 110 (1) Asylum Code.

451 UNHCR, *UNHCR Comments on the Draft Law 'Improvement of Migration Legislation, amendment of provisions of Laws 4636/2019 (A' 169), 4375/2016 (A' 51), 4251/2014 (A' 80) and other Provisions*, 12 June 2020, available here, p. 9.

452 Article 1(c) Asylum Code.

1.4.2. Judicial review

Applicants for international protection may lodge an application for annulment (*αίτηση ακύρωσης*) of a negative second instance decision of the Appeals Committees solely before the Administrative Court of First Instance of Athens or Thessaloniki,[453] within 30 days from the notification of the decision.[454] Following the lodging of the application for annulment, an application for suspension can be filed.

A request for an interim order can be filed also for temporary protection from removal after the application for suspension, only in cases were the decision to return the person in his country of origin is issued by the Police Alliens Directorate and should be issued within 15 days from the lodging of the application.[455]

Rejected asylum seekers at second instance do not have the capacity to lodge an interim measure request, only an application for suspension which can take months before it is decided up on.

The effectiveness of these legal remedies is severely undermined by a number of practical and legal obstacles:

- The application for annulment and application for suspension/interim order can only be filed by a lawyer. In addition, no legal aid is provided in order to challenge a second instance negative decision. The capacity of NGOs to file such applications is very limited due to high legal fees. The fees for filing an application for annulment varies between 257,80 euros to 318,55 euros, while the fees for filing an application for suspension varies between 145,40 euros to 198,35 euros, depending on the employment status of the lawyer. An additional financial burden required for the hearing of the application for suspension is the notification of the application to the Minister of Migration and Asylum, performed by a bailiff and amounting to 43,40 euros. Additionally, when it comes to the hearing of the application for annulment, if the applicant is not present at the hearing, the submission of a proxy is required, which costs approx. 60-65 euros. Legal aid may only be requested under the general provisions of Greek law,[456] which are in any event not tailored to asylum applicants and cannot be accessed by them in practice due to several obstacles. For example, the request for legal aid is submitted by an application written in Greek; free legal aid is granted only if the legal remedy for which the legal assistance is requested is not considered "manifestly inadmissible" or "manifestly unfounded".[457] As noted by the UN Working Group on Arbitrary Detention "*[i]nadequate legal aid is provided for challenging a second instance negative decision on an asylum application, and the capacity of NGOs to file this application is very limited given the number of persons in need of international protection*".[458]

- The application for annulment and application for suspension/interim order do not have an automatic suspensive effect.[459] Therefore between the submission of an application for suspension/interim order and the in-merit decision of the court, there is no guarantee that the applicant will not be removed from the territory.

- The Administrative Court can only examine the legality of the decision and not the merits of the case.

- The judicial procedure is lengthy. GCR is aware of several cases pending for a period of more then five years for the issuance of a decision of the Administrative Court of Appeals following an application for annulment.

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453 Article 114 Asylum Code with reference to Article 15(4) L. 3068/2002
454 Article 115 Asylum Code.
455 Article 15(6) L 3068/2002, as amended by Article 115 IPA.
456 Articles 276 and 276A Code of Administrative Procedure.
457 *Ibid*.
458 UN Human Rights Council, *Report of the Working Group on Arbitrary Detention, Addendum: Mission to Greece, A/HRC/45/16/Add.1*, 29 July 2020, available here, para. 85.
459 See, e.g., ECtHR, *M.S.S. v. Belgium and Greece*, application No 30696/09, Judgment of 21 January 2011.

Moreover, according to Article 114(2) of the Asylum Code, the Minister on Migration and Asylum also has the right to lodge an application for annulment against the decisions of the Appeals Committee before the Administrative Court. In 2020, the Minister on Migration and Asylum lodged one application for annulment against a second instance decision of the Appeals Committees. The Appeals Committee rejected the Minister's appeal and ruled that an applicant for whom a decision to discontinue the examination of the asylum application due to implicit withdrawal has been issued, cannot be removed before the nine-month period during which she can report again to the competent authority in order to request her case be reopened. The Minister appealed to the Council of State which, on 27 June 2022, issued decision No. 1398/2022, accepting the Minister's application for annulment.[460]

A total of 89 applications for annulment were lodged before the Administrative Courts of Athens and Thessaloniki against second instance negative decisions in 2025, marking a 77% decrease compared to the previous year (385). Of these, 1 was accepted, 1 was rejected, and the rest (87) were pending at the end of the year.[461]

During the same period, a total of 565 decisions on applications for annulment were issued, of which 86 were accepted, 96 were rejected as unfounded, and 340 were rejected as inadmissible, while 43 concerned resignations.[462]

1.5. Legal assistance

Indicators: Regular Procedure: Legal Assistance

1. Do asylum applicants have access to state-provided free legal assistance at first instance in practice?
   ☐ Yes ☐ With difficulty ☒ No
   ❖ Does free legal assistance cover: ☐ Representation in interview ☐ Legal advice

2. Do asylum applicants have access to free legal assistance on appeal against a negative decision in practice? ☒ Yes ☐ With difficulty ☐ No
   ❖ Does free legal assistance cover ☒ Representation in courts ☐ Legal advice

Asylum applicants have the right to consult, at their own cost, a lawyer or other legal advisor on matters relating to their application.[463] Any qualified lawyer registered with a Bar Association in Greece has the right to assist or intervene in an international protection case without additional training required. This includes lawyers employed by NGOs.

Legal assistance at first instance

No state-funded legal aid is provided at first instance, nor is there a legal obligation to provide it. A number of non-governmental organisations (NGO) provide free legal assistance and counselling to asylum applicants at first instance, depending on their capacity and presence across the country. The scope of these services remains limited, taking into consideration the number of applicants in Greece and the needs throughout the whole asylum procedure – including registration of the application, first and second instance, judicial review and the complexity of the procedures followed. As noted by the UN Working Group on Arbitrary Detention *'[t]he Working Group urges the Government to expand the availability of publicly funded legal aid so that persons seeking international protection have access to legal advice at all stages of the process, from the moment of filing their application until a final determination is made*'.[464]

460 Council of State, Decision No. 1398/2022, available in Greek at: https://tinyurl.com/2cwxtf2v.
461 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp Table 12a.
462 *Ibid.,* table 12b.
463 Article 71(1) IPA and Article 76(1) Asylum Code.
464 UN Human Rights Council, *Report of the Working Group on Arbitrary Detention, Addendum: Mission to Greece, A/HRC/45/16/Add.1*, 29 July 2020, available here, para. 85.

Legal assistance at second instance

Free legal assistance is provided to applicants in appeal procedures before the Appeals Authority under the terms and conditions set in the Ministerial Decision 788502/2023.[465] According to Ministerial Decision 494476/2023, the legal assistance scheme in appeal procedures is covered under AMIF (Asylum, Migration and Integration Fund) for the period of 2021-2027.[466]

According to Joint Ministerial Decision 788502/2023 regulating the State-funded legal aid scheme, asylum applicants are entitled to legal aid as long as they are not represented by another lawyer. The application for legal aid must be filed before the submission of the appeal.[467]

Article 2 of Ministerial Decision no 494476/2023 stipulates that, in order to be included in the Registry of Lawyers maintained by the Asylum Service, a lawyer must be an active and non-suspended member of a Greek Bar Association that has not been disciplined by the Bar and that holds very good knowledge of the English language. Additionally, every lawyer registered in the Registry must have completed a training seminar on International Protection Law, organised by the Asylum Service of the Ministry of Migration and Asylum in cooperation with other actors, before being assigned cases.[468]

The decision also explicitly provides for the possibility of legal assistance through videoconferencing in every Regional Asylum Office.[469] The fixed fee of the Registry's lawyers is € 90 for the drafting and submission of the appeal and of the suspension application if required, € 20 for the conclusion of the meeting with the appellant and € 50 for the memorandum, regardless of whether the appeal was filed by the applicant within the deadline provided by law or not. The fees are covered by the State.[470]

Throughout 2024 there were delays in the payment of the fees due to the lawyers on the Legal Aid Register of the Asylum Service. As a result, in November 2024, following a decision of the Plenary of the Hellenic Bar Associations, the lawyers of the Registry abstained from their duties starting on 01.11.2024. The abstention was extended by a new decision of the Plenary, initially until 31.12.2024, and subsequently until 24.91.2025.[471] In a letter dated 13 November 2024 addressed to the Director of the Asylum Service, the Administrative Director of the Appeals Authority, and the Director of the Reception and Identification Service, twenty civil society organisations, active in the field of migration and asylum, highlighted that the abstention from their duties of the lawyers of the Registry of the Asylum Service resulted in "a complete and objective inability of the Administration to meet its obligation to provide free legal assistance and representation at the second instance at the request of the persons concerned, as well as to ensure the continuation of such assistance throughout the appeal proceedings before the Independent Appeals Committees." They also called for the suspension of issuance of first instance decisions rejecting and partially rejecting applications.[472]

In practice requests for legal aid at second instance are mainly submitted through the electronic platform of the Ministry of Migration and Asylum,[473] notably because, as described above, first instance decisions may be notified to the applicants with a registered letter or other ways of notification and applicants' access to RAOs/AAU is not unrestricted but a prior appointment is usually required, depending on the competent RAO/AAU. This may pose additional obstacles to applicants who are unfamiliar with the use

465 Ministerial Decision 788502/2023, Gov. Gazette 42/B/11.01.2023. MD 3449/2021 was repealed by MD 788502/2023 according to Article 6(2) of MD 788502/2023, MD 3686/2020 was repealed by MD 3449/2021 according to Article 6 of MD 3449/2021, MD 12205/2016 was repealed by MD 3686/2020 according to Article 6(2) MD 3686/2020.

466 Ministerial Decision 494476/2023, Gov. Gazette 6393/B/07.11.2023.

467 Gov. Gazette 42/B/11.01.2023.

468 Ministerial Decision 494476/2023, Gov. Gazette 6393/B/07.11.2023.

469 Article 1(7) MD 788502/2023.

470 Article 3 MD 788502/2023.

471 EfSyn, *Ξεκινούν αποχή οι απλήρωτοι δικηγόροι της διαδικασίας ασύλου*, 11.11.2024, available in Greek at: https://tinyurl.com/3nhc37bu.

472 Protocol Number β/147/13.11.2024. On file with the author.

473 MoMA, *Asylum Services*, available here.

of electronic applications or who do not have access to the required equipment/internet. In 2024, applicants continued to be advised to apply online for free legal aid. However, it has been noticed in certain RAOs/AAU that, in case of the decision's notification in person to the applicant by the Asylum Service, the applicants are asked whether they would like to file a request for free legal aid in person on the same day and time.

As previously mentioned, a total of 12,039 appeals were lodged against Asylum Service decisions in 2024, the majority of which (25.7%) were filed by appellants from Egypt, followed by those from Pakistan (11.3%), Sierra Leone (7.5%), Syria (6.9%) and Somalia (5.8%).[474] Data on the number of applicants that were granted free legal assistance at second instance through the Registry of Lawyers of the GAS is not available on the Ministry's website. However, according to MoMA's response to a relevant parliamentary question, a total of 7,902 applicants were granted state funded legal aid throughout 2024.[475] There is no available information reguarding state legal aid at the second instance for 2025.

474 MoMA, Statistics, *Consolidated Reports - Overview: December 2024 – International Protection | Appendix A,* available in Greek here, table 9b.

475 As per information disclosed by the Minister of Migration and Asylum in reply to parliamentary question no. 3383/838/13.02.2025 on 7 March 2025. The reply is available in Greek at: https://tinyurl.com/2xwpkare.

2. Dublin

2.1. General

Dublin statistics: 1 January – 31 December 2025

National data regarding requests in the Dublin procedure since 2021 are not available at the time of writing of the report. There were a total of 1,212 outgoing transfers carried out in 2025.[476]

GCR does not currently have information regarding the practice of all Member States following the CJEU ruling in the *Mengesteab* case and CJEU judgment in C-47/17 and C-48/17, and GCR's request for relevant information for 2023 from the MoMA was not answered. According to information provided by other organisations present in Greece, in 2024 German and Austrian authorities continued to consider that the time runs from the day of the informal request for asylum.[477] The same applies for Germany during 2025.[478]

Based on GCR's and other organisations' experience, during 2022, as in previous years, there were specificities in the handling of cases based on the Member State the outgoing request is addressed to. Specifically, the Greek Dublin Unit submits all take charge requests within the three-month time limit foreseen in the Regulation.[479] The time starts from the moment an application for international protection is officially registered with the Asylum Service. However, the German authorities, following the ruling of the CJEU in the *Mengesteab* case on 26 July 2017[480] consider that the three-month time limit for sending a request to another country starts when the intention to apply for asylum is expressed; formal registration of the application with the Asylum Service is not required. To avoid rejection letters based on this argument, the Greek Dublin Unit tries to send the take charge requests within three-months from the expression of the intention to apply for asylum.[481]

Regarding family reunification cases, if the Greek Dublin Unit is not informed within three months following the expression of the intention to apply for asylum, but is informed within three months from the registration of the asylum application, it sends the take charge request to the German authorities under the non-discretionary Articles (8, 9, 10), this request will meet the time limit set out in the Regulation.

Furthermore, some Member States' interpretation of the CJEU judgment in the Joined Cases C-47/17 and C-48/17[482] has resulted in rejections of requests. Following this judgment, the German Dublin Unit accepts only one re-examination request for each case and refuses to keep cases open even when further medical tests for the establishment of the family link are pending. The German Dublin Unit claims that there is no possibility to deviate from the deadlines of the Dublin III Regulation. The Netherlands, France, Sweden and the United Kingdom are among the Member States which have also followed the same practice rejecting cases on this ground.

According to GCR's knowledge, the German authorities continue to implement this judgment. NGOs noted that, during 2022, Swedish authorities also rejected cases on this ground.

476 It should be noted that Eurostat statistics related to the implementation of the Dublin III Regulation were last updated in July 2023 and cover the year 2022. According to Eurostat, the next planned statistical update is scheduled for July 2024 and should, presumably, cover the year 2023. See Eurostat, Statistics on countries responsible for asylum applications (Dublin Regulation), July 2023, available here.

477 Information provided by NGOs, valid as of January 2025

478 Information provided to the author on a Dublin case ealy 2026 by the Dublin Unit case worker.

479 Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast).

480 CJEU, C-670/16, *Tsegezab Mengesteab v Bundesrepublik Deutschland*, Judgment of 26 July 2017, available at: https://bit.ly/3MXWEuK.

481 Based on GCR's observations from the field.

482 CJEU, Joined Cases C-47/17 and C-48/17, X v. Staatssecretaris van Veiligheid en Justitie, Request for a preliminary ruling, Judgment of 13 November 2018, available at: https://bit.ly/2KpcqiA.

In general, an extension is requested if a DNA procedure is pending and not expected to be completed within the two-week timeframe. This request is accepted by almost all the Member States, apart from Germany, which might reject a re-examination request on the basis that the results proving the family link were not submitted in due time.

Regarding unanswered re-examination requests, the Greek Dublin Unit tries to address reminders to seek an official reply. Unanswered cases are eventually referred to the regular procedure.

Re-examination requests for several cases addressed to the German Dublin Unit remained unanswered long periods of time which exceeded the two-week time frame mentioned in the CJEU judgment but were eventually answered following reminders by the Greek authorities.

According to information received by national NGOs, French authorities replied within the time limit during 2024 and there was no issue of unanswered requests during 2024.

2.1.1. Application of the Dublin criteria

To the knowledge of GCR, in 2024 as in previous years most outgoing requests took place in the context of family reunification, *i.e.*, application of the family unity criteria. For a "take charge" request to be addressed to the Member State where a family member or a relative resides, the written consent of the family member is required, as well as documents proving the legal status in the receiving country (*e.g.*, residence permit, asylum applicant's card or other documents certifying the submission of an asylum application) and documentation relating to evidence of the family link (*e.g.*, certificate of marriage, civil status, passport, ID).

For cases of unaccompanied minors, the written consent of the guardian is required. Based on GCR's experience, an outgoing request will not be sent until the written consent of the relative and the documents proving their legal status in the other Member State is submitted to the Greek Dublin Unit.

On the other hand, inability to provide documents proving the family relationship between the applicant and the family member to the requested Member State is not a sufficient reason for the request not to be sent and/or received. In such cases, the availability of circumstantial evidence is assessed (*e.g.*, photographs of the applicant and the sponsor, statement of the sponsor describing her/his relationship with the applicant, transcript of the sponsor's interview before the authorities of the requested Member State, in which the details of the applicant are mentioned). These cases, though, have little chances to be accepted according to the Greek Dublin Unit.

Family unity is the main way for applicants to enter another Member State safely and legally. However, restrictive practices of requested states such as requirements for official translations of documents proving family links, sometimes unnecessary DNA tests to prove the applicant's family ties, age assessments of unaccompanied children to be conducted according to the requested State's methods, often result in the rejection of the 'take charge' requests.

Apart from the general criteria applied to every case falling under the Dublin III Regulation, nuances have been observed on the way the family unity criteria are applied by different Member States. Germany, for example, refused the responsibility for applicants who could not prove their relationship with the person they wished to be reunited with, while other countries were taking into consideration circumstantial evidence and may have conducted interviews with the family members/ relatives.

However, in 2022, according to NGOs, Germany accepted circumstantial evidence while France did not. Italy is reportedly more flexible than other Member States on that issue. Furthermore, only documents in English or the official language of the requested Member State are considered by the Dublin Units of some of the Member States. GCR could not obtain similar information as to the application of the family unity criteria in other Member States in 2023. Based on GCR's observations, in 2024 in some cases

documents translated in English but also original documents in the language of the applicants were accepted.[483]

According to information provided by the Greek Dublin Unit, Afghan identification documents and documents provided by other nationals, such as Somali nationals, are not considered by Germany's BAMF as viable evidence to prove the family link, given that they could easily be forged. According to NGOs, in 2022, Germany and Sweden doubted the authenticity of Somali identification documents and asked for a DNA test. GCR could not obtain similar information for 2023. Based on GCR's observations, in 2024 and 2025 there is no information that documents by specific nationalities were not accepted as viable evidence. [484]

Most Member States consider the requirement of the DNA test to be the last resort, while others, such as Spain and Ireland request a DNA test regardless of the submission of identification documents. German authorities have also rejected cases due to lack of DNA test results regardless of submission of identification documents and circumstantial evidence. Sweden and the Netherlands, requested for DNA results proving the kinship, especially regarding applications on grounds other than Article 9 and 10 Dublin III Regulation. According to Safe Passage, French authorities seldom request DNA testing and, in such cases, only when ordered by a prosecutor.

Since 2017, Dublin Units have increasingly refused requests in cases of subsequent separation of family members who entered Greece and applied for asylum prior to departure to another Member State on the basis that the family separation was 'self-inflicted' and was contrary to the best interests of the child. The Greek Authorities have partially adopted this reasoning.

According to a circular of the Asylum Service from January 2020, such requests should not be sent, and the cases should be referred to the regular procedure. The same would apply in cases where minors were subsequently separated from their family and travelled to another Member State. The only exception is when another Member State specifically asks for a take charge request.

In any case, an assessment of each case always precedes the referral to the regular procedure. Based on GCR's experience, such requests have been accepted by the authorities of Sweden, Switzerland and Luxembourg while German Authorities rejected them arguing that the family was together at the time the application for international protection was lodged (Article 7 par. 2 Dublin III Regulation) and that the humanitarian grounds of Article 17 (2) do not apply. They also sometimes argue that further consideration of such cases would undermine the meaning of the Regulation, which is to 'prevent secondary movement'.

However, in two cases dealt with in 2022, Germany accepted a "humanitarian clause" request for the reunification of parents with their two daughters in Germany, one of whom had arrived there after having submitted an asylum application in Greece,[485] as well the reunification of two brothers in a case of a subsequent separation.[486] In contrast, Belgium rejected a request based on Article 17(2) of the Regulation regarding a family with a minor son, on the basis that the mother's departure from Greece after the family's application had been submitted was not in the best interests of her child.[487] GCR is not aware of similar cases in 2023.

It is also difficult to establish a family relationship in cases of marriages by proxy, as they may not be recognised by the receiving State's domestic law. GCR is aware of at least one such case of family reunification that was rejected by the German Authorities, because the applicant's spouse was already present in the requested Member State's territory when the marriage ceremony took place.

Unaccompanied children

483 Practice-based observation by GCR, January 2025.
484 Practice-based observation by GCR, January 2025.
485 Information provided by RSA.
486 Information provided by European Expression.
487 Information provided by RSA.

On 22 July 2022, L 4960/2022 on the National Guardianship System and Framework of Accommodation of UAMs entered into force,[488] replacing former law L4554/2018 on guardianship, which had never been implemented in practice.

New provisions on guardianship and accommodation were inserted in the third part of the Asylum Code regarding Reception. Under the new legislative provisions, general competency was transferred from the National Centre for Social Solidarity of the Ministry of Labour and Social Affairs to the Special Secretary for the Protection of Unaccompanied Minors (SSPUAM), being succeded in 2023 by the General Secretariat for Vulnerable Persons and Institutional Protection.

Under the new law, the provision of guardianship is relegated to a list of legal entities appointed by the Public Prosecutor (*i.e.*, public entities, NGOs, international organisations) who employ persons acting as guardians. The Public Prosecutor can also appoint a child's family member or friend to be responsible for their everyday care.

At the end of October 2023, the NGOs METAdrasi and Praksis were announced by the Ministry of Migration and Asylum as the finalist candidates entrusted with the implementation of the National Guardianship scheme, following a public procurement procedure. The project officially begun on 1st November 2023. The first two months consisted of preparatory actions (trainings, prioritisation of cases, etc.). Now, guardians are deployed and started work (see Legal representation of unaccompanied children).

The number of applications for family reunification of unaccompanied minors before the Asylum Service in 2025 is not available.

In August 2018, the Greek Dublin Unit introduced the Best Interests Assessment (BIA) Form to support unaccompanied minors claims under Dublin Regulation 604/2013. The BIA Form aims to gather and assess all necessary information required by Member States to assess the family reunification requests of unaccompanied minors and is an indispensable element of take-charge requests. UNHCR, UNICEF and EASO contributed to the development of the BIA while the National Dublin Unit considered tools and reports used by many other bodies, local organisations and NGO's.[489]

On 2 August 2023, the General Secretariat for Vulnerable Persons and Institutional Protection of the Ministry of Migration and Asylum launched the pilot implementation of a new Toolkit, in the framework of the project "Harmonization, Establishment and Certification of Best Interests Procedures", with a view to establish standardised tools and harmonise the best interest assessment procedure of the child. The aim of the project, in line with the National Strategy for the Protection of Unaccompanied Minors, is to harmonise the best interest procedures in Greece, by using standardised best interest assessment forms and by having the assessment process carried out by experienced and trained professionals. The project has been implemented since November 2022, in cooperation with UNHCR and the European Union Agency for Asylum.[490]

The submission of the best interest assessment does not necessarily lead to the acceptance of a take charge request, since other elements are also taken into consideration by the requested Member States, although no such requirement is provided in Article 8 Dublin III Regulation. These elements are considered evidence of the relative's ability to support the minor applicant. GCR is aware of cases in which house contracts, photos of the place where the minor will be accommodated in the relative's house and proof of income have been requested to prove the family member's or/and relative's ability to take care of the applicant. According to NGOs, Italy requests house contract and tax declaration.

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488 L 4960/2022 *National Guardianship System and Framework of Accommodation of UAMs and other provisions under the jurisdiction of the MoMA*.

489 For more, *AIDA – Country Report: Greece, 2022 Update,* June 2023, available at: https://bit.ly/3PUOVk9, p. 72 *et.seq*.

490 See the MoMA's website under "Dublin III Regulation" at: https://bit.ly/3Vy0MWZ; MoMA, *General Secretariat for Vulnerable Persons and Institutional Protection of the Ministry of Migration and Asylum launches new Toolkit on Best Interests Procedures*, 18 August 2023, available at: https://tinyurl.com/4za42e7a.

Other countries appoint social workers to contact the relative on their territory and the child with the aim to assess whether it would be in the child's best interest to be reunited with the family member/relative. According to NGOs, France always conducts interviews with the relatives residing in the country while in one case, Italian authorities exceptionally called for an interview with family members of the minor due to insufficient information available in the file.

Another factor that is being considered while assessing the best interest of the minor, is the existence of a family member/ relative in the requesting Member State. Although the mere existence of a relative does not change the legal status of the minors as unaccompanied, some Member States misinterpret the best interest of the minors by considering them accompanied. Based on that argument, they reject family reunification requests of unaccompanied minors and therefore, prevent them from being reunited with a closer family member.

Although the best interest of the minor should be of primary consideration when examining a family reunification request, the requested Member States proceed with the assessment of the case under the Dublin III Regulation in all take charge requests addressed to them. Spain, for instance, does not examine requests of unaccompanied minors based on articles other than Article 8 of the Regulation. In one case handled by GCR, the Spanish Dublin Unit stated that all requests concerning minors are to be examined under the criteria of Article 8, while Article 17(2) was not applicable in this case as this is not considered to be a discretionary case by the Spanish Authorities. Thus, the case was finally rejected in 2021, without due consideration of the Best Interest Assessment Form and no explanation for the rejection was provided as required under Article 17(2) of the Regulation EU 604/2013. The practice continued in 2022 and, according to NGOs, France adopted the same practice of not examining requests that are based on other grounds than Art 8 of the Regulation. GCR is not in a position to confirm whether this remains the case in 2025.

GCR is also aware of the case of an unaccompanied minor who applied to be reunited with his uncle who is a German citizen. His application was rejected in 2021 by the German authorities because, according to the rejection letter, the Dublin III Regulation is not applicable in such cases. Yet, this reasoning is contradictory to Article 8 of the Regulation, which requires for the family member or/ and relative to be legally present. The best interest of the minor and the documents submitted to support the case were not taken into consideration. However, in 2022, France accepted the family reunification request of a minor with his aunt who holds the French citizenship.[491] GCR is not aware of such cases in 2024 and 2025.

When applicants are not able to provide identification documents, DNA tests is the only way to prove the family link. However, based on GCR's experience in previous years, some countries require a DNA test as a rule to be able to assess family links.

Age assessments is another matter that might affect the outcome and the processing time of a reunification request. Based on GCR's experience in previous years, Member States question the results of the age assessments of unaccompanied children which were not conducted according to their own methods.

2.1.2. The dependent persons and discretionary clauses

Outgoing requests under the humanitarian clause concern mainly dependent and vulnerable persons and are sent either when Articles 8-11 and 16 are not applicable or in cases where the three-month timeframe has expired regardless of the reason. Article 17(2) has been widely used for cases of subsequent separation as well as in the beginning of 2021 for cases in which the deadline for transfer was not met, on account of the added challenges posed by the Covid-19 pandemic.

2.1.3. The relocation scheme

491 Information provided by the NGO European Expression.

In March 2020, the Commission launched a relocation scheme, under which vulnerable people from Greece would be transferred to other EU Member States, in an effort to support Greece in managing the disproportionate pressure on its reception system. Unaccompanied children and children with severe medical conditions who were accompanied by their families, were the two categories of persons of concern who could be included in the programme,[492] if they have arrived in Greece before 1 March 2020 and if they have no possibility to be reunited with a family member in another Member State. Sixteen EU countries participated in this scheme, including France, Germany, Luxembourg, Portugal and Bulgaria. The Commission implemented this programme with the assistance of UNHCR, IOM and UNICEF, following the eligibility criteria set in the relevant SOPs, which GCR was not able to obtain. Homeless children, children living in precarious conditions, such as safe zone areas in camps and minors being previously detained, were considered eligible for the program.

The process for the relocation of UAM consisted of three phases:[493]

- Phase 1: the preparatory phase, in which a list of identified unaccompanied minors was drafted and shared by the Special Secretary of Unaccompanied Minors with the Greek Asylum Service and then with EASO.
- Phase 2: a Best Interest Assessment interview takes place, during which the eligibility of each minor was assessed. The procedure was led by EASO with the support of UNHCR and the child protection partners. After the completion of the interview, the assessment and any other supportive documentation were submitted to the Greek Authorities and the receiving countries.
- Phase 3 and last phase: the transfer of the person to the Member State which accepted the responsibility for them. Prior to this final step, some countries, such as France, used to hold another interview at their Consulate or Embassy in Greece. This interview is called '*security interview'.* Prior to the transfer, the selected minor was accommodated to transitional facilities run by IOM, for the necessary administrative procedures and medical examinations take place.

A minor's case is not definitively excluded from the relocation programme should the case not be accepted by a Member State. On the contrary, the applicant is internally proposed to another State for relocation. A person is excluded only if they refuse in writing to be transferred to the Member State which has accepted responsibility for the case. This refusal is considered as evidence that the person does not wish to be included in the programme.

Although the eligibility criteria might differ based on the Member State, some criteria seemed to be unnegotiable. An applicant could not be included to the programme in cases where a family reunification request under the Dublin III Regulation is pending, or a decision on first instance regarding the application for international protection has already been issued by the Greek authorities. Furthermore, applicants who have been accused or convicted of committing a crime, regardless of its severity, would be considered ineligible for relocation. Criteria based on ethnicity, nationality, sex and age were not set.

During 2024, 1,304 individuals were relocated to other EU Member States under the voluntary relocation scheme.[494] During 2023, 635 individuals were relocated to other EU Member States under the voluntary relocation scheme as well as 55 unaccompanied minors during the first 3 months of 2023.[495] The scheme for unaccompanied minors ended in March 2023, following the last departure of 15 children to Portugal. According to the MoMA, from the scheme's operationalisation up to its end, a total of 1,368 unaccompanied children were safely transferred to other countries.

In June 2022, 21 European countries also agreed to establish a Voluntary Solidarity Mechanism (VSM), supported with EU funds, in order to address challenges facing the Mediterranean Member States

492 European Commission, *Relocation of unaccompanied children from Greece to Portugal and to Finland – Questions and answers*, 7 July 2020, available at: https://bit.ly/2OGowty.

493 UNHCR, *Explainer: Relocation of unaccompanied children from Greece to other EU countries*, 25 August 2020, available at: https://bit.ly/2Rrhwln

494 MoMA monthly Reports for 2024, available at: https://migration.gov.gr/en/statistika/; see also: December 2024 Appendix A Table 16.

495 Ministry of Migration and Asylum, *Statistics*, available at: https://bit.ly/3OuNZm9.

(Cyprus, Greece, Italy, Malta, and Spain) through relocation to other European Union Member States and associated countries, or through financial contributions.[496]

During 2025, according to MoMA, 259 individuals were relocated to other EU Member States under the voluntary relocation scheme. No unaccompanied minors were relocatied during the year.[497]

2.2. Procedure

Indicators: Dublin: Procedure

1. Is the Dublin procedure applied by the authority responsible for examining asylum applications? ☒ Yes ☐ No
2. On average, how long does a transfer take after the responsible Member State has accepted responsibility? Not available

There are no specific legal provisions in the Asylum Code regulating the Dublin procedure. Examination for the responsibility of another member state is a part of the regular procedure.

Applications are rejected as inadmissible if another member state is found responsible for the examination of an asylum claim (art 89 1(b) of the Asylum Code)

The Dublin procedure is handled by the Dublin Unit of the Asylum Service in Athens. Regional Asylum Offices are competent for registering applications and thus potential Dublin cases, as well as for notifying applicants of decisions after the determination by responsible Member State has been carried out. Regional Asylum Offices are also competent for receiving pending cases' documents and uploading them to an online system of the Asylum Service, to which the Dublin Unit has access.

EUAA also assists the authorities in the Dublin procedure. According to the 2022-2024 Operational Plan with the Agency, amended in April 2022 to consider the changes in the operational context in light of the invasion of Ukraine,[498] EUAA provides support in processing outgoing requests and information requests, support in processing incoming requests only after agreement on SOPs, training, tools and reporting, support in enhancing processing capacity for transfers, provision of interpretation services for information provision and other activities of the Dublin Unit (face face-to- face and remote).

Most administrative procedures, such as the submission of documentation, booking of appointments, receiving copies of an applicant's file, are conducted only online. Physical presence in the context of Dublin procedures is only required at the registration stage, during which the asylum applicant is being fingerprinted, and must sign the relevant written consent.

Applications for international protection cannot be lodged if the person refuses to be fingerprinted. In case of refusal, the person will remain undocumented. The fingerprints are crosschecked in the police's database for possible Eurodac hits. GCR is not aware of any person who refused to be fingerprinted.

Where an asylum application is being lodged in Greece and the authorities consider that another Member State is responsible for examining the application, Greece must issue a request for that Member State to take charge of the applicant no later than three months after the lodging of the application, in accordance with Article 21 of the Dublin III Regulation. However, following a change of practice on the part of the German Dublin Unit following the CJEU's ruling in *Mengesteab*, the Greek Dublin Unit strives to send "take charge" requests within three months of the expression of the will to seek international protection,

496 French Presidency of the Council of the European Union, *First step in the gradual implementation of the New Pact on Migration and Asylum: modus operandi of a voluntary solidarity mechanism*, 22 June 2022, available at: https://tinyurl.com/mcm778wy.

497 MoMA, Statistics, *Consolidated Reports - Overview: December 2025 – International Protection | Appendix A*, https://tinyurl.com/26ynfarp , table 17

498 EUAA, *Operational Plan 2022-2024 agreed by the European Union Agency for Asylum and Greece*, 1 April 2022, available at: https://bit.ly/420NLHL.

rather than the lodging of the claim by the Asylum Service, although Greece considers the actual lodging of the application and not the expression of a will to seek asylum as the starting point of this three-month deadline.

The applicant is not officially informed by the Greek Dublin Unit of the fact that the request has been made, nor on the basis of what evidence. It is the asylum applicant's legal representative who follows up on the procedure and provides the applicant with feedback on the steps that have been made. Dublin Unit officers contact the applicant directly only if the case has been rejected, in order to request for supplementary documentation, which will be included in the re-examination request. In case of a final rejection, no written information is provided to the applicant. In practice, the case is internally referred to the regular procedure. On the contrary, if the reunification request is accepted, an inadmissibility decision mentioning that the requested Member State is responsible to examine the asylum application based on the provisions of the Regulation (EU) 604/2013 is delivered to the applicant.

Given the severe restrictions posed by other Member States on family reunification, as above described, the Dublin Unit consistently prepares for a rejection and anticipates re-examination requests.[499]

A change in statistical practices of the Dublin Unit was noted since 2020, as the publication of monthly statistics of the Unit stopped in March 2020 to be substituted by Monthly Reports issued by the Ministry of Migration and Asylum.[500] These Reports include some but not all the data previously provided by the monthly statistics of the Greek Dublin Unit.

2.2.1. Individualised guarantees

During 2022, the Greek Dublin Unit continued to request individual guarantees concerning the reception conditions and access to the asylum procedure for Dublin returnees.[501] There is no data as to the practice in 2025.

With regards to take charge requests, the transfers concern family reunification cases and, therefore, the applicants have explicitly expressed their will to move to the third country.

For children's Best Interest Assessment, see above, section on application of the Dublin criteria.

2.2.2. Transfers

Based on GCR's experience, transfers under the Dublin III Regulation are carried out by the Asylum Service, with the assistance of EUAA personnel. The Transfer Department of the Dublin Unit follows the transfer procedure. The department coordinates with the responsible travel agency for the tickets to be booked and sent to the applicants and/or their legal representative in due time. Before the transfer takes place, the Dublin Unit submits medical documents to the airline company, as well as the requested Member State. On the day of transfer, an employee from the Department of Foreign Affairs meets the applicants at the airport in order to provide them with a *laissez-passer*, help them with the check-in and boarding. The above-mentioned information regarding the transfer is forwarded to the asylum applicants by the Greek Dublin Unit, along with the tickets. Travel costs are covered by the Asylum Service.

During 2023, transfers of asylum applicants, including unaccompanied minors, in the context of family reunification ("Dublin III") were suspended due to the termination of the contract for the provision of air transport services and the delay of the procedure for the conclusion of the new one between the Department of Immigration and Asylum and the travel agency.

499 ECRE, *The Role of EASO Operations in National Asylum Systems'*, 29 November 2019, available at: https://bit.ly/46IkjHB.

500 Monthly reports of the Ministry of Migration and Asylum are available at: https://bit.ly/3OFlP83.

501 AIDA, *The Implementation of the Dublin III Regulation in 2022*, November 2023, p. 19, available at: https://bit.ly/3smFIYS

Following a report from an accommodation Structure for unaccompanied minors and the intervention of the Greek Ombudsperson, the process was completed and transfers restarted.[502] No delays were reported in 2025.

During 2024, according to Eurostat 520 outgoing transfers were implemented under the Dublin procedure. At the time of the writing, Eurostat had not yet published information regarding 2025.

According to MoMA statistics,[503] during 2024, from July to December 2024, 222 outgoing transfers were implemented under the Dublin procedure. According to a notification on Ministry's website "Statistics on Dublin Transfers are not currently available for the period of July 2023 – June 2024 due to the upgrade of the computer system carried out by the Services of the Ministry of Immigration and Asylum." There have been no other data available in relation to the numbers and types of requests for 2024 as of the publication of this report. According to statistics for 2025, during the year 1,212 outgoing Dublin transfers were made, but there is no information on the type of transfer. According to MoMA trasnfers during 2025 were as follows:[504]

Dublin transfers by month: 2025												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
41	78	90	68	107	119	117	1	111	119	168	193	**1,212**

Source: Hellenic Republic, Ministry of Migration and Asylum, Statistics available at: https://bit.ly/3uyzcLG.

2.3. Personal interview

Indicators: Dublin: Personal Interview

☒ Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the Dublin procedure? ☐ Yes ☒ No
   - ❖ If so, are interpreters available in practice, for interviews? ☒ Yes ☐ No
2. Are interviews conducted through video conferencing? ☐ Frequently ☒ Rarely ☐ Never

Questions relating to the Dublin procedure (*e.g.*, on the presence of other family members in another Member States) are always addressed to the applicant during the Regular Procedure: Personal Interview examining the asylum claim. According to GCR's experience, applicants who at this later stage, well after the three-month deadline, express their will to be reunited with a close family member in another EU Member State, have the chance to apply for family reunification. In several cases handled by GCR, the Dublin Unit strives to send the outgoing request as soon as possible, after the written consent and all necessary documents have been submitted.

Interviews in non-family reunification cases tend to be more detailed when it is ascertained that an asylum applicant, after being fingerprinted, has already applied for asylum in another EU Member State.

2.4. Appeal

Indicators: Dublin: Appeal

☐ Same as regular procedure

502 Greek Ombudsperson, *Resumption of transfers of unaccompanied minors in the context of family reunification ("Dublin III") following the Ombudsman's intervention*, 27 November 2023, available in Greek at: https://tinyurl.com/yb73uyu6.

503 MoMA, *Statistics, Consolidated Reports - Overview: December 2024 - International Protection | Appendix A*, available at https://bit.ly/3uyzcLG, Table 16.

504 MoMA, Statistics, *Consolidated Reports - Overview: December 2025 – International Protection | Appendix A*, available https://tinyurl.com/26ynfarp table 17

1. Does the law provide for an appeal against the decision in the Dublin procedure? ☒ Yes ☐ No
   - ❖ If yes, is it ☐ Judicial ☒ Administrative
   - ❖ If yes, is it suspensive ☒ Yes ☐ No

According to the Asylum code, applications for international protection are declared inadmissible where the Dublin Regulation applies.[505] An applicant can lodge an appeal before the Independent Appeals Committees under the Appeals Authority against a first instance decision rejecting an application as inadmissible due to the application of the Dublin Regulation within 15 days.[506] Such an appeal can also be directed against the transfer decision, which is incorporated in the inadmissibility decision.[507]

2.5. Legal assistance

Indicators: Dublin: Legal Assistance

☒ Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice? ☐ Yes ☐ With difficulty ☒ No
   - ❖ Does free legal assistance cover: ☐ Representation in interview ☐ Legal advice
2. Do asylum applicants have access to free legal assistance on appeal against a Dublin decision in practice? ☐ Yes ☒ With difficulty ☐ No
   - ❖ Does free legal assistance cover ☐ Representation in courts ☒ Legal advice

Access to free legal assistance and representation in the context of a Dublin procedure is available under the same conditions and limitations described in Regular Procedure: Legal Assistance. No state funded free legal aid is provided in first instance, including Dublin cases. The same problems and obstacles described in the regular procedure exist in the context of the Dublin procedure, with NGOs trying in practice to cover this field as well.

As concerns family reunification cases, limited access to legal assistance affects the proper preparation of the case file as it is the applicant who bears the responsibility for submitting the required documents for the Dublin Unit to establish a take charge request, such as proof of family links. Nevertheless, in GCR's experience, the Dublin Unit officers make every effort to notify applicants on time for the submission of any missing document before the expiry of the deadline.

2.6. Suspension of transfers

Indicators: Dublin: Suspension of Transfers

1. Are Dublin transfers systematically suspended as a matter of policy or jurisprudence to one or more countries? ☐ Yes ☒ No
   - ❖ If yes, to which country or countries?

To the knowledge of the GRC, there is no suspension of transfers to any Member State in either policy or jurisprudence.

In some other Member States, transfers of asylum applicants to Greece are suspended in a few cases as a matter of policy, or either generally or in individual cases by jurisprudence (see Asylum information database, and information below under Situation of Dublin returnees).

505 Article 89(1) (b) asylum code.
506 Article 97 (1) (d)(i) asylum code.
507 *Ibid*.

2.7. The situation of Dublin returnees

Transfers of asylum applicants from another Member State to Greece under the Dublin Regulation were suspended from 2011 to 2017, following the *M.S.S. v. Belgium & Greece* ruling of the ECtHR and the Joined Cases C-411/10 and C-493/10 *N.S. v. Secretary of State for the Home Department* ruling of the CJEU.[508] Following three recommendations issued to Greece in the course of 2016,[509] and despite the fact that the Greek asylum and reception system remained under significant pressure, due to the closure of the so-called Balkan corridor and the adoption of the EU-Türkiye Statement, the European Commission issued a Fourth Recommendation on 8 December 2016 in favour of the resumption of Dublin returns to Greece, starting from 15 March 2017, without retroactive effect and only regarding asylum applicants who have entered Greece from 15 March 2017 onwards or for whom Greece is responsible from 15 March 2017 onwards under other Dublin criteria.[510] Persons belonging to vulnerable groups such as unaccompanied children are to be excluded from Dublin transfers, according to the Recommendation.[511]

The National Commission for Human Rights in a Statement dated 19 December 2016, expressed its "grave concern" with regard to the Commission Recommendation and noted that:[512]

> it should be recalled that all refugee reception and protection mechanisms in Greece are undergoing tremendous pressure... the GNCHR reiterates its established positions, insisting that the only possible and effective solution is the immediate modification of the EU migration policy and in particular the Dublin system, which was proven to be inconsistent with the current needs and incompatible with the effective protection of human rights as well as the principles of solidarity and burden-sharing among the EU Member-States.

However, the situation remains contrasted across Dublin countries. For example, the Belgian Immigration Office confirmed that as of January 2025, no Dublin transfer decisions were taken for Greece; a limited number of requests were sent to Greece but all were refused.[513] Similarly, following the 2019 Council of State ruling that a Dublin transfer to Greece would result in a violation of Article 3 ECHR unless the asylum applicant is guaranteed legal assistance during the asylum procedure by the Greek authorities, Dublin transfer decisions to Greece are not issued by the Dutch authorities as of March 2025.[514] Spain has also suspended Dublin transfers to Greece since 2014.[515]

In France, there is no specific policy in place, nor any precedent-setting caselaw.[516] Ireland also sends Dublin requests to Greece, with 235 outgoing "take back" requests made to Greece in 2024, although no

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508 ECtHR, *M.S.S. v. Belgium and Greece*, Application No. 30696/09, Judgment of 21 January 2011; CJEU, Joined Cases C-411/10 and C-493/10 *N.S. v. Secretary of State for the Home Department*, Judgment of 21 December 2011.

509 Commission Recommendation of 10 February 2016, C(2016) 871; Commission Recommendation of 15 June 2016, C(2016) 2805; Commission Recommendation of 28 September 2016, C(2016) 6311.

510 Commission Recommendation of 8 December 2016 addressed to the Member States on the resumption of transfers to Greece under Regulation (EU) No. 604/2013, C(2016) 8525. For a critique, see OnMed, *Doctors of the World Greece: The return of refugees to Greece in 2017 is disastrous*, 17 December 2016, available in Greek at: https://tinyurl.com/mtuwxupm; Amnesty International, *EU pressure on Greece for Dublin returns is 'hypocritical'*, 8 December 2016, available at: http://bit.ly/2kG8Dzf; Human Rights Watch, *EU: Returns to Greece Put Refugees at Risk*, 10 December 2016, available at: http://bit.ly/2hgVaNi; ECRE, GCR, Aitima and SolidarityNow, *Letter to the President of the European Commission and the Greek Minister of Migration Policy 'Re: Joint Action Plan on EU-Türkiye Statement and resumption of Dublin transfers to Greece'*, 15 December 2016, available at: http://bit.ly/2kGcc8P; National Commission for Human Rights, *Statement in response to the recommendation of the European Commission to reactivate the refugee return mechanism under the Dublin system*, 19 December 2016, available at: http://bit.ly/2kGi7us.

511 Commission Recommendation C(2016) 8525, para 9.

512 National Commission for Human Rights, *Statement in response to the recommendation of the European Commission to reactivate the refugee return mechanism under the Dublin system*, 19 December 2016, available at: http://bit.ly/2kGi7us.

513 AIDA, *Country report: Belgium – Update on the year 2024*, June 2025, available here, 69.

514 AIDA, *Country report: Netherlands – Update on the year 2024*, May 2025, available here, 70.

515 AIDA, *Country report : Spain – Update on the year 2024*, April 2025, available here, 66.

516 AIDA, *Country report: France – Update on the year 2024*, June 2025, available here.

transfers were implemented.[517] Although Sweden continues to submit requests for Dublin transfers to Greece (347 in 2024), it does not transfer applicants to Greece unless individual guarantees have been obtained by Greek authorities. As this is very rare, in practice Sweden does not transfer asylum applicants to Greece.[518] Switzerland has issued several Dublin decisions to Greece in 2024, all concerns healthy men who were Turkish nationals, for which the Greek authorities issued 'guarantees'. However, a decision by the Federal Administrative Court is pending following appeals.[519] Germany sent 15,453 Dublin transfer requests to Greece in 2024, making for. 20% of Germany's outgoing requests. Nevertheless, only 22 transfers were actually carried out. Courts had contrasted opinions as to the feasibility of transfers given the conditions in Greece, with some halting the transfers but others approving them.[520]

Dublin returnees face serious difficulties both in re-accessing the asylum procedure and reception conditions (which are virtually inexistent) upon return.[521] In fact, returnees face the risk of being subjected to onward *refoulement* to Türkiye, following the designation of Türkiye as a safe third country in 2021 (see Safe third country concept).

Finally, it should be mentioned that applicants who are subject to the EU-Türkiye statement and left the islands in breach of the geographical restriction imposed on them, will be returned to said island upon return to Greece from another Member State within the framework of the Dublin Regulation, by virtue of a 2016 police circular.[522] Their application will be examined under the fast-track border procedure, which offers limited guarantees.[523]

For further information about the situation of beneficiaries of international protection returned to Greece, see 'Return of beneficiaries of international protection to Greece' under Housing.

3. Admissibility procedure

3.1. General (scope, criteria, time limits)

Under Article 89 Asylum Code, an application can be considered inadmissible on the following grounds:

- Another EU Member State has granted international protection status to the applicant;
- Another EU Member State has accepted responsibility under the Dublin Regulation for the applicant;
- When the First Country of Asylum concept is applied;
- When the Safe Third Country concept is applied;
- The application is a Subsequent Application and no "new essential elements" have been presented;
- A family member has submitted a separate application to the family application without justification for lodging a separate claim.

Unless otherwise provided, the Asylum Service must decide on the admissibility of an application within 30 days.[524]

517 AIDA, *Country report: Ireland – Update on the year 2024*, May 2025, available here.
518 AIDA, *Country report: Sweden – Update on the year 2024*, May 2025, available here, 51.
519 AIDA, *Country report: Switzerland – Update on the year 2024*, May 2025, available here, 47 and 51.
520 AIDA, *Country report: Germany – Update on the year 2024*, June 2025, available here, 77.
521 RSA, *Dublin returns to Greece*, 21 October 2021, available at: https://bit.ly/3tHwi7T: 'At the moment, the Greek reception system is undergoing a gradual transformation through the dismantling of open housing facilities in favour of large-scale 'closed controlled centres', while a coherent policy to support integration of people granted international protection is still lacking. Despite these circumstances, EU Member States and Schengen Associated Countries continue to send thousands of Dublin take back requests to return asylum seekers to Greece. In line with a Recommendation[521] from the European Commission, Dublin transfers to Greece are carried out following the provision of individual assurances by the Greek Dublin Unit relating to the treatment of returnees in line with the EU asylum *acquis*.'
522 Police Circular No 1604/16/1195968, available in Greek at: https://tinyurl.com/ye85mfbc.
523 See to this regard: RSA/PRO ASYLI, *Legal Status and Living Conditions of a Syrian asylum-seeker upon his return to Greece under the Dublin Regulation*, December 2019, available at: https://bit.ly/3fMEfzH.
524 Article 88(2) Asylum Code. Different deadlines are provided, e.g, for subsequent applications; when the safe third country concept is examined under the fast-track border procedure, etc.

The safe third country concept and its application vis à vis Türkiye

Article 91(5) Asylum Code, transposing Article 38(4) of Directive 2013/32/EU (Asylum Procedures Directive), provides that where the third country to which an applicant is meant to be returned does not allow the applicant to enter its territory, their application shall be examined on the merits by the Competent Examination Authorities.

In practice, the examination of the safe third country concept used to take place under the scope of the fast-track border procedure since 2016. More specifically, up until June 2021 it was applied exclusively to Syrian nationals who fell under the EU-Türkiye Statement, meaning those who had entered Greece via the Aegean islands and who were subject to a geographical restriction. Syrians whose geographical restriction was lifted were then channelled to the mainland and were examined under the regular procedure. The situation changed significantly in 2021 following the designation of Türkiye as a safe third country (STC) for asylum applicants coming from Syria, Afghanistan, Somalia, Pakistan and Bangladesh pursuant to JMD 42799/2021.[525]

Apart from the numerous concerns that have been repeatedly raised as to whether Türkiye can be considered a "safe third country",[526] an additional significant element of the unfeasibility of this decision has been the fact that Türkiye has not been accepting any readmissions from Greece since March 2020.[527] As a consequence, the concept has since been applied in breach of Article 38(4) APD, with applicants whose applications have been/are rejected as inadmissible based on Türkiye's designation as a "safe third country" ending up in a state of protracted legal limbo, which exposes them to a direct risk of destitution and detention.

The issue has consistently drawn the attention of national, UN and EU bodies, including the European Commission, with the previous Commissioner for Migration and Home Affairs having on several occasions reiterated the importance of examining the merits of these applications for international protection, in accordance with EU law. As noted by Commissioner Johansson on 7 December 2021 in response to a joint open letter by civil society organisations, "in line with Article 38(4) of the Asylum Procedures Directive, the Greek authorities should ensure that applicants whose applications have been declared inadmissible under the Joint Ministerial Decision and who are not being admitted to Türkiye should be given access to the in-merits asylum procedure".[528] Yet despite the pressure and the ongoing lack of any reasonable prospect of return to Türkiye, the Greek authorities continued examining and rejecting applications on this basis up to at least early 2025, although the practice appears to have stopped since early 2025, following a Rulling by the Greek Council of State (CoS).

Namely, on 21 March 2025, the CoS in its decision ΟλΣτΕ 1048/2025 annulled the JMD designating Türkiye as a "safe third country", following applications for annulment against the Joint Ministerial Decision 42799/2021 submitted and legally represented by the Greek Council for Refugees (GCR) and Refugee Support Aegean (RSA).[529]

The Court held that the JMD, and thus, the national list of safe third countries, should be annulled in respect of the designation of Türkiye as a safe third country, because there was not sufficient

525 Joint Ministerial Decision (JMD) 42799/2021, Gov. Gazette 2425/B/7-6-2021, available in Greek at: https://tinyurl.com/2z8588nb .

526 Indicatively see: GCR, *Greece deems Turkey 'safe', but refugees are not: The substantive examination of asylum applications is the only safe solution for refugees*, 14 June 2021, available in Greek at: https://bit.ly/3E3qgCe and Refugee Support Aegean, Joint Press Release, *Eight Years of Failure of the EU – Turkey deal : the "safe third country" concept comes under scrutiny by the Court of Justice of the European Union*, 14 March 2024, available here.

527 For instance, see MoMA, *New request from Greece for the return of 1.908 illegal economic migrants to Türkiye*, 28 July 2021, available at: https://bit.ly/3rl5bhy; European Commission, *Commission Staff Working Document: Türkiye 2020 Report*, 6 October 2020, available here: https://bit.ly/3xgt4aK, 48.

528 For a detailed overview, see previous AIDA reports on Greece, available here.

529 GCR, Joint Press Release 'The Council of State annuls the designation of Turkey as a 'safe third country' for asylum seekers', 27 March 2025, available at: https://tinyurl.com/2tu6szka.

documentation and justification for the designation of Türkiye as a "safe third country" in the reasoning of the joint ministerial decision, which cited limited international sources “without specifically evaluating the information contained therein against the criteria set forth in the law, so as to substantiate the legal requirements for the designation”. Moreover, in related decisions issued by the same Plenary of the Council of State concerning individual cases brought before it, it was ruled that the individual decisions of the Independent Appeals Committees rejecting the applicants on the ground that they had entered Greece from Türkiye should be annulled. As noted, "[s]ince it is apparent from the information in the file that Türkiye has generally suspended the readmission of applicants for international protection to its territory since March 2020, the competent Greek authorities cannot, as the Court of Justice held in its judgment of 4 October 2024 in Case C-134/23, reject applications for international protection as inadmissible on the basis of Article 33(1)(b) of the ECHR. 2(c) of Directive 2013/32/EU and the corresponding provision of national law on the ground that Turkey is a safe third country."

The application for annulment of the JMD was initially submitted before the Greek Council of State (CoS) in 2022 and was discussed on 11 March 2022.[530] In a decision issued on 3 February 2023,[531] the CoS had referred a question to the CJEU for a preliminary ruling on the interpretation of Article 38 Directive 2013/32/EU. The majority opinion of the CoS had considered that it is not possible to designate a third country as safe if the readmission of the applicant to that country does not appear to be possible, as in view of Article 18 of the Charter, this would be contrary to “the purported objective of the Directive”, as set out in recital 18, “to safeguard rapid examination of applications for international protection insofar as possible (see CJEU, C-556/17 Torubarov, 29 July 2019, paragraph 53)”. As noted, “[a] contrary reading would merely prolong the duration of examination of the submitted application for international protection and uncertainty on the applicant as regards the status of their stay in the country where they submitted an application, without excluding the risk of their refoulement to a country where they risk facing persecution (mutatis mutandis European Commission on Human Rights, A.H. [Harabi] v. the Netherlands, App No 10798/84, 5 March 1986) and the possibility of disruption in international relations of states”.[532] The decision included two dissenting opinions on whether the non-implementation of readmission should be taken into consideration at the time of issuance of an individual decision on the asylum application assessing whether Türkiye is a safe third country, or at the time of executing the return decision and not before including this country in the national list of safe third countries.

Given that reasonable doubts arose as to the meaning of Article 38 of the Directive, the Court postponed its final judgement and formulated preliminary questions to the CJEU. In particular, the CoS had asked whether:

- the provisions of Article 38 of Directive 2013/32 precluded a State from designating, by an act of general application, a third country as a safe, when that country had already previously suspended in practice the readmission of applicants to its territory.
- alternatively, whether that condition of possibility of readmission to the third country ought to be examined before the adoption of an individual decision rejecting an application for international

530 GCR, *Εκδικάστηκε ενώπιον του ΣτΕ η αίτηση ακύρωσης της Απόφασης με την οποία η Τουρκία χαρακτηρίστηκε ασφαλής τρίτη χώρα*, 15 March 2022, available in Greek at: https://bit.ly/365HUJ9.

531 Plenary of the Council of State, Decision no 177/2023, 3 February 2022, available in Greek at: https://bit.ly/3Gs6GSc.

532 As further noted: ‘The view that the possibility of entry or readmission of a foreign applicant for protection to a third country constitutes a condition for the designation of a third country as safe has, besides, been set out in soft law texts of the Council of Europe (Committee of Ministers Recommendation R(97)22 and Guidelines of 1 July 2009) and has been supported by part of the international law doctrine (in particular Stephen H. Legomsky, Secondary Refugee Movements and the Return of Asylum Seekers to Third Countries: The Meaning of Effective Protection, International Journal of Refugee Law, 2003, p. 567 et seq.), while it has been adopted by courts of other European Union Member States (see Dutch Council of State, decision 201609584/1/V3 of 13 December 2017). Furthermore, the assessment of fulfilment of the possibility of entry or readmission of the foreigner to the safe third country encompasses an examination of both the legal framework in said country (i.e. potential undertaking of a related legal obligation on the part of the third country) and compliance of the third country with its undertaken legal obligations in practice. The above observations lead to the conclusion that, where a Member State establishes a national list of generally safe third countries by making use of the discretion afforded by Article 38(2) of the Directive, it may not, for reasons of rapid conclusion of the examination of applications for international protection as mentioned above, make a regulatory designation of a third country as safe where the fulfilment of the aforementioned condition – the possibility of entry or readmission to said country – is not assessed on both its aforementioned limbs.[…].’

protection as inadmissible under the concept of “safe third country” or only at the time of the execution of that decision.

The preliminary questions were discussed in an oral hearing before the Court of Justice of the European Union (CJEU) on 14 March 2024.[533] On 4 October 2024, the CJEU, in line with the Advocate’s General Opinion,[534] ruled that Member States cannot issue a decision rejecting an asylum application as inadmissible on the basis of the "safe third country" concept in cases where they have established that the asylum seeker will not be allowed to enter the territory of the country designated as safe. The Court accepted, however, that a country may be listed as a safe third country even if, despite its legal obligation, that third country has, in general and without any prospect of a contrary development, suspended the admission or readmission of those applicants to its territory.

In its judgment, the CJEU held, in the context of examining the first question, that:

- Article 38 of Directive 2013/32/EU does not preclude the legislation of a Member State from designating a third country as generally safe for certain categories of applicants for international protection, even if that third country has suspended, in general terms and without any prospect of a contrary development, the admission or readmission of those applicants to its territory.
- Member States may not, however, issue a decision rejecting an application for asylum as inadmissible on the basis of the 'safe third country' concept where they have established that the applicant will not be allowed to enter the territory of the country designated as safe.

Therefore, the decision on the existence or not of the possibility of readmission to the third country, in this case Türkiye, becomes a prerequisite at the stage of issuing the decision on the asylum application and not at the stage of its execution, as has been the practice followed to date by the Asylum Service, and in most cases the Independent Appeals Committees. It should be noted that these decisions of the national authorities, based on the Proposals of the same Advocate General in Cases C 924/19 PPU and C 925/19 PPU, overwhelmingly interpreted, incorrectly, that the condition of effective or not readmission to the third country is reviewed not at the stage of issuance, but at the stage of execution of the decision declaring an application for international protection as inadmissible on the basis of the safe third country clause.

It should be recalled that the majority of the Plenary of the CoS, in the above-mentioned judgment, interpreted Article 38 of the Directive, taking into account the provision of Article 18 of the Charter of Fundamental Rights of the European Union, which safeguards the right to asylum, in a way that serves the purpose pursued by the Directive.

The CJEU's judgment is of major importance because it overturned the practice followed by the Greek authorities for many years – i.e. indiscriminate rejection of asylum applications as inadmissible under the safe third country concept – and put an end to the denial of the rights of thousands of applicants, by prohibiting their rejection when there is no possibility of their readmission to the ‘safe third country’, in this case, Türkiye.[535] Despite this lack of return prospect, many RAOs continued to issue inadmissibility decisions based on the existence of a link with Türkiye, disregarding the practical impossibility of returning applicants there.[536]

The JMD 42799 of 3 June 2021 declaring Türkiye as a safe third country was amended by Decision No. 458568/2021 (FEK 5949/16-12-2021) to include Albania and Northern Macedonia as safe third countries for all nationals entering Greece from the countries listed.[537] In December 2022, JMD 734214/6-12-2022 was issued, confirming the continuity and full validity of the amended JMD [538] Respectively, in December

533 GCR & RSA, *Hearing before the Court of Justice of the European Union on Thursday 14 March on the preliminary questions of the Greek Council of State regarding Turkey as a "safe third country*", 13 March 2024, available at: https://tinyurl.com/8jwbaccz. See also ECRE, Newsletter, *“Greece: […] — CJEU Hearing on Designation of Türkiye as a “Safe Third Country”*, 15 March 2024, available at: https://tinyurl.com/5n8b2etb

534 CJEU, Case C-134/23, *Advocate’s General Opinion*, 13 June 2024, available here.

535 See the CJEU’s judgment in case C-134/23, available here.

536 Greek Council of Refugees, *News from the field - The serious dysfunction of the Asylum Service & the reception system continues*, November 2024, available here

537 FEK 5949/16-12-2021, available in Greek at: https://tinyurl.com/5dauc7e8.

538 JMD 734214/6-12-2022, available in Greek at: https://bit.ly/3TMbGY3.

2023, JMD 538595/12-12-2023 (FEK 7063/15-12-2023) was issued, following the 485728/31-10-2023 "Recommendation regarding the establishment of the national list of safe third countries according to Article 91 Law 4939/2022" of the Director of the Asylum Service, repeating the content of the amended JMD [539] There have been no subsequent JMDs issued after December 2023 regarding the designation of safe third countries.[540]

According to the data released by the MoMA for the period from January to December 2025, a total of 464 asylum applications were found inadmissible at first instance based on the "safe third country" (STC) concept, marking close to an 80% decrease compared to 2024 (2,143 inadmissible decisions based on the STC concept), albeit it is not specified to what extent these concerned Albania and Norther Macedonia as opposed to Türkiye. Additionally, a total of 104 applications were found inadmissible at second instance based on the application of the same concept, of which 11 concerned Albania, 27 Northern Macedonia and 66 Türkiye.[541]

After the annulment by the CoS in March 2025, the administration issued a new ministerial decision in April 2025 of the same content of the annulled one naming Türkiye as a safe third country. The action of the administration was condemned by civil society as violating the Greek Constitution, constuting a clear refusal to comply with the decisions of the Grand Chamber of the Court published simultaneously in individual cases, which ruled, in accordance with the judgment of the CJEU (Case C-134/23). Procedures for the annulment of this new JMD were initiated by GCR and RSA in June 2025.[542]

539 JMD 538595/12-12-2023 (FEK 7063/15-12-2023), available in Greek at: https://tinyurl.com/2nntzpw6.
540 MoMA, *Decisions on the national list of safe third countries*, available in Greek here.
541 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp Tables 8a and 8b.
542 The Press Project *New appeal filed with the Council of State challenging the designation of Turkey as a "safe third country," following the government's refusal to comply* https://tinyurl.com/yffxph94

3.2. Personal interview

Indicators: Admissibility Procedure: Personal Interview
☐ Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the admissibility procedure? ☒ Yes ☐ No
   - ❖ If so, are questions limited to nationality, identity, travel route? Depends on grounds
   - ❖ If so, are interpreters available in practice, for interviews? ☒ Yes ☐ No
2. Are interviews conducted through video conferencing? ☒ Frequently ☐ Rarely ☐ Never

The conduct of an interview on the admissibility procedure varies depending on the admissibility ground examined.

According to Article 94(2) Asylum Code, as a rule, no interview should be held during the preliminary examination of a subsequent application. The examination of a subsequent application takes place only through written submissions and submitted documents together with the elements of the first asylum application. The interview is conducted only if the subsequent application for asylum is deemed admissible (see section on Subsequent Applications). As regards the process for Dublin cases, see section on Dublin.

Personal interviews in cases examined under the "safe third country" concept focus on the circumstances that the applicants face in Türkiye and specifically on:

- ❖ whether they have applied for international protection in Türkiye and;
- ❖ if not, which reasons prevented them from doing so;
- ❖ whether they have family and friends in Türkiye;
- ❖ how long they remained in Türkiye;
- ❖ if they had access to work, housing, education and health care;
- ❖ and in general, if Türkiye is a safe country for them.

Significant emphasis has been placed on evaluating the applicant's connection to Türkiye. This assessment considers factors such as the duration of their residence in Türkiye and the presence of family members within the country. In many instances, the presence of a link serves as the sole and determining factor in deciding admissibility or inadmissibility.

According to internal SOPs, circulated within the Asylum Service in the autumn of 2021, asylum applicants from the 5 nationalities affected by the JMD (Syria, Afghanistan, Somalia, Pakistan and Bangladesh), who have entered Greece from Türkiye and have stayed in Greece for a year or more must be considered as not having a special link/connection with the third country (*i.e.*, Türkiye) or that in any case the special link/connection has ceased to exist (See Safe third country). In some cases, the above-mentioned internal directive is strictly applied without taking into account any substantive criteria. As a result, asylum applications from people who are only a few days away from the end of their one-year stay in Greece can be rejected as inadmissible. In September 2024, the Appeals Authority rejected the appeal of an asylum applicant who had left Türkiye and stayed in Greece for one year minus six days from the date of the Appeals Authority's decision.[543]

Moreover, it has been observed that stateless persons who had one of the 5 countries of the JMD on STC as their country of former habitual residence continued to be included in the admissibility procedure in 2024.[544] This practice applied despite the fact that this category of asylum applicants is not explicitly mentioned in the relevant JMD designating Türkiye as an STC. In this context, Palestinians with last habitual residence in Syria were examined under the admissibility procedure.

543 Case represented by GCR before the Kos Asylum Services and the Appeals Authorities.
544 Information shared by different actors, including GCR, during Legal Aid Working Group meetings, 2023.

According to observations made by legal aid organisations, including GCR, in practice, in 2024, applicants from Syria and Afghanistan who had an admissibility interview and their applications were found admissible did not undergo an in-merits interview. Instead, their asylum applications were examined on the basis of their administrative file and, in general, were accepted. The Asylum Service notified applicants directly of their positive decisions with reference to their admissibility decisions. This did not apply to applicants from Somalia, who, after the admissibility interview, were notified of the decision on the admissibility interview, and in the case of a positive result were invited to the interview on the merits.

Since 1 January 2020, it is possible for the admissibility interview to be carried out by personnel of the European Union Agency for Asylum (EUAA) or, in particularly urgent circumstances, trained personnel of the Hellenic Police or the Armed Forces. The training needs to be in international human rights law, EU Law on Asylum and the procedures for conducting interviews.[545] Such personnel are not allowed to wear military or law enforcement uniforms during interviews.[546] However, EUAA caseworkers do not draft Opinions on cases where the JMD 42799/2021 designating Türkiye as a safe third country applies, as it falls outside their competence.[547] Instead, EUAA caseworkers, following the interview, can send to Asylum Service caseworkers an annex with notes and comments on crucial issues to be taken into consideration.[548] The EUAA has not publicly released specific statistics detailing the number of admissibility interviews conducted by its personnel in Greece for the year 2025. While the EUAA is involved in supporting the Greek Asylum Service, including providing training and operational support, detailed data on the number of interviews conducted by EUAA staff is not readily available.

By the end of the year, authorities have stopped rejecting applicants on the grounds of Türkiye being a safe third country, usually due to the applicant not having a link with the country anymore.

Additionaly, the examination of the applications of Syrian asylum seekers changed after the fall of the Assad regime on the 8th of December 2024. The Governmental Council for Foreign Affairs and Defence, aligning with similar decisions made by other European governments, suspended the issuance of asylum decisions for Syrian nationals. As a result, applicants who had successfully completed an admissibility interview by December 8, but had not yet received a decision, were required to undergo an interview on the merits. Applicants who had not yet undergone an admissibility interview participated in a merged interview, covering both admissibility and merits.[549] In all cases, no decisions were issued. (see Differential treatment of specific nationalities in the procedure). The same practice remained for interviews conducted during 2025. Extreme delays were noted in the issuance of a decision. The first rejections on the merits of international protection claims by Syrian applicants were also issued during 2025.

3.3. Appeal

Indicators: Admissibility Procedure: Appeal

☐ Same as regular procedure

1. Does the law provide for an appeal against an inadmissibility decision?
   ☒ Yes ☐ No
   - ❖ If yes, is it ☐ Judicial ☒ Administrative
   - ❖ If yes, is it automatically suspensive ☐ Yes ☒ Some grounds ☐ No

545 Article 82(1) Asylum Code.
546 Article 82(12) (c) Asylum Code.
547 Information provided by the EUAA, 28 February 2023.
548 In response to an information request submitted by ECRE for the year 2023, the EUAA answered on 26 February 2024 that "*[t]he number of concluding remarks issued by EUAA decreased to 776 in 2023, a significant drop compared to 2022 (5,071). This is due to the fact that, following the June 2021 Joint Ministerial Decision designating Turkey as a safe third country for applicants from five of the most common countries of origin in Greece, the drafting of concluding remarks by EUAA caseworkers is no longer required for a large share of cases, that is those examined on admissibility*".
549 Indicative Press Releases : Naftemporiki, *Το ΚΥΣΕΑ αποφασίζει για τους Σύρους πρόσφυγες – Στην ατζέντα το «πάγωμα» αιτημάτων ασύλου*, 13 December 2024, Naftemporiki, available at: https://tinyurl.com/37zyhf7k.

According to the Asylum Code, the deadlines for appealing an inadmissibility decision, the automatic suspensive effect of appeals and the format of the Committee examining them depend on the inadmissibility ground invoked in the first instance decision under the regular procedure:[550]

Time limits and automatic suspensive effect: Appeals against inadmissibility			
Ground	Deadline (days)	Suspensive	Format
Protection in another EU Member State	20	×	Single judge
Dublin	15	√	Single judge
First country of asylum	20	×	Collegial
Safe third country	20	√	Collegial
Subsequent application with no new elements	5	×	Single judge
Application by a dependent	20	√	Single judge

The Appeals Committee must decide on the appeal within 20 days, as opposed to 30 days in the regular procedure.[551]

Appeals Committees do not apply Article 38(4) of the Asylum Procedures Directive (APD) with regards to applications that have been rejected as inadmissible on the basis of the safe third country concept vis-à-vis Türkiye, despite the fact that readmissions to Türkiye have been suspended since March 2020. It is only in a limited number of cases that the Appeals Committees have proceeded to an in-merits examination of the application, invoking *inter alia* Article 38(4) APD by consideration of the suspension of readmissions to Türkiye.[552]

Indicative Case law

In May 2025, the 3rd Appeals Committee issued a decision with detailed reasoning and extensive reference to EU legislation and case law, which found that the Asylum Service had unlawfully rejected the asylum application of an Afghan national as inadmissible, based on the safe third country concept, by taking into account the suspension of readmissions to Türkiye.[553] Specifically, in its decision, the Appeals Committee *inter alia* held that:

"In light of the foregoing, the Commission notes that, as evidenced by the information provided, as of March 2020 and thereafter, Turkey, as a third country, which, pursuant to the aforementioned ministerial decisions, has been designated as generally safe, does not, in practice, accept the admission or readmission of the relevant applicants for international protection—third-country nationals.
Consequently, in accordance with the above findings of the ECJ in its decision of October 4, 2024, in Case C-134/23, as well as those of the Council of State, as set forth in the second part of the President's announcement of March 21, 2025, the competent Greek authorities may not reject applications for international protection as inadmissible on the basis of Article 33(2)(c) of Directive 2013/32/EU and the corresponding provision of national law, on the grounds that Turkey is a safe third country.
Consequently, the contested decision, by which the applicant's application was rejected as inadmissible pursuant to Article 89(1)(d) of Law 4939/2022, on the grounds that Turkey constitutes a safe third country for him, is unlawful, given that Turkey does not accept the readmission of the persons concerned—third-country nationals—and, for this reason, which is validly raised, must be annulled.
Consequently, the Commission finds that the applicant's application for international protection is admissible and must be examined,furthermore, on its merits"

550 Article 97(d). It should be noted that the deadline for appealing against decisions issued under the provision of Article 95 Asylum Code (border procedure) is 10 days.
551 Article 101 (d) L4636/2019, as amended by Article 25 (d) L4686/2020.
552 Indicatively: 21st Appeals Committee, Decision 115795/2022, issued 28 February 2022, 10th Appeals Committee, Decision 224433/2022, issued 20 April 2022, 3rd Appeals Committee, Decision 345521/2022, issued 16 June 2022.
553 3rd Appeals Committee, Decision 270494/2025, case legally represented by GCR, summary of the decision available [in Greek] in GCR et al, Greek Asylum Case Law Report, Issue 1/2025, available in Greek https://tinyurl.com/4mmsv6n9 p 13.

In April 2025, the 17th Appeals Committee accepted the appeal on the rejection of a subsequent application regarding admissibility due to the safe third country concept being applied to a man from Pakistan, focusing on the fact that he did not enjoy legal protection in Türkiye and Türkiye's denial to allow any return since 2020.[554] As noted:

"the Commission takes into account that, despite the fact that the applicant resided in Turkey for 1.5 to 2 months before coming to Greece and was working there, albeit without valid documents. Furthermore, as is evident from the above information, since the beginning of 2020, Turkey has not been accepting resettlements. Moreover, as is known to the Commission, on January 4, 2024, a judgment of the Court of Justice of the European Union in Case C-134/23 concerning the validity of our country's ministerial decisions designating Turkey as a "safe third country" for certain categories of applicants for international protection. In this judgment, the Court held, in paragraph 48, that Article 38(4) of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013, on common procedures for granting and withdrawing international protection[555], "it follows that, where a Member State has designated, by an act of general , a third country as generally safe, despite the fact that the latter has suspended the possibility for applicants for international protection to enter its territory, that Member State must ensure that each of the applicants concerned to have access to a procedure for the examination of the application for international protection which he has submitted," and in recital 54, which states that "… where it is established that a third country which has been designated by a Member State as generally safe does not, in practice, accept the admission or readmission of the applicants for international protection concerned, that Member State may not reject their applications for international protection as inadmissible on the basis of Article 33(2)(c) of Directive 2013/32. Furthermore, that Member State may not unjustifiably delay the examination of such applications and must, inter alia, ensure that such examination is conducted on an individual basis, in accordance with Article 10(3)(a) of that directive and in compliance with the time limits set out in Article 31 thereof." In light of these facts, and in view of the requirement that the conditions of Article 91 of the Code, the Commission considers that, in the present case, the conditions laid down by that article are not met for Turkey to be considered a safe country for the applicant. Consequently, the subsequent application for asylum must be deemed admissible and examined on its merits, based on the evidence in the administrative file and in accordance with what the applicant stated during his registration regarding the reason that prompted him to leave his country."

In July 2025, 10th Appeals Committee[556]accepted the appeal of a single man from Afghanistan focusing on the feasibility of the readmission as a legal requirement:

Furthermore, as has been ruled (Council of State 177/2023), a third country that has ratified the Geneva Convention with a geographical limitation may be designated as safe within the meaning of Article 86 of Law 4636/2019 (now Article 91 of Law 4939/2022) and Article 38 of Directive 2013/32/EU, provided that it observes the principle of non-refoulement and provides adequate protection of certain fundamental rights, such as, among others, the right of access to healthcare and the labor market. Interpreted in light of the intended purpose of ensuring the examination of applications for international protection as quickly as possible, and in view of the provisions of Article 18 of the Charter of Fundamental Rights, Article 38 of the Directive (and, correspondingly, Article 86 of Law 4636/2019, now Article 91 of Law 4939/2022) means that a third country cannot be designated as safe unless it is established that the admission or readmission of the applicant for international protection to that third country will be feasible because, otherwise, it would merely prolong the time required to examine the submitted application for international protection and the applicant's uncertainty regarding their residence status in the country where the application was submitted, without ruling out the risk of their return to a country where he or she risks persecution and the possibility of disrupting international relations between states.

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554 Decision IP/229108/2025 17th Appeals Committee, summary [in Greek} in: GCR et al, Greek Asylum Case Law Report Issue 1/2025 https://tinyurl.com/4mmsv6n9 p.13

555 Decision IP/370696/2025 10th Appeals Committee summary [in Greek} in: GCR et al, Greek Asylum Case Law Report Issue 2/2025 https://tinyurl.com/3fkyetz5 p.9-10

556 Decision IP/370696/2025 10th Appeals Committee summary [in Greek} in: GCR et al, Greek Asylum Case Law Report Issue 2/2025 https://tinyurl.com/3fkyetz5 p.9-10

The view that the possibility of admitting or readmitting a foreign national seeking protection to a third country is a prerequisite for classifying that third country as a safe country has, moreover, been reflected in soft law instruments of the Council of Europe and has been supported by a segment of international law theory, while it has been adopted by courts in other Member States of the European Union (the Dutch Council of State). Furthermore, determining whether the condition of the possibility of admission or readmission of the foreign national to the safe third country is met involves examining both the legal regime existing in that country (i.e., whether the third country has assumed a relevant legal obligation) as well as the actual compliance of the third country with the relevant obligations it has assumed. It follows from the foregoing that, where a Member State draws up a national list of generally safe third countries, making use of the discretion provided for in Article 38(2) of the Directive, it is not permissible, for the purposes of expediting the examination of the applications for international protection referred to above, to be designated as a safe third country under the regulations unless the aforementioned condition—the possibility of entry or readmission to that country- is met with respect to both of the aforementioned specific aspects.

In this case, however, the condition set forth above, arising from Article 38(4) of the Directive (and, correspondingly, Article 86(5) of Law 4636/2019) is satisfied, as regards its first ("legal") part, since it follows from the relevant international agreements and the Joint Declaration of the European Union and Turkey dated March 18, 2016, it follows that the legislative body lawfully accepted that Turkey assumed the legal obligation to accept, under certain conditions, the readmission from Greece of foreign nationals seeking international protection. As for the second part, however, which concerns Turkey's actual compliance with those legal obligations, the same condition is not met, since it does not appear that applicants for international protection, whose applications have been rejected as inadmissible on the grounds of "safe third country," are actually being returned to Turkey. In view of the foregoing, the Commission finds that the Regional Asylum Office of Thrace, in its contested decision No. 154091/12.03.2025 (Case No. …), the applicant's application dated 14.11.2024 was rejected as inadmissible on the grounds that Turkey constitutes a safe third country for him. For this reason, the appeal under review must be upheld, the aforementioned contested decision must be annulled, the case must be remanded, and the substance of the applicant's aforementioned application must be examined.

3.4. Legal assistance

Indicators: Admissibility Procedure: Legal Assistance

☒ Same as regular procedure

1. Do asylum applicants have access to free legal assistance during admissibility procedures in practice? ☐ Yes ☐ With difficulty ☒ No
   - ❖ Does free legal assistance cover: ☐ Representation in interview
     ☐ Legal advice

2. Do asylum applicants have access to free legal assistance on appeal against an inadmissibility decision in practice? ☐ Yes ☒ With difficulty ☐ No
   - ❖ Does free legal assistance cover ☐ Representation in courts
     ☒ Legal advice

Legal Assistance in the admissibility procedure does not differ from the one granted for the regular procedure (see section on Regular Procedure: Legal Assistance). Thus, asylum applicants do not have access to state-provided free legal assistance during the admissibility procedures at first instance but only at second instance.[557] The lack of legal assistance has proven particularly problematic, especially for cases falling under the JMD designating Türkiye as a safe third country. While legal aid services are provided at second instance, meaning the submission of an appeal against the first instance negative

[557] Article 76 of the Asylum Code.

decision on admissibility, the ten-day deadline for the submission of the appeal following the notice of an inadmissibility decision is not adequate for asylum applicants, nor for the registry lawyers to be properly prepared for the appeal procedure and prepare an effective representation before the Appeals Authority.

3.5. Suspension of returns for beneficiaries of protection in another Member State

According to Dublin III Regulation, a Member State may send a take back request (Articles 18(1b-d) and 20(5)) asking another Member State to take responsibility for an applicant who applied for international protection within the reporting country but had already applied in the first Member State or because the other Member State previously accepted responsibility through a take charge request.

Data on outgoing "take back" requests and relevant positive decisions per Member State have not been provided by the MoMA, even though GCR has requested it. Instead, following the latest such request sent by GCR in January 2025, the MoMA replied by referring GCR to the Ministry's website "and in particular at the link [where] the monthly newsletters are published, alongside relevant annexes, which include summary and detailed statistical data on the work of the First Reception Service, the Asylum Service and the Appeals Authority […]". Yet a closer look at the public sources referred by the MoMA highlights that the specific data is not available.

Regarding the situation of BIPs returned to Greece from other EU Member States, see Content of International Protection – Housing.

4. Border procedure (border and transit zones)

4.1. General (scope, time limits)

Indicators: Border Procedure: General

1. Do border authorities receive written instructions on the referral of asylum applicants to the competent authorities? ☒ Yes ☐ No
2. Where is the border procedure mostly carried out? ☒ Air border ☐ Land border ☐ Sea border
3. Can an application made at the border be examined in substance during a border procedure? ☒ Yes ☐ No
4. Is there a maximum time limit for a first instance decision laid down in the law? ☒ Yes ☐ No
   - ❖ If yes, what is the maximum time limit? 28 days
5. Is the asylum applicant considered to have entered the national territory during the border procedure? ☐ Yes ☒ No

There are two different types of border procedures in Greece. The first will be cited here as the "normal border procedure" and the second as the "fast-track border procedure". In the second case, many of the rights of asylum applicants are severely restricted, as it will be explained in the section on Fast-Track Border Procedure. Article 95 Asylum Code establishes the border procedure, limiting its applicability to admissibility or to the substance of claims processed under an accelerated procedure.[558]

In the "normal border procedure", where applications for international protection are submitted in transit zones of ports or airports, asylum applicants enjoy the same rights and guarantees as those whose applications are lodged in the mainland, [559] but deadlines are shorter. For example, when an appeal is lodged, its examination can be carried out, at the earliest, five days after its submission.[560]

558 Article 95(1) Asylum Code
559 Articles 51, 74, 76, και 80 Asylum Code
560 Article 100 (2) c Asylum Code

Article 70 Asylum Code states that the Asylum Service, in cooperation with the authorities operating in detention facilities and at Greek border entry points and/or civil society organisations, shall ensure the provision of information on the possibility to submit an application for international protection. Interpretation services shall also be provided to the extent that this is necessary for the facilitation of access to the asylum procedure. Organisations and persons providing advice and counselling, shall have effective access, unless there are reasons related to national security, or public order or reasons that are determined by the administrative management of the border crossing point concerned and impose the limitation of such access. Such limitations must not result in access being rendered impossible.

Where no decision on an asylum application lodged at border entry points is taken within 28 days, the applicant is allowed entry into the Greek territory for their application to be examined under the Regular Procedure.[561] During this 28-day period, applicants remain in *de facto* detention (see Grounds for Detention).

In practice, the above-mentioned procedure is only applied in airport transit zones, and in particular to people arriving at **Athens International Airport** – usually through a transit flight – who do not have a valid entry authorisation and apply for asylum at the airport.

With a Police Circular of 18 June 2016 communicated to all police authorities, instructions were provided *inter alia* as to the procedure to be followed when a third-country national remaining in a detention centre or a RIC wishes to apply for international protection, which includes persons subject to the border procedure.[562]

MoMA has not publicly released specific data regarding the number of asylum applications processed under the border procedure at airports for the year 2025.

4.2. Personal interview

Indicators: Border Procedure: Personal Interview
☒ Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the border procedure?
   ☒ Yes ☐ No
   - ❖ If so, are questions limited to nationality, identity, travel route? ☐ Yes ☒ No
   - ❖ If so, are interpreters available in practice, for interviews? ☒ Yes ☐ No

2. Are interviews conducted through video conferencing?
   ☐ Frequently ☐ Rarely ☒ Never

The personal interview at the border is conducted according to the same rules as those described under the regular procedure.

Where the application has been lodged at the **Athens International Airport** transit zone, the asylum applicants are transferred in most cases to the AAU of **Amygdaleza** for the full registration of their asylum application and for the interview. GCR is not aware of any interview through videoconferencing in the transit zones to date.

4.3. Appeal

Indicators: Border Procedure: Appeal
☐ Same as regular procedure

561 Article 95(2) Asylum Code.
562 Police Circular No 1604/16/1195968/18-6-2016, available in Greek at: https://tinyurl.com/ye85mfbc.

1. Does the law provide for an appeal against the decision in the border procedure?
   ☒ Yes ☐ No
   - ❖ If yes, is it ☐ Judicial ☒ Administrative
   - ❖ If yes, is it automatically suspensive ☒ Yes ☐ Some grounds ☐ No

The Asylum Code foresees a deadline of 10 days for submitting an appeal against a first instance negative decision issued under the border procedure.[563] The automatic suspensive effect of appeals depends on the type of negative decision challenged by the applicant (see Admissibility Procedure: Appeal and Accelerated procedure - Appeal. Appeals against decisions rejecting applications under the border procedure may not carry an automatic suspensive effect if the individual benefits from the necessary assistance of an interpreter, legal assistance and at least one week to prepare the application for leave to remain before the Appeals Committee.[564]

In practice, in such cases, the appellant has to submit a separate request before the Appeals Committee for leave to remain on Greek territory pending the outcome of the appeal. This request is being examined by the Appeals Committee on the same day as the appeal, so there has been no issue of removal from the country until the notice of the second instance decision, as, in practice, only the submission of the request for leave to remain has a suspensive effect.

In cases where the appeal is rejected, the applicant has the right to file an application for annulment before the Administrative Court (see Regular procedure: Appeal).

4.4. Legal assistance

Indicators: Border Procedure: Legal Assistance
☒ Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice?
   ☐ Yes ☐ With difficulty ☒ No
   - ❖ Does free legal assistance cover: ☐ Representation in interview ☐ Legal advice

2. Do asylum applicants have access to free legal assistance on appeal against a negative decision in practice? ☐ Yes ☒ With difficulty ☐ No
   - ❖ Does free legal assistance cover ☐ Representation in courts ☒ Legal advice

The law does not contain special provisions regarding free legal assistance in the border procedure. The general provisions and practical limitations regarding legal aid are also applicable in this case (see section on Regular Procedure: Legal Assistance).

5. Fast-track border procedure (Eastern Aegean islands)

5.1. General (scope, time limits)

Indicators: Fast-track border procedure: General

1. Do border authorities receive written instructions on the referral of asylum applicants to the competent authorities? ☒ Yes ☐ No

2. Can an application made at the border be examined in substance during a border procedure?

563 Article 95(3)(c) Asylum Code.
564 Article 110(3) Asylum Code.

☒ Yes ☐ No

3. Is there a maximum time limit for a first instance decision laid down in the law?
   ☒ Yes ☐ No
   ❖ If yes, what is the maximum time limit? 7 days

Although the fast-track border procedure was initially introduced as an exceptional and temporary procedure, it has become the rule for a significant number of applications lodged in Greece. The total number of first time applications lodged before the island RAOs (Chios, Kos, Leros, Lesvos and Samos) was 22,550 throughout 2025, according to the official monthly statistics published by the MoMA.[565]

The impact of the EU-Türkiye Statement has been, *inter alia*, a *de facto* dichotomy in the asylum procedures applied in Greece.[566] This is because the fast-track procedure is only applied in cases of applicants subject to the EU-Türkiye Statement, *i.e.*, applicants who arrived on the Greek Eastern Aegean islands after 20 March 2016 and have lodged applications before the RAO of **Lesvos**, **Chios**, **Samos, Leros and Kos**.

Moreover, since 2023, asylum applicants arriving in **Rhodes** are transferred *inter alia* to Leros and Kos CCACs and lodge applications before Leros and Kos RAOs, respectively. They are therefore channeled into the fast-track border procedure despite having arrived on another island.[567] It should be noted that no reception conditions are provided in Rhodes during the period pending their transfer. The same practice has continued throughout 2025.[568]

By contrast, applications lodged before the Asylum Unit of **Fylakio** by newly arrived persons who entered through the Greek-Turkish land border and remain in the Fylakio RIC in Evros are not examined under the fast-track border procedure. In 2025, a total of 7,644 first-time applications were lodged before the Asylum Unit of Fylakio.[569]

Article 95(3) Asylum Code foresees that the fast-track procedure can be applied as long as third country nationals who have applied for international protection at the border or at airport / port transit zones or while remaining in RICs, are regularly accommodated in places close to the borders or transit zones. Initially, a JMD issued on 30 December 2020, provided for the application of the fast-track border procedure under Article 90 (3) IPA (L. 4636/2019) for those who arrived at the Greek Eastern Aegean Islands.[570]

Main features of the fast-track border procedure under the Asylum Code

The fast-track border procedure under Article 95(3) Asylum Code repeats the previous legal framework and provides *inter alia* that:

(a) The registration of asylum applications, the notification of decisions and other procedural documents, as well as the receipt of appeals, may be conducted by staff of the Hellenic Police or the Armed Forces, if police staff are not sufficient.

565 MoMA, *Statistics: Consolidated Reports, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp Table 7b.

566 GCR, *Submission of the Greek Council for Refugees to the Committee of Ministers of the Council of Europe in the case of M.S.S. v. Belgium & Greece (Appl. No 30696/09) and related case*, 9 May 2019, available at: https://bit.ly/2XYhHpj.

567 Ertnews, *Συνεχίζεται η μεταφορά προσφύγων από Ρόδο προς τις δομές Κω και Λέρου – Πάνω από 4.000 οι φιλοξενούμενοι*, 22 September 2023, available in Greek at: https://tinyurl.com/3ykvddaa.

568 Information obtained by the LWG partners and GCR, during the year 2024.

569 MoMA, *Statistics: Consolidated Reports – Overviews for January to, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp Table 7b.

570 Joint Ministerial Decision for the application of the provisions of par. 3 and 5 of Article 90 of IPA, No 15996/30.12.2020, Gov. Gazette 5948/B/31.12.2020.

(b) The asylum applicant interview may also be conducted by Greek-speaking personnel deployed by EUAA. However, Article 95(3) Asylum Code has maintained the possibility, "*in particularly urgent circumstances*", for the interview to be conducted by trained personnel of the Hellenic Police or the Armed Forces, as long as they have received specific training.

(c) The asylum procedure shall be concluded in a short time period.

This may –and often does– result in compromising the procedural guarantees provided by the international, EU and national legal frameworks, including the right to be assisted by a lawyer. Extremely brief time limits significantly affect the procedural guarantees to which asylum applicants are entitled in a fast-track procedure and, therefore, there should be an assessment of their conformity with Article 43 of the recast Asylum Procedures Directive (APD), which provides that restrictions on procedural rights in a border procedure cannot be imposed for reasons related to large numbers of arrivals.

More precisely, according to Article 95(3)(c) Asylum Code:

- the Asylum Service shall issue a first instance decision within seven days;
- the deadline for the submission of an appeal against a negative decision is ten days;
- the deadline for the submission of an appeal does not always have an automatic suspensive effect, as provided by Article 110 (3) Asylum Code, and a separate application for suspension of removal needs to be submitted before the Appeals Authority, within the deadline for the submission of the appeal;
- the examination of an appeal shall be carried out within four days. The appellant is notified within one day to appear for a hearing before the Appeals' Committees or to submit supplementary evidence; and
- the second instance decision shall be issued within seven days.

It should be noted that these very short time limits seem to be exclusively at the expense of applicants for international protection in practice. In fact, whereas timelines are, as a general principle, not compulsory for the authorities and case processing at the borders takes several months on average, applicants still have to comply with the very short time limits provided by Article 95(3) Asylum Code.[571] In 2024, official data regarding the average time between the full registration of the asylum application and the issuance of a first instance decision under the fast-track border procedure was not available.

In 2025, the fast-track border procedure continued being variably implemented depending on the profile and nationality of the asylum applicants concerned (see also Differential Treatment of Specific Nationalities in the Procedure). Yet as in previous years,[572] specific data on in-merit and inadmissibility decisions issued by the Asylum Service under this procedure have not been made available by the MoMA for 2025.

To be noted, the procedure continued being applied despite the lack of any reasonable prospect of return to Türkiye, as is well known by the Greek authorities:

- In October 2021, notes by the Readmission Unit of the Hellenic Police Headquarters confirmed that Türkiye has indefinitely suspended returns from Greece since 16 March 2020. Due to this suspension, the Greek authorities stopped sending readmission requests to Türkiye based on the Common EU- Türkiye Statement for rejected asylum seekers.[573]
- According to MoMA's Report 2024: 'Returns under the EU - Turkey Joint Declaration have not been made since March 2020 due to Covid-19. It should be noted that despite the lifting of the

[571] FRA, *Update of the 2016 FRA Opinion on fundamental rights in the hotspots set up in Greece and Italy, 5 March 2019*, available at: https://bit.ly/2HeRg79, p. 26.
[572] For more, see relevant AIDA reports on Greece, available here.
[573] Fenix, *Fenix calls the Greek authorities to examine the merits of asylum applications rejected on admissibility*, 6 December 2021, available at: https://bit.ly/3wUxsyN.

Covid-19 measures the requests of missions-returns of the Greek authorities have not been answered'.[574]

- In a 20 September 2024 press release, the (former) Minister of Migration and Asylum, Mr Nikolaos Panagiotopoulos, mentioned inter alia "but as far as Turkey is concerned, since we talked about the southeastern Aegean, we discussed the issue of Turkey with the Germans, and we certainly put on the table that Turkey must at some point start implementing the agreement it made with the European Union in 2016, which talks about returns to Turkey, and has stopped making returns since 2020 and the events in Evros, and we said of course that Turkey must also be pressured to cooperate."[575] Despite this suspension, the Greek authorities refused to examine applications for international protection on their merits, as required by Article 91(5) of Asylum Code.

That being said, in a positive development since roughly September 2023, asylum applicants from countries with recognition rate of over 95% (*i.e.*, applicants from Palestine, Yemen, Sudan) have been, in the context of the border procedure, granted refugee status on the basis of their administrative file, without undergoing an asylum interview, in application of Article 82 para. 7 of the Asylum Code. However, in **Lesvos**, a malpractice has been observed with regard to Eritrean nationals. Specifically, individuals who have stated being Eritreans but who had resided most of their life in Ethiopia have been falsely registered as Ethiopians. It has been observed by legal actors that FRONTEX assessed them as Ethiopian nationals and not as Eritreans contrary to their statements. Legal aid actors observed the following:[576]

- The applicants underwent a nationality assessment during their interview at RAO Lesvos, during which they were asked questions regarding Eritrea which they could be reasonably unable to answer (since applicants claimed that they left their country of origin when they were very young, lost their parents, etc).

- In some cases, two interviews were conducted: RAO called the applicant for a 2nd interview during which they informed them that RAO, based on the first interview including a nationality assessment, rejected their claim as Eritrean national, concluded that they are Ethiopian and then asked the applicant whether they wanted to submit an application to change their nationality.

- It appears that the Estimated Nationality during the identification procedure functioned as an irrebuttable presumption and could only be disputed if original documents were provided. Some negative decisions claimed that: "*The applicant did not provide the [Asylum] Office with an original identification document or other document in support of her* [/his] *claims in the context of the examination of her* [/his] *application for international protection. Her* [his] *administrative file contains a screening report No* [XXXXXX] *addressed to the Commander of the Lesvos RIC, where it is marked as Estimated Nationality after Screening, ETHIOPIA, as resulting from the identification procedure."*

- In some cases, while the Asylum Service accepted that the applicant was born in Eritrea, it rejected the nationality claim (as not internally credible due to the lack of information provided/inability to answer the questions regarding Eritrea) and held thereafter the asylum application unfounded.

- Another decision rejected an asylum application as manifestly unfounded, according to Article 93 par. 2 d, on the basis that the applicant provided false information regarding his nationality and tried to mislead the authorities.

- In some cases, where lawyers asked Lesvos RIS for copies of their clients' files, there was no report to be provided regarding the nationality assessment.[577]

574 MoMA, *Report A December 2024 Reception Asylum & Integration Procedures*, available in Greek here, 18.
575 MoMA, *Δεν υπάρχει θέμα μαζικών επιστροφών – Αν καταργηθεί το πνεύμα του Συμφώνου Μετανάστευσης στην ουσία θα καταργηθεί η Ευρώπη*, 20 September 2024.
576 Information obtained during Lesvos LAsWG meetings.
577 Information acquired during Lesvos LAsWG meeting of 28- November 2023.

- A report has been submitted asking for the intervention of the Greek Ombudsperson regarding a case pending at second instance. [578]

- No cases of the above-described malpractice were observed in the mainland.[579]

In accordance with Article 92(5) Asylum Code, applications of asylum applicants nationals of countries listed as 'safe countries of origin' in the national list have been examined on the merits only to the extent of their claims against the application of the safe country of origin assumption.[580]

It has been highlighted that "the practice of applying different asylum procedures according to the nationalities of the applicants is arbitrary, as it is neither provided by EU nor by domestic law. In addition, it violates the principle of non-discrimination as set out in Article 3 of the Geneva Convention of 28 July 1951 relating to the status of refugees (Geneva Convention). Instead, it is explicitly based on EUAA's undisclosed internal guidelines, which frame the hotspot asylum procedures in order to implement the EU-Türkiye statement."[581]

Exempted categories from the fast-track border procedure under the Asylum Code

As opposed to previous legislation, the Asylum Code repealed the exception of persons belonging to vulnerable groups and applicants falling under the Dublin Regulation from the fast-track border procedure (see Identification and Special procedural guarantees). Data for the number of cases exempted from the border procedure on grounds of vulnerability and need for special procedurals guaranteed under the Asylum Code in 2025 is not available.

In 2024, **Lesvos** RAO automatically applied non-border procedures for applicants to whom first instance decisions had not been notified within 28 days from registration, without however first issuing any decision for a referral to the regular procedure as, according to the RAO, this is not foreseen in the law.[582] In these cases, the deadline for the appeal is automatically extended as follows: for admissibility, the 10 days are automatically extended to 20 days, for eligibility, to 30 days, and for eligibility for cases falling under the safe country of origin concept to 20 days. This practice is based on Article 95 (2) Asylum Code.[583] The same practice has been observed by legal aid actors in **Kos** RAO;[584] the practice was first noticed at the beginning of 2023 and continued throughout 2024.

Furthermore, the total number of unaccompanied minors examined under border procedures in 2025 is not available. In particular, as far as unaccompanied minors are concerned, Article 80 (7) Asylum Code provides that applications filed by minors under the age of 15, as well as minors who are victims of human trafficking, torture, rape or other serious forms of psychological, physical or sexual violence are to be examined under the regular procedure. However, Article 95(4) Asylum Code provides that unaccompanied minors are examined under the fast-track border procedure if:

- the minor comes for a country designated as a safe country of origin in accordance with the national list (according to Article 92 (5) Asylum Code);
- they submit a subsequent application;
- they are considered a threat to the public order/national security;

578 Information acquired during Lesvos LAsWG meeting, 28 November 2023.
579 Information acquired during Athens LAsWG meetings, 2023.
580 See for example Decision 18695/2023 issued by 21st Appeals Committee concerning the case of an asylum applicant from Ghana; a summary of the decision is available in Greek in GCR, HIAS, RSA et al, *Issue 2/2023 of the Greek Asylum Case Law Report*, available at: https://tinyurl.com/yn6yb77u.
581 Greens/EFA, *The EU-Türkiye Statement and the Greek Hotspots: A failed European Pilot Project in Refugee Policy*, June 2018, available at: https://bit.ly/2sJM2H4, p. 17.
582 Information provided by Lesvos RAO, January 2025.
583 According to Article 95 paragraph 2 of Asylum Code: *"If no decision is taken within twenty-eight (28) days from the date of filing the application, the applicant shall be allowed to enter and remain within the country in order to have his/her application examined, in accordance with the other provisions of this Code."*
584 Information provided by the LWG of Kos throughout the year 2024.

- ❖ there are reasonable grounds to believe that a country can be considered as a safe third country for the minor, and if it is in line with the best interest of the minor;
- ❖ the unaccompanied minor has misled the authorities by submitting false documents or they have destroyed or they have lost in bad faith their identification documents or travel document, under the conditions that they or their guardian be given the opportunity to provide sufficient justification for it.

5.2. Personal interview

Indicators: Fast-track border procedure: Personal interview

☐ Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the accelerated procedure? ☒ Yes ☐ No
   - ❖ If so, are questions limited to nationality, identity, travel route? ☐ Yes ☒ No
   - ❖ If so, are interpreters available in practice, for interviews? ☒ Yes ☐ No
2. Are interviews conducted through video conferencing? ☒ Frequently ☐ Rarely ☐ Never

According to Article 69 (1) Asylum Code, asylum applicants are already required at the stage of registration of their asylum application before RAOs, to give exhaustive reasons for fleeing their country of origin. If they fail to mention all reasons during registration, they have no right to develop claims which are only mentioned for the first time during their asylum interview. However, in practice, the registration of the asylum application in the islands is too succinct to provide them with the opportunity to do so, as it only focuses on very basic information.

At the end of 2021, the Reception Service (RIS) at the **Kos** and **Samos** RICs (now CCACs) started carrying out the full registration of asylum applications, as opposed to it being done by the Asylum Service until then. In 2022 this practice was adopted by the RISs/CCACs in all the islands. Ever since the registration of asylum applications was removed from the missions of the Asylum Service and was undertaken by the RIS. The registration form includes very limited information. Nevertheless, in practice, asylum applicants have the opportunity during their interviews to present their full claims, including information that was not mentioned in their registration form.

In cases of vulnerable applicants, according to Article 82(4) Asylum Code, if their interview is scheduled within 15 days from the submission of their application, the applicants have to be granted reasonable time to prepare themself and consult a legal or other adviser to assist them during the interview. The reasonable time for preparation is determined by the competent authority, meaning the Asylum Service, and cannot exceed three (3) days. If the interview is scheduled at a time later than fifteen (15) days from the submission of the application, no preparation time is granted. If the interview is postponed, no further preparation time is granted. This means that in the latter two cases, applicants are not given any additional time to prepare themselves for the interview from the time they are informed of their interview appointment.

Article 95(3)(c) of the Asylum Code stipulates that first instance decisions shall be issued within seven days. However, in practice, based on the observations of legal and psychosocial actors operating in the field, including GCR, newcomers undergo the interview without prior adequate evaluation of their potential vulnerabilities. Most of the time, the RIS' Medical and Psychosocial Unit (not always staffed by a doctor) proceeds with a typical medical check and records only manifest vulnerabilities.

There is also no information exchange mechanism between the Vulnerability Focal Point (VFP) of the RIS and the RAO, and no relevant joint process to ensure that interviews are scheduled after the vulnerability assessment has been completed. Even when RAO caseworkers refer the case to the RIC's Medical and Psychosocial Unit for further vulnerability assessment, they do so after the interview has been completed. No postponements have been granted for interviews despite the applicants' and their legal

representatives' requests that vulnerability assessments be completed prior to the interview. Accordingly, in such cases, vulnerable applicants cannot benefit from the foreseen reasonable time for preparation, since they have not had the opportunity to be identified as such (i.e. vulnerable).

Article 74(3) Asylum Code expressly foresees that communication with the applicants (including as part of interviews) may be conducted in the official language of their country of origin, or in another language that they are reasonably considered to understand, if it has been proven manifestly impossible for the authorities to provide interpretation in their native language. In practice, applicants' refusal to undergo procedures in the official language of their country of origin, rather than their native languages, may be considered a violation of their obligation to cooperate with the authorities and can lead to the rejection of their application (see relatively Articles 39, 74, 83 and 93 Asylum Code).

According to the Article 83 (9 and 10) Asylum Code :

> Applicants shall be specifically informed of these obligations and their rights pursuant to this Article and Article 74 of this Code in a language they understand in a simple and accessible manner and a certificate to this effect shall be drawn up, indicating the language of communication. In all other respects, paragraph 1 shall apply mutatis mutandis. 2 of Article 74 of this Code shall apply mutatis mutandis. In the event of a breach of the duty to cooperate with the competent authorities, as specified in the preceding paragraphs, in particular, failure to communicate with the authorities and failure to cooperate in order to ascertain the information necessary for the examination of the application, which impedes the smooth completion of the procedures for examining the application for international protection, the application for international protection or the appeal shall be deemed to be implicitly withdrawn in accordance with the provisions of Article 86 of this Code. And Article 74 (2 abcd and 6) "When making an application for international protection, applicants have the right to be informed in writing, in a language they understand, in a simple and accessible way, so that they can effectively understand the content of the document:
>
> (a) the procedure to be followed,
>
> (b) their rights,
>
> (c) their duty to cooperate with the national authorities at every stage of the procedure and their obligations,
>
> (d) the consequences of breaching the duty of cooperation with the national authorities by failing to comply with their obligations. In particular, they are reminded of the consequences of not being found at the declared place of residence or address, of the express or implied withdrawal of their application, of not appearing in person at any stage of the procedure, " " Applicants shall be informed in a language they understand, in a simple and accessible manner, of the outcome of the decision on the application for international protection, as well as of the possibility of appealing against the negative decision, the relevant time limit and the body before which the decision is appealed, and the place of its seat.

According to the Article 86 (1) Asylum Code:

> […] Where it is not possible to examine the application adequately on the basis of the information available to the service, as provided for in the previous subparagraph, the Deciding Authorities shall stop the examination of the application and issue a decision to discontinue. The decision to discontinue the examination of the application for international protection shall also order the return of the applicant, in accordance with the provisions of Act No. 3907/2011 and Law No. 3386/2005. The aforementioned acts shall be notified as provided for in Article 87 of this Code." (2)(e) (g) "Implied withdrawal shall be deemed to exist in particular where it is established that the applicant has not complied with the obligations set out in Article 83 of this Code, or has not fulfilled the reporting or other communication obligations…does not cooperate with the authorities in breach of the duty to cooperate, as defined in Article 83"

According to Article 95(3)(b) Asylum Code, the personal interview may be conducted by Asylum Service or EUAA personnel or, "*in particularly urgent circumstances*", by trained personnel of the Hellenic Police

or the Armed Forces.[585] With regard to the possibility of personnel of the Hellenic Police or Armed Forces to conduct personal interviews, Amnesty International has underlined that the application of such provision "*would be a serious backward step that will compromise the impartiality of the asylum procedure*".[586] As of 2024, the Hellenic Police or Armed Forces have not carried out personal asylum interviews, however, they did undertake the full registration of asylum applications in certain circumstances.

EUAA (former EASO)'s competence to conduct interviews was introduced by a legal amendment in June 2016, following an initial implementation period of the EU-Türkiye Statement, during which the exact role of the Agency's staff and the legal remit of their involvement in the asylum procedure was uncertain. The EASO Special Operating Plans to Greece foresaw a role for EASO in conducting interviews (face-to-face and remote) in different asylum procedures, drafting opinions and recommending decisions to the Asylum Service throughout 2017, 2018, 2019, 2020 and 2021.[587] A similar role is foreseen in the Operational & Technical Assistance Plan to Greece 2022-2024, including in the Regular procedure,[588] as well as in updated plan for 2025.[589]

In practice, in cases where the interview is conducted by an EUAA Greek-speaking caseworker, the latter provides an opinion / recommendation (*πρόταση / εισήγηση*) on the case to the Asylum Service, which remains the competent authority for the issuance of the decision. The transcript of the interview and the opinion / recommendation are written in Greek. The issuance of an opinion / recommendation by EUAA personnel to the Asylum Service is not foreseen by any provision in national law and thus lacks a legal basis.[590] Finally, a caseworker of the Asylum Service, without having had any direct contact with the applicant, *e.g.,* to ask further questions, issues the decision based on the interview transcript and the opinion / recommendation provided by EUAA, without being bound by it.[591]

During 2024, legal aid organisations operating in **Lesvos** observed a long-standing problem with asylum interview transcripts, which were often poorly written. This resulted in an inadequate, inaccurate or sometimes incomprehensible reflection of asylum applicants' claims.[592]

Based on the observations of legal aid organisations, including GCR, in a number of cases, decisions were issued by RAOs and/or AAUs other than those where the interviews were conducted, operating supportively to the latter.

In **Lesvos**, interviews are primarily conducted by employees of the RAO Lesvos. On rare occasions, interviews are conducted remotely, as in a recent case involving a young Egyptian asylum seeker. In this instance, the interview was conducted remotely by a handler from the RAO of Rhodes. However, the issuance and notification of the decision remain pending.

In **Samos**, 90% of admissibility interviews are conducted remotely by caseworkers from Lesvos. Some interviews take place via phone calls.

In **Chios**, admissibility interviews are conducted remotely by caseworkers from Lesvos through the EU Asylum Agency (EUAA). Some interviews are conducted by caseworkers of the local Asylum Office, while certain cases are referred to the Regional Asylum Office of Nikaia for the issuance of decisions.[593]

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585 Article 95(3)(b) Asylum Code.
586 Amnesty International, *Submission on the proposed changes to the Greek Law on international protection*, 24 October 2019, available at: https://bit.ly/3oxyL5k.
587 See*, e.g.*, EASO, 2020 *Operational & Technical Assistance Plan to Greece*, 20 December 2019, available at: https://bit.ly/3Qhm0X3 p. 14.
588 EASO, *Operating Plan to Greece 2022-2024*, 9 December 2021, available at: https://bit.ly/3uMYh9q, pp. 20-21.
589 EUAA, Operational plan 2025 agreed by the European Union Agency for Asylum and Greece, https://tinyurl.com/2suajtdc p 9
590 Articles 60(4)(b) L 4375/2016 and 90(3)(b) only refer to the conduct of interviews by EASO staff.
591 AIRE Centre, et al., *Third party intervention in J.B. v. Greece*, 4 October 2017, available at: http://bit.ly/2qSRxoU, pp. 10-11.
592 Information acquired during Lesvos Legal Aid Working Group meeting, 3 September 2024.
593 Minutes of Legal Aid Sub Working Group Meeting, 26 March 2024.

In 2024, in **Lesvos**, applicants continued to receive an invitation for their interview according to which they needed to present themselves before the RAO in Pagani area at the day of their interview at 7:00 am, without any information regarding the actual time that their interview was scheduled.[594] In practice, this meant that there were many applicants that appeared before the RAO's gate at 6:30 only to start their interviews at 12:00 or even at a later time, while waiting all these hours in an open-air space, often exposed to bad weather conditions. The situation is only slightly different when applicants are represented by a lawyer, who on his/her own initiative will contact the Asylum Service on the phone to confirm the time of the interview or to find out approximately what time the interview will start, but this does not mean that the agreed time will be strictly adhered to.

Additionally, there was no waiting area at the premises of the RAO for the lawyers who represent asylum applicants at registrations and interviews. Moreover, employees of the RAO very often refused to receive the lawyers in the offices, within the premises of the RAO.[595] Instead, the lawyers were received in the courtyard, in circumstances that violated the necessary conditions of confidentiality and, in general, the dignified exercise of the legal profession. In many cases, both attorneys and asylum applicants waited for long, exhausting hours, resulting in fatigue, jeopardising the quality of the interviews. The issue of the lack of waiting area persisted in 2024.[596]

The same practice persisted during 2025 and was noted also in the regular procedure.

Quality of interviews

The quality of interviews conducted by EUAA and RAO caseworkers has been highly criticised. *Inter alia*, quality gaps such as lack of knowledge about countries of origin, lack of cultural sensitivity, questions based on a predefined list, closed and leading questions, repetitive questions, frequent interruptions and unnecessarily exhaustive interviews and conduct preventing lawyers from asking questions at the end of the interview continue to be reported.[597]

In 2023, legal aid actors continued to observe issues concerning the quality of the interviews as well as the procedural fairness of how they are conducted, mainly in cases where the interview was conducted by the Greek Asylum Service (GAS). Specifically, concerns were raised about the use of unsuitable communication methods and questions related to past experience of harm and/or persecution which included closed questions impeding a proper follow-up, no opportunity to explain the case in the applicant's own words, failure to consider factors that are likely to distort the applicant's ability to express him or herself properly (such as mental health issues or prior trauma and/or illiteracy), lack of clarification with regard to vague or ambiguous concepts mentioned by the interviewer, potential inconsistencies or misunderstandings regarding critical aspects of the case that could lead to confusion and/or the inability of the applicant to express him or herself effectively, and more generally, violations of the right to be heard. Moreover, concerns have been raised regarding the use of unsuitable methods and questions, including unfriendly interview environment for a) the applicants' age, in cases of alleged minors, and more generally, violations of the right to a child-friendly environment and procedure, b) gender-based violence (GBV) survivors[598], and c) LGBTQI+ persons.[599] In general, no individualised assessment of the specific profile and circumstances of the asylum applicant or gender-sensitive assessment was taking place.

Namely, results of a survey on treatment of LGBTQI+ asylum applicants in Greece within the context of the asylum procedure, based on interviews conducted in 2023, revealed use of prohibited and discriminatory questioning, questions related to sexual practice and questions based on stereotypical notions during the asylum interview by the caseworkers, and a lack of caseworkers' competence in

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594 For this issue, Lesvos LAsWG has addressed a letter to Lesvos RAO Administration, 5 December 2023.
595 Ibid.
596 Information acquired during the Lesvos LAsWG meeting, 23 January 2024.
597 See AIDA, Country Report Greece, 2021 Update, p. 100, https://bit.ly/3IAjhVm.
598 See Fenix, *A GENDERED GAZE ON MIGRATION: Report on sexual and gender-based violence in the context of the Greek asylum policy on Lesvos*, February 2024, available at: https://tinyurl.com/mk7kmp7t.
599 Heinrich Boll Stiftung, *LGBTQI+ Asylum Seekers in Greece*, 8 March 2024, available at: https://tinyurl.com/5hfsamd5.

assessing LGBTQI+ claims and failure to align with the DSSH (Difference, Shame, Stigma, Harm) model provided by the EUAA.[600]

Illustrative of the above is the reasoning of a negative decision issued by Kos RAO, for an asylum applicant with, *inter alia*, a homosexuality claim and represented by GCR:[601]

> For instance, the applicant could not elaborate on the process and the way in which he became aware of his sexual orientation, saying that this happened after an incident of rape when he was [x - minor] years old. […] The applicant gives almost no information about this [rape] incident. When next asked how he felt about his realisation of his sexual orientation, he was content to answer that he accepted it while others did not. One would expect that since it was an internal process, and indeed something that would cause him trouble in his own country, he would be able to give more details about how he experienced it and his feelings and even give more information about how he became aware of it. Finally, when asked whether he knew about LGBTI organisations in his country or about the law on homosexuality in his country, the applicant replied negatively. One would expect him to be aware of such organisations or even the law since he stated that from X to X he became aware of his sexual orientation and externalised his feelings, a reason which played a decisive role in the applicant's decision to leave the country. In a more general assessment, these allegations of the applicant are considered to be incoherent and general and as a result, the Service finds that the internal credibility of the above allegation has not been established.

The above reasoning of the first instance negative decision is indicative of the problematic, judgmental and non-sensitive approach and credibility assessment of the Asylum Service with regard to LGBTQI persons and GBV survivors.

Similarly illustrative is the reasoning of a negative decision issued by Kos RAO on September 2024 for an asylum applicant with, *inter alia*, a homosexuality claim, legally represented by GCR:[602] According to the decision:

> ‘[t]*he applicant made vague and general statements regarding the time and circumstances under which he realized he was homosexual. He also spoke vaguely about the romantic relationship he claimed to have had with someone of the same sex. Furthermore, his descriptions were sparse concerning his feelings and the way he experienced his sexuality, lacking any truly personal or experiential details about his sexual orientation. In this context, the applicant did not provide a clear, detailed, and sufficient account of fundamental aspects related to this significant claim. Regarding when he first realized he was homosexual, the applicant vaguely stated: "From when we were in his room watching pornographic movies together, we felt it*." (See interview transcript, p. 16). *Similarly, his responses to subsequent questions posed by the interviewer did not reflect the narrative of someone recounting personal and experiential changes upon realizing their sexual orientation. When asked about the change in his life after realizing he was homosexual, the applicant vaguely responded: "Yes," and "I feel that I am different from other males."* (See interview transcript, p. 17). *At another point in the interview, the applicant was again asked to describe his feelings and whether he feared how society would perceive him if it became known that he was homosexual. The applicant vaguely stated: Lawyer: "What feelings or thoughts crossed your mind when you realized you liked boys? Were you afraid of how people would treat you?" Applicant: "I am not afraid." Lawyer: "How can you not be afraid when you've been telling us all along that it is illegal in Iraq?" Applicant: "Yes, it is forbidden, but I don’t need to tell anyone that I am homosexual."* (See interview transcript, p. 23). *When asked if he knew other homosexual people in his country or if he tried to meet them, the applicant responded in a manner that did not reflect personal experiences, providing information from the internet and social media. The applicant vaguely stated: “Do you know if there are areas, cafés, or other establishments in your*

600 Heinrich Boll Stiftung, ibid.
601 More information available on the applicant’s case file, with GCR.
602 More information available on the applicant’s case file, with GCR.

city where people attracted to the same sex gather? "No, it is forbidden in Iraq; if they find any homosexual, they kill them." (See interview transcript, p. 17). *Do you know other homosexual people in your country? "*[the applicant gives a name] *if you search that name on the internet, you'll find him. He was homosexual, and they killed him."*
Did you personally know [name]*?*
"Yes.
""How did you know him?
"Through social media."
"Have you ever met other homosexual people in your country, aside from those already mentioned? "No." (See interview transcript, p. 18).
When asked about the legislation in his country regarding homosexuality, the applicant could not provide any information, even though it directly impacts his life. The applicant vaguely stated: "I have forgotten; you can search on Google." (See interview transcript, p. 19). *When asked to describe the incident during which his relationship with his partner became known on the night of June 20, 2024, his account was brief and appeared to lack the perspective of someone with genuine personal experiences. The applicant vaguely stated: "As I told you before, I had been intimate with my boyfriend. Suddenly, his brother opened the door and called his father. I dressed quickly and jumped out the window. His father started shooting at my feet to make me fall, but I managed to escape. I then took a taxi and went home."* (See interview transcript, p. 19).

The above reasoning of the first instance negative decision is indicative of the problematic, judgmental and non-sensitive approach and credibility assessment of the Asylum Service with regard to LGBTQI persons and GBV survivors. This decision was annulled by the Appeals Authority and the applicant was granted refugee status.

Moreover, in 2024 and 2025 a significant number of asylum applicants continued to report that, during their interview, they were not granted sufficient time and, as a result, their asylum claims were not examined thoroughly. The duration of an interview can be easily verified in the interview transcript, which mentions the time of intitiation as well as time of conclusion of an interview.

An additional issue relates to the fact that the caseworkers do not follow a standard procedure on the examination of allegations of pushbacks when such allegations arise during the asylum interview. Particularly, the RAOs had no consistent practice regarding any further examination of allegations of pushbacks that arise during the asylum interview. The caseworkers had discretion as to whether to devote time during the interview and ask further questions regarding the reported "pushback" incident by the asylum applicant. According to lawyers, in certain cases the caseworkers disregard these allegations, claiming that they are not relevant to the interview, while other caseworkers proceed to further investigate the incidents by asking focused questions.

Furthermore, it is still unclear how the EUAA caseworkers deal with information about criminal acts and violations of EU and international law allegedly committed by other actors at the EU's external borders that are brought to their attention during the asylum interview.

The new EUAA Complaints Mechanism as regards complaints against EUAA personnel has been recently established under the responsibility of the newly appointed EUAA Fundamental Rights Officer (FRO).[603] However, complaints can only be submitted by persons directly affected (or their representatives) by the actions of asylum support team members, when they consider that their fundamental rights have been violated due to an EUAA expert's actions.[604] This is stipulated in the EUAA Regulation in such wording and the scope for the Complaints Mechanism can therefore not be broadened to include other instances of violations. For any other violations of fundamental rights not committed by members in Asylum Support Teams (ASTs), the EUAA is working in parallel on developing an escalation mechanism which would allow for an appropriate escalation process for situations when Agency staff becomes aware of any

603 See: https://euaa.europa.eu/complaints-mechanism.
604 Ibid.

serious violations of fundamental rights or international protection obligations committed by a host Member State.[605]

5.3. Appeal

Indicators: Fast-track border procedure: Appeal
☐ Same as regular procedure

1. Does the law provide for an appeal against the decision in the accelerated procedure?
   ☒ Yes ☐ No
   - ❖ If yes, is it ☐ Judicial ☒ Administrative
   - ❖ If yes, is it suspensive ☐ Yes ☒ Some grounds ☐ No

A total of 12,552 appeals against decisions in the asylum procedure were lodged in 2025. Of these, 12,129 were lodged on the mainland and the remaining (423) on the islands.[606] Main countries of origin for these appeals in 2025 were Egypt (36.4%), Bangladesh (10.2%), Pakistan (7.1%), Nepal (5.5%) and Sierra Leone (5.4%).[607]

Changes in the Appeals Committees

As noted in the Regular procedure - Appeal, Article 148 Asylum Code[608] provides that the Appeals Committees under the Independent Appeals Authority, comprised of administrative judges, may operate in a single or three-member composition.

On 3 December 2024, the Greek Council of State declared that the single composition of the Independent Appeals Committees in asylum procedures is unconstitutional (against Article 89 (2) of the Constitution).[609]

Decision No. 1150/2025 of the Plenary Session of the Council of State on June 26, 2025, declared the provision establishing Single-Judge Appeals Committees to be unconstitutional as contrary to Article 89 of the Constitution. The Court ruled by a majority that Article 89(2) of the Constitution does not permit the assignment to a judicial officer of the duties of a single-member administrative body, even if that body exercises powers of a disciplinary, supervisory, or adjudicatory nature. Consequently, the provision of Article 5(7) of Law 4375/2016, as that article was replaced by Article 116(2) of Law 4636/ 2019 and that paragraph was reworded by Article 30(2) of Law 4686/2020, is unconstitutional to the extent that it provides that the Independent Appeals Committees may operate with a single-member composition.

Additionaly, the Court, taking into account the large number of negative decisions on applications for international protection that have been rendered by single-member Independent Appeals Committees and the difficulties the Administration will face due to the actual situation arising from the retroactive nature of the found unconstitutionality, ruled that the consequences of the unconstitutionality shall take effect as of the day prior to the publication of this decision. Specifically, from the day prior to the publication of the decision onwards, administrative appeals filed against decisions of the Asylum Service may not be heard by single-member Independent Appeals Committees.

The above decision was published on June 26, 2025.; Consequently, the consequences of unconstitutionality, and specifically that (Note 12 of the Decision) "*Article 89(2) of the Constitution does not permit the assignment to a judicial officer of the duties of a single-member administrative body*" took

605 EUAA, Management Board Decision No 166 of 25 September 2024 on the Fundamental Rights Strategy 2024-2028, available here.
606 MoMA, *Statistics: Consolidated Reports – Overviews for January to, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 9a.
607 *Ibid.* Table 9b.
608 Previously Article 116 IPA.
609 Greek Council of State, Announcement of 3rd December 2024 by the President of the Council of State, available here.

effect on 25 June 2025, the date from which, according to the Plenary Session of the Council of State, the hearing of administrative appeals by a single-member panel is prohibited.

Appeal Committees interpreted the decision as allowing them to proceed with the hearing even after 25 June, and that the unconstitutionality refers only to the cases that the appeal will be filed after 25 June. As a result, several cases that were appointed to Single Member Committees were decided by the Single Member even after 25 June.

GCR represented before the administrative court of Athens the case of a young afghan whose case was decided and rejected from a Single- Judge Committee while the hearing took place after the 25th of June. The application for annulment is still pending, nonetheless the application for postponement of the execution of the decision and thus his return was granted the Court accepting the argument of the applicant that the decision has been in violation of the constitution as prescribed by the decision of the CoS and thus the application is evidently well founded.[610] On the other hand, the Administrative Court of Thessaloniki in a similar case, did not considered that the fact that the hearing took place after the 25th renders the application evidently well founded. The constitutionality of the negative decision according to the Court is matter to be resolved by the Court of Annulment since the matter of its effect is not clear or well decided upon[611]

Mention should be made that pending the decision of the CoS, all annulment cases pending before the competent administrative courts concerning Single Judge decisions have been postponed repeatedly over the year awaiting the CoS to resolve on the issue. Nonetheless, even after the decision, the Courts continue to postpone hearings.[612]

Additionally, the above mentioned decision also affects subsequent applications (see Subsequent applications), since a single judge was also responsible for deciding upon appeals on first instance admissibility rejections of such applications.

Rules and time limits for appeal

Similar to the first instance fast-track border procedure, truncated time limits are also foreseen in the appeal stage. In particular, the deadline for appealing a negative decision is 10 days, instead of the 30 days deadline foreseen in the regular procedure.[613] The Appeals Committee examining the appeal must make a decision within seven days,[614] contrary to 30 days in the regular procedure.[615] In practice, this very short deadline is difficult for the Appeals Committees to meet, and raises serious concerns over the quality of the decisions issued.

The average time (in days) for the issuance of 2nd instance decisions was 89 days from lodging the lodging and 51 days from its discussion.[616] As a rule, the procedure before the Appeals Committees must be written, based on the examination of the *dossier*, except from cases, provided by the Article 102(3) Asylum Code, where the Appeals Committee decides to call for an oral hearing.[617]

As far as the appeal procedure is concerned, in addition to the concerns related to the admissibility of appeals in general (see Regular Procedure), it shall be noted that it is practically impossible for the applicants to submit an appeal on their own, *i.e.*, without legal aid. Specifically, Article 98 of the Asylum Code requires, for the appeal to be admissible, *inter alia*, reference and development of specified reasons for the appeal. At the same time, the negative decisions are served to the applicants in Greek, and though a simplified text in a language the applicant is expected to understand is served as an accompanying

610 Decision and file of the case with the author.
611 Decision also with the author
612 Case files with the author.
613 Article 95(3)(c) Asylum Code.
614 Article 95(3)(c) Asylum Code.
615 Article 106(1)(a) Asylum Code.
616 MoMA, Report A December 2024 Appendix A, available here.
617 Article 102(3) Asylum Code.

document, this text only provides generic information on the rejection/does not explain the precise reasons for which the application has been rejected, therefore making it impossible for them to read and be aware of the exact reasons for which their asylum application has been rejected. It is evident that, without legal, aid applicants cannot adequately articulate the legal and factual grounds on which their appeals are based, particularly taking into consideration the requirement that such appeals be submitted in Greek.

The provisions of the Asylum Code relating to the fictitious service (*πλασματική επίδοση*) of first instance decisions are also applicable to the fast-track border procedure and thus the deadline for lodging an appeal against a first instance negative decision may expire without the applicant having been actually informed about the decision.[618]

In 2024, asylum applicants in **Kos, Lesvos, Samos and Chios**, were invited in RAOs to sign a "declaration of e-mail address for communication with the asylum service", in which, among other things, the applicant gives their e-mail address and confirms the following statement: 'I wish this address to be used for my communication with the Asylum Service (information, appointment, service of decisions, etc. documents, etc.)'. The information on the above was provided to the applicants with the assistance of an interpreter.

By the end of 2025, providing the AS with an email has been a very well established practice (almost a prerequisite) for communicating with the AS and the Appeals Committee. GCR is aware of several cases of persons that have felt obliged to provide an email, even though they do not possessed one or knew how to use it.

Paragraph 3 of Article 87 Asylum Code stipulates that *"The service of the decision to the applicant shall be carried out (....) or (c) by e-mail to an address indicated by the applicant to the Reception and Identification Service or the Asylum Service or to an address indicated by his/her attorney or authorized counsel or representative or (....)*. Paragraph 4 of the same article states that:

> In case the applicant is a detainee or remains in Regional Reception and Identification Services or resides in Reception or Accommodation Centres, the rejection decision or the extract of the operative part of the decision granting international protection status and the accompanying explanatory document of the third part of paragraph 3 shall be sent by any appropriate means to the Head of the Centre or establishment or facility concerned, who shall ensure that a notice of receipt and the times of delivery and distribution of the documents to applicants are posted immediately for each working day and time, in conspicuous places in the premises, and shall draw up an acknowledgement of receipt and post it. Applicants shall ensure that they arrive at the centre within the hours of delivery and distribution of correspondence in order to be served with the relevant mail. A delivery report shall be drawn up for each delivery to the applicant. Service shall be deemed to have been affected after the expiry of three (3) days from the date on which relevant act of receipt referred to in the first subparagraph was drawn.

Taking into consideration the above legal provisions, the Greek Ombudsperson intervened with regard to the “Service of asylum decisions by e-mail to residents in the **Kos** CCAC”,[619] and clarified that Article 87 Asylum Code clearly provides that the scope of application introduced by the legislator with paragraph 4 is more specific than that of paragraph 3, providing for the service of decisions on applicants who reside in the structures of the Reception and Identification Service (RIS), such as the CCACs. Namely, the Ombudsperson noted that the law does not allow the administration to derogate from the application of the provisions of paragraph 4 of Article 87, through the signing of declarations by residents that they will be served with the decisions by e-mail. Finally, it is crucial for the respect of the right to an effective remedy, in the event of non-application of the above provisions, the time limit for lodging an appeal to begin at least from the time when the applicant has demonstrably become aware of the decision.

618 Article 87 and 108 Asylum Code.

619 The Intervention of the Greek Ombudsman (no. 346822/2413/16-01-2024) following a legal NGO’s report was shared within the context of the Athens Legal Aid Working Group, 23 January 2024.

During 2024, legal aid organisations continued to raise concerns over the problematic use of the service of asylum decisions by e-mail. More specifically, legal aid organisations operating in **Lesvos** observed that when decisions are notified by e-mail, only an informative text in Greek and English was included, while a text in the applicant's native language was only included as an attachment at the end of the decision.[620] In this way, many people could not understand what the e-mail they received was about. Notifications by e-mail have been also sent to illiterate persons, as well as to persons residing in RIS accommodation. Additionally, the organisations observed that many asylum applicants were not aware of the formality of e-mail notification and how it affects deadlines.[621]

In **Lesvos, Kos and Chios**, since approximately the second quarter of 2022, an order for voluntary departure from the country – with a seven- or a 25-day deadline – was incorporated in the first instance negative decisions issued by the RAO.[622] In practice, a seven-day deadline is given with the "rejected as inadmissible" – first instance negative decisions, while a 25-day deadline is given with the "rejected as unfounded" – first instance negative decisions. This practice continued in 2024.[623] The voluntary departure order is provided by Article 22 paragraph 1 L.3907/2011, as it was amended by Article 3 L. 4825/2021.[624]

Following the amendment of Article 83(3) Asylum Code, the obligation to present oneself before the Appeal Committees remains waived for the appellants who are either under geographical restriction or reside in a Reception/Accommodation facility. In case the appellant cannot be represented by a lawyer or another authorised person/ consultant, a certification shall be submitted before the Appeal Authority. More specifically, for the appellants who reside in a Reception/Accommodation facility, a residence certification shall be issued in writing by the Director of the Reception/Accommodation facility, upon request by the appellant. This request should not be filed earlier than 3 days before the date of examination of the appeal. This certification confirms that the appellant resided in the facility on the day that the application for the certificate was filed. Appellants, against whom a geographical restriction is imposed must submit a written certification issued by the Police or a Citizens' Service Centre (*ΚΕΠ*) located at the area of the geographical restriction by the day before the examination of their appeal, confirming that they presented themselves before said authorities. The application for such a certificate must not be filed longer than two days before the date of the appeal's examination. In case the appellant does not submit the aforementioned certification, it is presumed that they have implicitly revoked their appeal according to Article 86 of Asylum Code.

Moreover, in case of *force majeure*, such as serious illness, serious physical disability or the case of an insurmountable impediment that made the in-person appearance of the appellant impossible, the obligation for the in-person appearance is suspended throughout the duration of the *force majeure*.[625] In these cases, the appellant needs to submit a relevant application, and invoke in a particular manner the incidents that constitute force majeure or unsurmountable impediment that made their appearance in-person impossible; the allegation needs to be proved with written documents and relevant certifications or certificates from a public service. In case the reasons constituting *force majeure* or insurmountable impediment are proven and under the condition that the appellant appears before the competent authorities, the consequences of the non-appearance are lifted.

However, it has been noted that for a considerable period following the above amendment, the information provided to the appellants by the RAOs regarding the issuance and submission of the residence certificates before the Appeals Authority was not accurate. Indeed, the written information provided within the 'Document – Proof of Submission of the Appeal'[626] explicitly stated that appellants are obliged to

620 Information acquired during the Lesvos LAsWG meeting, 29 October 2024.
621 Ibid.
622 Information acquired during the Lesvos LAsWG meeting, 28 June 2022, from the GCR lawyer based in Kos, and during GCR mission to Chios and visits to Chios RAO and Police Station, 24-26 May 2022.
623 Information acquired from the GCR lawyers based in Lesvos and Kos, and during GCR mission to Chios, 30-31 January 2024.
624 "1. The decision to return the third-country national may provide for a period of time for his/her voluntary departure, which shall be between seven (7) and twenty-five (25) days, subject to paragraphs. 2 and 4."
625 Article 83 paragraph 4 Asylum Code.
626 The Document – Proof of Submission of the Appeal is given to the applicant by the RAO personnel immediately after his/her appeal is lodged.

submit a residence certificate before the Appeals Authority up to the day before the examination of their appeal. No mention was made of the obligation to apply for the certificate no earlier than three days before the date of examination of the appeal. As a result, in several cases, appellants had submitted outdated residence certificates before the Appeals Authority, and, subsequently, in some of these cases, appeals were rejected by the Appeals Committee (with no examination either of the admissibility or the merits of the asylum applications) on the grounds of the submission of an out-of-date residence certificate by the Head of the RIC. GCR has introduced cases such as these before the Greek administrative courts. In May 2023, the Administrative Court of Athens annulled the decision of the 2nd Appeals Committee that had rejected an applicant's appeal on the grounds of the submission of an out-of-date residence certificate.[627] In March 2025, in a case legally represented by GCR, another application for annulment was discussed before the Administrative Court against a decision of an Appeals Committee that had rejected the appeals of a Syrian family on the grounds of the submission of an out-of-date residence certificate; the decision is still pending.[628]

Similarly, to the concerns raised under the Regular procedure as regards the severity of these new procedural requirements, serious concerns with regard to the effectiveness of the remedy and the risk of a violation of the principle of non-refoulement are also applicable to appeals in the context of fast-track border procedures.

Suspensive effect

Appeals before the Appeals Committees no longer have automatic suspensive effect as a general rule. The automatic suspensive effect of appeals depends on the type of decision challenged by the applicant (see Admissibility Procedure: Appeal and Accelerated Procedure: Appeal). With regard to applications rejected at first instance within the framework of the fast-track border procedure, the Asylum Code states, that a derogation from automatic suspensive effect of appeals can only be ordered provided that the individual benefits from the necessary assistance of an interpreter, legal assistance and at least one week to prepare and file a relevant application before the Appeals Committee reasoning why they should be granted with the right to remain in the Greek territory.[629]

It should be noted that Article 110(3) Asylum Code has incorrectly transposed Art 46(7) of the recast Asylum Procedures Directive. Instead of cross-referring to Article 110(2) Asylum Code on the categories of appeals stripped of automatic suspensive effect, Article 110(3) Asylum Code provides that "the possibility to derogate from the right to remain" may be applied in border procedures subject to requirements including interpretation, legal assistance and at least one week. Accordingly, the law incorrectly suggests that the derogation from the right to remain on the territory may be imposed in any decision taken in a border procedure, insofar as the above guarantees are complied with in practice in 2024, the derogation from the right to remain has been generally applied to the fast-track border procedure on the Eastern Aegean islands, including in "safe third country" cases which should have suspensive appeals according to the law.[630] In any case, as it has been already mentioned, where a separate application for suspension of removal is submitted in parallel with the appeal, the Appeals Committees proceed with the examination of the suspension application on the same day that the appeal is being examined.

Judicial review

The general provisions regarding judicial review, as amended in 2018 and 2019, are also applicable under the fast-track border procedure, as are concerns raised with regard to the effectiveness of the remedy (see Regular Procedure: Appeal).An application for annulment before the Administrative Court does not have automatic suspensive effect, even if combined with an application for suspension. Suspensive effect

627 Decision No AΔ940/31-5-2023 issued by the Administrative Court of Athens.
628 Application for Annulment no. AK687/2020, Administrative Court of Athens.
629 Article 110(3) Asylum Code.
630 According to input provided by RSA.

is only granted by a relevant decision of the Court. This judicial procedure before the Administrative Courts is not accessible to asylum applicants without legal representation.

According to practice, individuals whose appeals are rejected within the framework of the fast-track border procedure might be immediately detained upon notification of their second instance negative decision. In the past, and in particular until March 2020, this would mean that they would be at imminent risk of readmission to Türkiye. However, since readmissions remain frozen for the last three years, the detention of people with a second negative decision serves no purpose whatsoever and is considered a disproportionate measure, according to several Administrative Courts' decisions that upheld the "objections to detention" and ordered the detention to be lifted (see the Chapter on Detention).

In general, in 2024 and 2025 the Asylum Service registered subsequent asylum applications despite pending applications for annulment before the Administrative Court; both procedures can run in parallel.

Concerns regarding the effective access to judicial review for appellants whose appeal has been rejected within the framework of the fast-track border procedure, *i.e.*, who remain under a geographical restriction on the Aegean Islands or are detained on the Aegean Islands following the notification of the second instance decision, were not solved by the new Asylum Code, as the relevant Article 115(2) IPA remains in force.[631] More specifically, Article 115(2) IPA foresees that the First Instance Administrative Court of Athens is the competent Court for submitting legal remedies against second instance negative decisions of applications submitted on the Aegean islands. Thus, legal remedies of appellants who reside or are detained on the Aegean Islands, should be submitted by a lawyer before the Administrative Court of Athens. Considering the geographical distance and the practical obstacles (e.g., to appoint a lawyer able to submit the legal remedy in Athens), the possibility to submit legal remedies remains virtually inaccessible for most applicants.[632] Furthermore, applicants have to provide a notarised power of attorney in order to appoint a legal representative, which costs approximately 100 euros depending on the notary's fee. However, legal aid actors on the islands mention as a further impediment in the overall procedure, that most of the notaries operating on the islands refuse to provide the necessary services to the asylum applicants. This is a serious obstacle to the submission of legal remedies, especially for rejected applicants under geographical limitation on their island of arrival.

Given the constraints that individuals geographically restricted or detained in the Aegean Islands face vis-à-vis access to legal assistance, the fact that legal aid is not foreseen by law at this stage and that annulment applications can only be submitted by a lawyer, access to judicial review for applicants receiving a second instance negative decision within the framework of the fast-track border procedure is severely hindered.

5.4. Legal assistance

Indicators: Fast-track border procedure: Legal Assistance
☒ Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice?
   ☐ Yes ☐ With difficulty ☒ No
   - ❖ Does free legal assistance cover: ☐ Representation in interview
     ☐ Legal advice

2. Do asylum applicants have access to free legal assistance on appeal against a decision in practice? ☐ Yes ☒ With difficulty ☐ No
   - ❖ Does free legal assistance cover ☐ Representation in courts
     ☒ Legal advice

631 Article 148(a) Asylum Code.
632 See *mutandis mutandis* ECHR, *Kaak v. Greece,* Application No 34215/16, Judgement of 3 October 2019.

The Asylum Code does not contain special provisions regarding free legal assistance in the fast-track border procedure. The general provisions and practical hurdles regarding legal aid are also applicable in this case (see section on Regular Procedure: Legal Assistance).

State-funded legal aid is not provided for the fast-track border procedure at first instance. Therefore, legal assistance at first instance is made available only by NGOs based on capacity and areas of operation, while the scope of these services remains severely limited, bearing in mind the number of applicants subject to the fast-track border procedure.

In September 2023, the Athens Bar Association issued an opinion, clarifying that lawyers providing legal advice and assistance to persons arriving in Greece and wishing to apply for international protection – as well as interpreters used to enable communication – can in no way be construed as facilitating irregular entry or stay, in line with CJEU case law.[633] The opinion also pointed out that communication with such parties is covered by client-attorney privilege under lex specialis provisions of the Lawyers' Code of Conduct.[634]

From 16 February 2021 to date, and according to the final lists of the Ministry of Migration and Asylum concerning the Registry of the lawyers providing legal assistance to asylum applicants at the second instance, 24 lawyers were appointed on the islands. These lawyers have been appointed to provide free legal aid under the State-funded legal aid scheme at second instance as follows: 12 lawyers on **Lesvos**, 2 lawyers on **Samos**, 4 lawyers on **Chios**, 2 lawyers on **Kos**, 2 lawyers on **Rhodes**, and 2 lawyers on **Leros**.[635] Based on legal actors' observations, including GCR, however, there were usually not that many lawyers operational, due to administrative obstacles and issues. Additionally, lawyers appointed on the islands do not necessarily reside on the islands. Most of the times, the meetings between asylum applicants and lawyers were made through phone or video-call and not with physical presence.

Since June 2020, by decision of the administration of the Central Asylum Service, there has been a *"[p]rovision of legal assistance through video conference to the Regional Asylum Services of Leros, Samos, Chios and Lesvos due to increased needs in the provision of legal aid services in the second degree to applicants for international protection"*. As a result, some asylum applicants reported communication issues with their State-registered lawyers and the short duration of their preparation meetings.

In 2025, the total number of appeals lodged in Greece against first instance negative decisions was 12,552, of which only 423 were lodged before the islands' RAOs and the rest 12,129 in the mainland's RAOs.[636] There are no available statistics with regard to the number of cases for which free legal assistance from Registry Lawyers was requested in the Eastern Aegean Islands' RAOs.

As also mentioned in the Regular Procedure: Legal assistance no tailored State-funded free legal aid scheme exists for submitting judicial remedies before Courts against a second instance negative decision.

6. Accelerated procedure

6.1. General (scope, grounds for accelerated procedures, time limits)

The Asylum Code provides that the basic principles and guarantees applicable to the regular procedure also apply in the accelerated procedure and that "*the accelerated procedure shall have as a sole effect to reduce the time limits*".[637] The law does not provide for a general exemption of vulnerable applicants

633 Bar Association of Athens, Opinion No. 143, 11 September 2023. For more information in English, see ELENA, *Greece: Athens Bar Association's interpretation of the Greek Bar Code on guaranteeing the lawyer-asylum applicant relationship without criminalisation*, 12 September 2023, available at: https://bit.ly/3Ja4TCL.

634 Ibid.

635 MoMA, Decision No 1836/21, 16 February 2021.
MoMA, Statistics, *Consolidated Reports - Overview: December 2025 – International Protection | Appendix A*, https://tinyurl.com/26ynfarp, table 9a

637 Article 88 (2) Asylum Code.

from the accelerated procedure. The only exception regards UAM under the age of 15 who may be subjected to the accelerated procedure only under conditions (see further below). The wording of the law remains misleading, considering that the accelerated procedure entails exceptions from automatic suspensive effect and thereby applicants' right to remain on the territory. According to Article 88(4) Asylum Code, the examination of an application under the accelerated procedure must be concluded within 20 days, subject to the possibility of a 10-day exception.

The Asylum Service is in charge of issuing first instance decisions for both regular and accelerated procedures. An application is being examined under the accelerated procedure when:[638]

(a) the applicant during the submission of their application invoked reasons that manifestly do not meet the conditions of the status of refugee or of subsidiary protection;
(b) the applicant comes from a Safe Country of Origin;
(c) the applicant has misled the authorities by presenting false information or documents or by withholding relevant information or documents regarding their identity and/or nationality which could adversely affect the decision;
(d) the applicant has likely destroyed or disposed in bad faith of documents of identity or travel which would help determine their identity or nationality;
(e) the applicant has presented manifestly inconsistent or contradictory information, manifestly lies or manifestly gives improbable information, or information which is contrary to adequately substantiated information on their country of origin which renders their statements of fearing persecution unconvincing;
(f) the applicant submitted a subsequent application;
(g) the applicant has submitted the application only to delay or impede the enforcement of an earlier or imminent deportation decision or removal by other means;
(h) the applicant entered the country "illegally" (sic) or they prolong "illegally" their stay and without good reason, they did not present themself to the authorities or they did not submit an asylum application as soon as possible, given the circumstances of their entrance;
(i) the applicant refuses to comply with the obligation to have their fingerprints taken in accordance with Regulation (EU) No 603/2013.
(j) the applicant may be considered on serious grounds as a threat to the public order or national security; or
(k) the applicant refuses to comply with the obligation to have their fingerprints taken according to the legislation.

Exceptionally, asylum applications of unaccompanied minors shall be examined in accordance with the accelerated procedure only if:[639]

a. the unaccompanied minor comes from a country included in the list of safe countries of origin pursuant to par. Article 92 of the Asylum Code; or
b. the unaccompanied minor has submitted a subsequent application and the preliminary examination, pursuant to par. 2 of Article 94 of the Asylum Code, has not shown the existence of new essential elements; or
c. the unaccompanied minor is considered, for serious reasons, to be a danger to the national security or public order of the Member State, or has been forcibly removed for serious reasons of national security or public order.

In 2025, 8,328 asylum applications – examined under an accelerated procedure - were rejected at first instance.[640]

638 Article 88 (9) Asylum Code.
639 Art 88(10) Asylum Code.
640 MoMA, Statistics, *Consolidated Reports - Overview: December 2025 – International Protection | Appendix A*, https://tinyurl.com/26ynfarp table 8a

6.2. Personal interview

Indicators: Accelerated Procedure: Personal Interview
☒ Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the accelerated procedure? ☒ Yes ☐ No
   - ❖ If so, are questions limited to nationality, identity, travel route? ☐ Yes ☒ No
   - ❖ If so, are interpreters available in practice, for interviews? ☒ Yes ☐ No

2. Are interviews conducted through video conferencing? ☐ Frequently ☐ Rarely ☒ Never

The conduct of the personal interview does not differ depending on whether the accelerated or regular procedure is applied (see section on Regular Procedure: Personal Interview).

6.3. Appeal

Indicators: Accelerated Procedure: Appeal
☐ Same as regular procedure

i. Does the law provide for an appeal against the decision in the accelerated procedure?
☒ Yes ☐ No
   - ❖ If yes, is it ☐ Judicial ☒ Administrative
   - ❖ If yes, is it suspensive ☒ Yes ☐ Some grounds ☐ No

Since the entry into force of the IPA, the time limit for lodging an appeal against a decision in the accelerated procedure is 20 days,[641] as opposed to 30 days in the regular procedure. The Appeals Committee must reach a decision on the appeal within 20 days of the examination.[642]

Appeals in the accelerated procedure in principle do not have automatic suspensive effect (see Suspensive Effect).[643] The Appeals Committee decides on appeals in the accelerated procedure and on appeals against manifestly unfounded applications in single-judge format.[644]

In 2025, 1,526 negative decisions were issued at second instance - rejected as manifestly unfounded (safe country of origin).[645]

641 Article 97(1)(b) Asylum Code.
642 Article 106(1)(b) Asylum Code.
643 Article 110(2)(e) Asylum Code, citing Article 88 (9) & (10) Asylum Code.
644 Article 116(7) IPA that remains in force according to Article 148(a) Asylum Code.
645 MoMA statistics, *Consolidated Reports - Overview: December 2025 - International Protection | Appendix A*, available https://tinyurl.com/26ynfarp , table 8b, 8.

6.4. Legal assistance

Indicators: Accelerated Procedure: Legal Assistance
☐ Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice?
   ☐ Yes ☐ With difficulty ☒ No
   ❖ Does free legal assistance cover: ☐ Representation in interview
   ☐ Legal advice

2. Do asylum applicants have access to free legal assistance on appeal against a decision in practice? ☐ Yes ☒ With difficulty ☐ No
   ❖ Does free legal assistance cover ☐ Representation in courts
   ☒ Legal advice

The same legal provisions and practice apply to both the regular and the accelerated procedure (see Regular Procedure: Legal Assistance).

7. National protection statuses and return procedure

7.1. National forms of protection

There is no specific national protection status in Greece for persons entering the Greek territory without a valid visa. However, under strict conditions, Law 5038/2023 provides for certain residence permits that may be granted to persons residing irregularly in Greece. These permits are intended for narrowly defined vulnerable groups with specific needs and are regulated primarily under Article 134 of Law 5038/2023.

Article 134(1) establishes the possibility of granting residence permits on humanitarian grounds to spouses of Greek nationals in cases of separation of cohabitation, to individuals recognised for acts of social goodwill, to victims of labour accidents, victims of domestic violence, victims of crimes with racist characteristics, as well as victims of criminal acts. Paragraph 134(2a) provides for residence permits for victims of human trafficking, whereas paragraph 134(2b) concerns victims of abusive labor conditions. The protection of minors is addressed in paragraph 134(4a αα) for minors incapable of managing their affairs, paragraph 134(4a αγ) for minors placed in foster families, paragraph 134(4a αβ) for minors under guardianship, and paragraph 134(4b) for minors residing in institutions. Furthermore, paragraph 134(1) extends to persons undergoing therapeutic programs for mental dependency.

The residence permit for extraordinary reasons, which was previously regulated under Article 134(5) of Law 5038/2023 and available to individuals residing irregularly in Greece for over seven years, was abolished by Article 29 of the recent legislative draft (σχέδιο νόμου),[646] except for applicants who are parents of Greek citizens. This permit was not available for recent arrivals and thus did not serve as a legalisation mechanism for newly entered irregular migrants.

Thus, the current legal framework reflects a restrictive but focused approach, whereby residence permits without a valid visa are granted only to narrowly defined groups under specific humanitarian or exceptional conditions as provided in Article 134 of Law 5038/2023.

7.2. Return procedure

Pursuant to Article 87(8) of Law 4939/2022, "*the decision rejecting the application for international protection shall also order the return of the applicant, in accordance with the provisions of Law 3907/2011 or Law 3386/2005, as applicable*".

646 17 July 2025, available at: https://www.opengov.gr/immigration/?p=1844.

The relevant Chapters (C, D, E, and F) of Law 3907/2011 were abolished upon the publication of Law 5226/2025 – in accordance with the transitional provision of Article 40 –. Specific matters regarding returns are now governed by the aforementioned Law 5226/2025, as in force since its publication in the Government Gazette A' 154/08.09.2025.

Aritcle 6 provides for the obligation for authorities to take into account the Principle of *non-refoulement*, best interests of the child, family life, and health status of the individual when implementing relevant provisions (Article 5 of the Return Directive).

The AS and the Appeals Committee, in practice, include an order for the return of the person that has had their application rejected on the merits. These authorities can order the return, while the execution of the return falls uder the responsibility of the competent Aliens Directorates of the Hellenic Police.

This procedure should not be confused with the deportation procedure prescribed by Law 3907/2011 and now 5226/2025. This procedure is initiated, ordered and completed by Police Authorities upon the arrest of an undocumented individual – prior to an asylum application being made or for persons that do not wish to apply- and while remaining in Pre-removal detention.

Since appeals before the Appeals Committees no longer have an automatic suspensive effect as a general rule (see Admissibility Procedure: Appeal and Accelerated Procedure: Appeal), in theory the execution of the decision ordering the return could occur any minute prior to the appeal. Nonetheless, in practice it has not been noted to affect the individual's opportunity to appeal, particularly in cases were the individual is not arrested or confined.

According to the statistics of the MoMa, during 2025[647] there were 2,464 forced returns. Nonetheless, the numbers refer only to *forced returns* (deportations). Alsoaccording to the statistics provided to GCR by the Police Authorities regarding 2025, there were 2,464 forced returns.

According to the MoMA,[648] returns under the Return Directive (decision to return with the deadline for voluntary departure, asylum withdrawals, etc.) fall under the title of "*Voluntary Returns"* and were a total of 1,240 cases in 2025. Voluntary returns assisted by IOM form a different category of voluntary returns and correspond to an additional 2,032 cases.

Consequently, according to the Ministry of Citizen Protection, the number of returns during 2025 were 5,736.[649]

D. Guarantees for vulnerable groups

1. Identification

Indicators: Special Procedural Guarantees

1. Is there a specific identification mechanism in place to systematically identify vulnerable asylum applicants? ☒ Yes ☐ For certain categories ☐ No
   - ❖ If for certain categories, specify which:

2. Does the law provide for an identification mechanism for unaccompanied children? ☒ Yes ☐ No

According to Article 1(λγ) Asylum Code, the following non-exhaustive groups are considered as vulnerable:

647 MoMA, Statistics, *Consolidated Reports - Overview: December 2025 – International Protection | Appendix A*, https://tinyurl.com/26ynfarp table 17.
648 MoMA, Statistics, *Consolidated Reports - Overview: December 2025 – International Protection | Appendix A*, https://tinyurl.com/26ynfarp table 17.
649 Information provided by the Directorate of the Hellenic Police, 6 March 2026.

> 'children; unaccompanied children; direct relatives of victims of shipwrecks (parents, siblings, children, spouses); disabled persons; elderly; pregnant women; single parents with minor children; victims of human trafficking; persons with serious illness; persons with cognitive or mental disability and victims of torture, rape or other serious forms of psychological, physical or sexual violence such as victims of female genital mutilation.'

According to Article 62(2) Asylum Code, '[t]he assessment of vulnerability shall take place during the identification process, the registration process and the medical screening of the Article 41 without prejudice to the assessment of international protection needs'. According to Article 62(4) of the Asylum Code '[o]nly persons belonging to vulnerable groups are considered to have special reception needs and thus benefit from the special reception conditions'. Article 62(3) of the Asylum Code provides that '[…] the special condition of applicants, even if it becomes apparent at a later stage of the examination of the application for international protection, is taken into account throughout this procedure […]'.

According to Article 77(3) Asylum Code:

> […] Upon completion of the medical and psychosocial assessment, the [Medical Screening and Psychosocial Support] Unit of the RIC […] shall inform the Head of the competent RAO. The above-mentioned assessment is also notified to the Manager of the RIC. That assessment shall have as only consequence the immediate provision of special reception conditions and special procedural guarantees to the applicant.

According to Article 72(1) Asylum Code relating to special procedural guarantees:

> The Receiving Authorities shall assess within a reasonable period of time after an application for international protection is submitted, or at any point of the procedure the relevant needs arise, whether the applicant requires special procedural guarantees, due to –among others- their age, gender, sexual orientation, gender identity, psychological disorder or because they are a victim of torture, rape or other serious forms of psychological, physical or sexual violence.

A new General Secretariat for Vulnerable Persons and Institutional Protection (GSVPIP) falling under the responsibilities of the Deputy Minister of Migration and Asylum was established with Article 6(1) of P.D. 77/2023 (A' 130/ 27-06-2023) to which the services of the Special Secretariat for the Protection of Unaccompanied Minors of Article 39 of the P.D. 106/2020 were transferred.[650]

The number of vulnerable persons registered by the RIS during the 12 months of 2025 throughout the country stood as follows:

	Border RICs	Mainland facilities	Total
Unaccompanied minors	971	1,742	2,713
Single parent families with minor children	1,986	468	2,454
Victims of Torture	2,613	4,609	7,222
Persons with serious illnesses	654	294	948
Pregnant women – postpartum women	428	79	507
Persons with disabilities	249	115	364

650 For more information, see MoMA's General Secretariat for Vulnerable Persons and Institutional Protection, home webpage, available at: https://tinyurl.com/2u63bw7y.

Separated Minors	189	44	233
Elderly persons (>65)	157	16	173
Victims of human trafficking	196	349	545
Persons with intellectual and mental disabilities	121	25	146
Immediate relatives of shipwreck survivors	37	3	40
Total	**7,601**	**7,744**	**15,345**

Source: MoMA, *Registered Third-country nationals/stateless persons in Regional Units (CCAC / RIC) of Islands and Fylakio of the RIS for January – December 2025* and *Registered and Third-country nationals/stateless persons in Regional Units (RIC/MURCT) in Mainland of the RIS for January – December 2025*, both available at: https://migration.gov.gr/en/statistika/.

In what concerns children in particular:

- The number of children registered by the RIS in 2025 amounted to 10.498. The majority were registered at border RICs/CCACs (70,2%) 7.693 and the rest on the mainland. (29,8%) 2805 [651]
- The number of unaccompanied children registered by the RIS during the same period stood at 2.713, meaning 1 in 4 children arrived in Greece unaccompanied during the time.[652]
- The number of first and second instance decisions granting refugee status and subsidiary protection to children throughout the year amounted to 8,640 (8,088 granting refugee status and 552 subsidiary protection).[653]
- The number of first instance decisions granting refugee status and subsidiary protection to UAMs throughout the year stood at 449 (402 granting refugee status and 47 granting subsidiary protection), of which 352 concerned male UAMs and 97 female UAMs.[654]

1.1. Screening of vulnerability

1.1.1. Vulnerability identification in the border regions

According to the law, the identification of vulnerability of individuals arriving at the border regions shall be carried out either by the RIS before the registration of the asylum application or during the asylum procedure.[655]

Vulnerability identification by the RIS

According to Article 41 Asylum Code regarding registration and medical examination, in the context of reception and identification procedures carried out by the RIS:

> 'The third stage of the reception and identification procedure regarding "Registration and Medical Examination" includes: […] d) the care for those who belong to vulnerable groups, so that they are provided with specialized care and protection. In particular, the Manager of the Reception and

651 MoMA, *Registered Third-country nationals/stateless persons in Regional Units (CCAC / RIC) of Islands and Fylakio of the RIS for January – December 2025* and *Registered Third-country nationals/stateless persons in Regional Units (RIC/MURCT) in Mainland of the RIS for January – December 2025*, both available at: https://migration.gov.gr/en/statistika/.

652 *Ibid*.

653 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 11d.

654 *Ibid* Table 11f.

655 Articles 41 & 80(3) of the Asylum Code for vulnerability identification by RIS and Articles 62(5), 72(1, 3), 77(3) and 80(3) for vulnerability identification in the asylum procedure.

> Identification Centre (RIC) or the Closed Controlled Access Centre (CCAC) or Unit, acting on a reasoned proposal of the competent medical staff of the Reception and Identification Centre or the Closed Controlled Access Centres, shall refer persons belonging to vulnerable groups to the competent, based on each case, public institution of social support or protection. A copy of the medical screening and psychosocial support file is transmitted to the Head of the institution where the person resides or is being referred. In all cases, the continuity of the medical treatment followed shall be ensured, where necessary. The assessment that a person is vulnerable shall have as only consequence the immediate provision of special reception conditions.'

According to Article 80 (3) of the Asylum Code regarding applications of UAMs: 'In case of doubt, the competent Receiving Authorities shall refer the unaccompanied minor to age assessment procedures as per the provisions in force. In cases the above-mentioned referral is considered necessary and until the completion of the procedure, special attention should be paid to the particular characteristics of the minor, especially those related to their gender or cultural peculiarities' (see below).

Based on data published by the MoMA, the number of those registered as vulnerable by the RIS at the borders during 2025 stood as follows:[656]

Vulnerability category	Number of persons
Unaccompanied minors	971
Single parent families with minor children	1,986
Victims of Torture	2,613
Persons with serious illnesses	654
Pregnant women – postpartum women	428
Persons with disabilities	249
Separated Minors	189
Elderly persons (>65)	157
Victims of human trafficking	196
Persons with intellectual and mental disabilities	121
Immediate relatives of shipwreck survivors	37
Total	**7,601**

The number of persons identified as vulnerable after conclusion of the reception and identification procedures and the number of persons identified as vulnerable after re-examination was not available. Moreover, no information was provided regarding the competent authority to cover the expenses in cases where transfer to another island was necessary for the vulnerability assessment.

The low quality of the process of medical and psychosocial screening, if any, has remained a source of serious concern also in 2025, since no positive developments occurred.

As stated in AIDA report for 2022,[657] vulnerabilities are often missed, with individuals going through the asylum procedure without having their vulnerability assessment completed first. Equal Rights Beyond Borders, HIAS Greece and RSA have reported that:

> [s]evere delays persist when it comes to conducting vulnerability assessments even after the reception and identification procedure formally ends: The time delay ranges from ten days to

656 MoMA, *Registered Third-country nationals/stateless persons in Regional Units (CCAC / RIC) of Islands and Fylakio of the RIS for January – September,* available at: https://migration.gov.gr/en/statistika/.

657 ECRE, *AIDA, Country Report: Greece, 2022 Update*, June 2023, available at: https://bit.ly/3PUOVk9.

> longer than three months in some cases. Yet, the Asylum Service and EUAA continue to process asylum claims before individuals have undergone a vulnerability assessment, and routinely disregard or deny special procedural guarantees afforded by EU law, even where they are specifically requested by the applicants in writing and/or orally prior to the interview. They instead insist on completing the interview under the border procedure. The medical cards issued to people undergoing reception and identification procedure do not clearly indicate whether and when a vulnerability assessment was conducted.[658]

The organisations further report that:

> [o]n the one hand, the RIS consistently issues referrals of the individuals concerned to the competent authorities (i.e., the Asylum Service and Hellenic Police) stating that the reception and identification procedure has been completed without a finding of vulnerability. On the other hand, the exact date of the medical check and vulnerability assessment is not marked in the case file of the person. The Foreigner's Medical Card (Κάρτα Υγείας Αλλοδαπού) issued on the day the reception and identification procedure takes place automatically carries that same date. The card may be amended following an assessment, in which case a re-issuance date is indicated. However, this is not necessarily the date on which the vulnerability assessment takes place. This means that asylum applicants are referred to the Asylum Service with a Medical Card which in most cases precedes the actual medical check and vulnerability assessment.[659]

Based on GCR's information from the field, in 2024 and 2025, the main problems arising in the context of Reception and Identification procedures continued and included the lack or complete absence of psychosocial assessment, the difficulties in carrying out referrals from RIS to public hospitals, the low quality of the medical screening and psycho-social support, the classification of vulnerability and non-vulnerability and the lack of information on the outcome of the procedure.[660] As mentioned in the Regular procedure and Fast-track border procedure, many asylum applicants continue being forced to attend their personal interview with the Asylum Service without a prior assessment of their vulnerability, including pregnant women.

RSA reported that according to information obtained by the RIS, as of 11 November 2024 in the CCAC of Kos, Leros, Lesvos, Samos and Chios, there were only 2 doctors in Lesvos (a general doctor and a gynecologist), 6 psychologists except in the CCAC of Kos, 9 social workers, 25 nurses, 2 midwifes and 2 radiologists in Lesvos and Samos.[661]

As per the same report:

> Critical gaps in medical personnel in the Medical Control and Psychosocial Support Units in the CCAC therefore persist even after the completion of the PHILOS programme at the end of June 2024 – at that time there were only two doctors on Lesvos and two on Leros for first-line health care and psychosocial support. The HIPPOCRATES programme implemented by the International Organisation for Migration (IOM) was launched in September, however, serious gaps remain in staffing of positions in the CCAC. Staff would not suffice to cover the population in the facilities even if all advertised positions were filled. […] The absence of doctors entails more than an inability of the state to deliver absolutely necessary medical care to the thousands of people living in the island facilities. It also poses a serious barrier to screening procedures which by law include a medical check and vulnerability assessment prior to the registration of an asylum application. The lack of medical staff is particularly critical for vulnerable cases with chronic and serious illnesses, such as diabetic patients. Furthermore, it renders connection with and referral

658 Equal Rights Beyond Borders, HIAS Greece & Refugee Support Aegean, *The state of the border procedure on the greek islands*, September 2022, available at: https://bit.ly/40VTZrM, p. 4.
659 *Ibid.*, p. 15.
660 For a detailed description of the issues during the procedure of the vulnerability assessment, See ECRE, AIDA, Country Report: Greece, 2021 Update, May 2022, available at: https://bit.ly/3MRVkLf.
661 RSA, *Refugee facilities on the Aegean islands*, 10 December 2024, available at: https://tinyurl.com/s9r9nzaj.

to second- and third-line health care impossible, while all the islands hosting a CCAC suffer from seriously understaffed hospitals.

Chios: In Chios CCAC (Vial camp), the Medical Unit has no doctor since March 2021. As noted by RSA[662]: as of 11 November 2024, "*the facility employs six nurses, two midwives, three social workers, and two psychologists. Nurses handle medical documentation and forward it to a doctor who signs the medical records. Primary healthcare services are unavailable in the afternoons and on weekends, so even minor emergencies must be referred to the understaffed Chios hospital by police or emergency medical services. Psychosocial evaluations are nearly impossible due to the severe shortage of interpreters, who must focus on urgent needs (e.g. interpretation for the custody of minors)".* According to information provided by UNHCR in December 2024, a part-time pediatrician was also active in the camp.[663]

Samos: Serious shortcomings in identifying vulnerabilities continued in 2024. As noted by RSA:

> Our meetings with refugees confirmed severe deficiencies in identifying, supporting and further assessing vulnerable populations, a clear consequence of the medical staff shortages. Asylum seekers attend their asylum interviews without prior vulnerability assessments. Often, this process is postponed until later stages, after first registration, either upon referral by NGO lawyers who happen to represent vulnerable asylum seekers or during the asylum interview by the Asylum Service. Among those we met, only one survivor of a shipwreck, whose pregnant partner drowned, was referred to a psychologist. A heavily pregnant woman who had been hospitalised upon arrival was not identified as vulnerable. Similarly, a single male survivor of torture requested to speak with a psychologist from the CCAC but had not received assistance as of our visit date.[664]

As further reported by the organisation I Have Rights, "[t]he camp, with a 3,600-place capacity, had 4,600 people in mid-Nov 2024 and is expected to exceed 5,000 by the end of the year. As of 7 Nov 2024 the CCAC had 1,433 unregistered persons. This results in severe delays in registration and in people waiting at least one month to receive an asylum seeker's card. […]. The camp has no doctor, only a pediatrician from the Red Cross." [665]

Kos: RSA reports insufficient medical care and inadequate vulnerability assessments during 2024.

> For the past two years, no permanent doctor has been stationed in the CCAC. Medical needs are covered sporadically by visiting doctors from other areas and a military doctor. The Reception and Identification Service' response to us (as of 11/11/2024) confirmed that the CCAC employs only three nurses and two social workers, but no doctors. At the General Hospital-Health Centre of Kos "Hippocrates," located 15 km from the CCAC, there are significant long-standing shortages in key medical specialties – for instance, no permanent pathologist or cardiologist is available. Only one hospital ambulance is staffed and operational. The hospital faces additional pressure during the summer months due to increased tourist activity. Since August 2024, Médecins Sans Frontières (MSF) has been active outside the CCAC, as well as once weekly outside the hospital, providing medical services to both refugees and locals. Additionally, the island hosts a mobile volunteer medical team from Medical Volunteers International (MVI), offering basic emergency care. Due to the lack of medical staff, the mandated medical screening processes and vulnerability assessments are not conducted. For instance, an asylum seeker with diabetes remained in the centre for about two months without receiving proper medication to manage his condition. In one case legally represented by RSA, no vulnerability assessment was performed for a survivor of torture, even after a formal request by our lawyers.[666]

Leros: As reported by RSA, during 2024:

662 RSA, *Chios*, 10 December 2024, available at: https://rsaegean.org/en/chios-2024/.
663 Information obtained during Legal Aid Working Group meeting, 4 December 2024.
664 RSA, *Samos*, 10 December 2024, available at: https://rsaegean.org/en/samos-2024/.
665 Information obtained during Legal Aid Working Group meeting 4 December 2024.
666 RSA, *Kos,* 10 December 2024, available at: https://rsaegean.org/en/kos-2024/.

> [t]he provision of medical services in the Leros CCAC is severely inadequate. The response we received from the Reception and Identification Service (RIS) (on 11/11/2024) confirms that the facility has no doctor. The medical staff comprises only six nurses, one midwife, one psychologist, and one social worker. Medical screening is carried out by the RIS medical unit, involving nurses and periodic visits by doctors to the island. This arrangement means that medical assessments for newly arrived individuals are essentially unavailable, making it impossible to identify potential vulnerabilities. Furthermore, due to the lack of personnel, accessing medical assistance for residents is extremely challenging.
>
> The staffing shortages render diagnosis, monitoring, and assistance for individuals with serious or chronic health conditions unfeasible. For example, in two cases of individuals with medical issues, RSA lawyers formally requested medical assessments and vulnerability evaluations. Although the CCAC administration referred these individuals to the Medical Control and Psychosocial Support Unit, no such assessments have taken place to date. One of these cases involved an individual blind in one eye and experiencing vision problems in the other, who had not been examined by a doctor since arriving in Greece in late July, with their health issues remaining unaddressed. When the individual sought help independently at the hospital, they were informed that medical examinations require a referral from the CCAC.
>
> Refugees reported to us that hospital referrals, even for unaccompanied minors, are made only in very severe cases. Meanwhile, the Leros hospital itself faces significant staff shortages.[667]

In December 2024 METAdrasi and Equal Rights Beyond Borders noted that there were 750 unregistered persons beyond the 25-day time limit in CCAC of Leros. Numbers were higher and had reached 1,000 previously. People are allowed to exit after the 25-day period but without any rights, health care etc. The CCAC has no doctor to perform medical checks and is serviced by a doctor performing three-day missions, mainly to sign health cards and occasionally to offer care to urgent cases.[668]

Lesvos: Shortages in Medical and Psychological Support have continued during 2024. As reported by RSA:

> [s]erious shortages in medical and healthcare staff are evident in the Lesvos CCAC. According to the Reception and Identification Service' s response to us (as of 11 November 2024), there is only one general practitioner, one gynaecologist, two midwives, six nurses, one laboratory technician, two psychologists, and one social worker in the CCAC. Newly arrived individuals undergo a basic medical check-up, while no psychosocial evaluation is conducted. Even individuals with obvious vulnerabilities are not identified. Furthermore, medical staff only work during business hours, leaving the facility without a doctor at night or on weekends. NGOs attempt to fill this gap, but this complicates prescriptions and referrals, as only certified Greek doctors can issue them. The Vostanio Hospital in Lesvos is also severely understaffed. There is currently no active child psychiatrist on the island, making it impossible to identify minors with mental health vulnerabilities.[669]

Summing up, according to the data provided by the MoMA to the Greek Parliament, druring 2024 only 29 doctors were employed across all camps managed by the RIS, averaging just one doctor per 635 people among the 18,412 residents. Furthermore, 13 of the 32 camps, including some housing hundreds or even thousands of residents on 30 June 2024, such as Samos (2,255 residents), Kos (1,263 residents) and Katsikas (789 residents), have no doctors at all. Camps without doctors at all include Samos, Kos, Chios, Corinth, Kyllini, Pyrgos, Volos, Serres, Katsikas, Filippiada, Alexandria, Vagiochori, and Sintiki.[670] In the islands' CCACs, only 2 doctors were employed in Lesvos CCAC, while Samos, Kos, Leros and Chios CCACs have no doctors at all.[671]

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667 RSA, *Leros,* 10 December 2024, available at: https://rsaegean.org/en/leros-2024/.

668 Information obtained during Legal Aid Working Group meeting of 4 December 2024.

669 RSA, *Lesvos*, 10 December 2024, available at: https://rsaegean.org/en/lesvos-2024/.

670 RSA, Persisting severe reception deficiencies in understaffed camps, 5 September 2024, https://rsaegean.org/en/stats-reception-of-asylum-seekers-jun-24/

671 GCR Submission to the Committee of Ministers of the Council of Europe concerning the execution of the M.S.S. v. Greece Group of cases - April 2025 available here pp 61 -

During 2025,[672] in a report concerning the first half of 2025, RSA reported that "*at the end of June 2025, 19,065 people resided in camps ("facilities") managed by the Reception and Identification Service (RIS) of the Ministry of Migration and Asylum throughout Greece. This includes five Closed Controlled Access Centres (CCAC) on the islands, three Reception and Identification Centres (RIC) and 22 Controlled Temporary Reception Centres for asylum seekers (CTRC) on the mainland. At the end of 2024, the RIS reception system counted 27,100 residents. (…) Figures made available in Parliament confirm persisting gaps in the staffing of medical and psychosocial services in camps, within the framework of the "Hippocrates" programme, despite a slight increase from the end of last year. A total of 60 doctors were deployed throughout the RIS camps, compared to 54 at the end of 2024. This corresponds to one doctor per 317 residents, in view of the total population of 19,065 residents. Camps such as Filippiada, Veria, Kyllini and Pyrgos had no doctor at all*".

Additionaly, RSA reported that the number of interpreters deployed in RIS camps was 128 as of 30 June 2025. Since then, however, interpretation services in camps have been halted indefinitely yet again. The absence of interpretation inevitably means a lack of access to necessary services such as health care[673].

Based on GCR's and partners' observations, asylum claims are frequently examined before vulnerability assessments are carried out, and, in any case, the outcome of the latter are often not communicated to the Asylum Service before it issues its decision on the application.

The lifting of the geographical restriction (see also Reception Conditions – Freedom of Movement).

Under the Asylum Code (and previously the IPA), the recognition of vulnerability of asylum applicants has no bearing on the asylum procedure under which their application is examined. Therefore, vulnerable groups, even when identified as such, are no longer referred to the Regular procedure, unless it is proven that no appropriate health care regarding their individual medical problem is available on the island where they reside (see below). In such cases, the geographical restriction imposed upon arrival is lifted and the applicant is transferred or allowed to travel to the mainland. Therefore, the exemption of vulnerable individuals from the Fast-Track Border procedure has become much more difficult.

In particular, the movement of asylum-applicants who entered Greece through the islands of Lesvos, Chios, Samos, Kos, Leros, and Rhodes during 2023 is limited to within their respective island ('geographical restriction'), as per Ministerial Decision 1140/2.12.2019 (GG B' 4736/20.12.2019) in force since 1 January 2020.[674] Greek law transposes Article 7 RCD, allowing Member States to impose a restriction of movement to asylum-applicants within a specific area, provided that it does not affect their unalienable sphere of private life and that it allows sufficient scope for guaranteeing access to all the benefits granted under the Directive. Until 31 December 2019, the geographical restriction could be lifted, *inter alia*, in respect of vulnerable persons. Following amendments to the law, since 1 January 2020, the geographical restriction may *inter alia*[675] be lifted by a decision of the Manager of the RIC for vulnerable

672 RSA, *Reception & refugee camps in Greece in the first half of 2025, available at: https://tinyurl.com/4932a2uz*
673 RSA, *Reception & refugee camps in Greece in the first half of 2025, available at: https://tinyurl.com/4932a2uz*
674 This act is based on Article 45 L. 4636/2019. It is worth noting that the act mentions that the geographical restriction is necessary for the implementation of the EU-Türkiye statement.
675 Except for the case of vulnerable persons and persons in need of special reception conditions, the geographical restriction may be lifted in the case of: a. unaccompanied minors; b. persons falling under the family reunification provisions of Articles 8-11 of Dublin Regulation, only after the person is accepted by the concerned member state; and c. persons whose applications for international protection are reasonably considered to be founded.

persons or persons in need of special reception conditions if appropriate support may not be provided within the area of restriction,[676] without sufficiently describing what such appropriate support entails.[677]

The number of decisions to lift geographical restrictions per RIC and per category of vulnerability (or other cases) in 2024 is not publicly available, nor was it provided by the MoMA following GCR's relevant request.

Vulnerability identification in the asylum procedure

According to Article 77 (3) of the Asylum Code:

> 'During the Reception and Identification procedure or the border procedure of Article 95 of this law, the Receiving Authorities or the Decision Authorities and especially the Regional Asylum Offices or the Autonomous Asylum Units shall refer the applicant for international protection to doctors of Public Hospitals or Public Mental Health Institutions or other contracted physicians or the Medical Screening and Psychosocial Support Unit of the RIC for the vulnerability assessment under the Article 41 of this law. Upon the completion of medical and psychosocial assessment, the Unit, acting on a written motivated proposal, shall inform the Head of the competent RAO. The above-mentioned proposal is also notified to the Manager of the RIC. That assessment shall have as only consequence the immediate provision of special reception conditions and special procedural guarantees to the applicant.'

According to Article 80 (3) of the Asylum Code *'[i]n case of doubt, the competent Receiving Authorities shall refer the unaccompanied minor to the age assessment procedures as per the provisions in force. In case the above-mentioned referral is considered necessary and until the completion of the procedure, special attention should be paid to the particular characteristics of the minor, especially those related to their gender or cultural peculiarities.*'

Article 72(1) of the Asylum Code provides that:

> '[t]The Receiving Authorities shall assess within a reasonable time after the application for international protection is lodged or at any point of the procedure the relevant need arises, whether the applicant requires special procedural guarantees as a consequence, inter alia, of age, gender, sexual orientation, gender identity, mental disorders or as a consequence of torture, rape or other serious forms of psychological, physical or sexual violence'. According to Article 72(3) of the Asylum Code 'When adequate support cannot be provided [to the applicants] within the framework of the accelerated procedure (Article 83 (9) IPA) and border procedure (Article 90 IPA), especially when the applicant needs to be provided with special procedural guarantees as a consequence of torture, rape or other forms of serious psychological, physical or sexual violence, the abovementioned procedures do not apply or cease to apply […]'.

Also, according to Article 62 (5) of the Asylum Code *'[i]n case the competent Authorities identify victims of human trafficking, they are obliged to inform as soon as possible the National System of Recognition and Referral of Victims of Human Trafficking in accordance with the Articles 76 and 79 L. 4781/2021'*. Greece is not fully aligned with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, in particular regarding the issue of consent, as highlighted by CEDAW.[678]

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676 See Article 67 (2) L. 4636/2019 and Article 2 (d) of the Ministerial Decision 1140/2.12.2019.

677 According to Article 67 (2) L. 4636/2019, '[w]here applicants have been identified as applicants in need of special procedural guarantees, they shall be provided with adequate support in order to allow them to benefit from the rights and comply with the obligations of this Part throughout the duration of the procedure. Forms of adequate support shall, in particular, consist of additional break times during the personal interview in accordance with Article 77, allowing the applicant to move during the personal interview if this is necessary because of his or her health condition, as well as showing leniency to non-major inaccuracies and contradictions, where these are related to his/her health condition.'

678 Committee on the Elimination of Discrimination against Women, *Concluding observations on the combined eighth and ninth periodic reports of Greece (29 January–16 February 2024)*, United Nations CEDAW/C/GRC/CO/8-9, available here.

Despite these provisions, the shortage of medical and psychosocial care makes it extremely complicated and sometimes impossible for people seeking asylum to be (re-)assessed during that process. Following the medical and psychosocial assessment, the medical psychosocial unit of the RIC should inform the competent RAO or AAU of the Asylum Service.

As mentioned above, due to significant gaps in the provision of reception and identification procedures in 2024 and 2025 owing to a significant understaffing of medical units and other issues, GCR has found that for a considerable number of applicants the asylum procedure was initiated without a proper medical screening and/or a psychosocial assessment having been concluded.

Accordingly, where vulnerability is not identified before the asylum procedure, the initiation of a vulnerability assessment and further referral for vulnerability identification depends to a great extent on the discretion of the caseworker. However, according to GCR's observations, the referral for further medical/psychosocial screening by the caseworker after the first instance interview before the competent RAO is not common practice.

Also, according to GCR's knowledge, the understaffing of State authorities in combination with the constant pressure to process more asylum applications more quickly, resulted in a serious undermining of procedural legal safeguards and thus to decisions of poor quality and unjustified rejections in many cases. GCR has documented, from reports from the field, many cases in which the asylum interview took place before the medical examination of the asylum applicant, thus impacted negatively on the outcome of the asylum cases.

As far as GCR is aware, also in 2025 Article 72(3) of the Asylum Code (exemption from the fast-track border procedure and referral to the regular procedure due to vulnerability) was not applied by the Asylum Service without a prior lifting of the geographical restriction. It was also noted that after the lifting of the geographical restriction for reasons not related to vulnerability, Article 72(3) of the Asylum Code was applied in several cases by the Asylum Service and the case was referred to the regular procedure without the person being identified as vulnerable. If the interview of first instance had already been conducted before the decision to lift the geographical restriction and the referral to the regular procedure due to vulnerability, it was not conducted again in accordance with the guarantees provided by Article 72(2) of the Asylum Code. For further information on the geographical restriction, see chapter on Reception Conditions – Freedom of Movement.

Data for applications exempted from the fast-track border procedure and referred to the regular procedure on grounds of vulnerability was not provided by MoMa despite GCR's request.

Throughout 2025, the various RAOs in the different islands followed different practices as regards the conduct of asylum interviews (see the Regular procedure and Fast-track border procedure).

1.1.2. Vulnerability identification in the mainland

On 13 July 2022, the MoMA launched a new registration platform, through which persons wishing to apply for asylum while on the Greek mainland, including vulnerable ones, need to first book an appointment for lodging their application. The registration of applicants staying in Southern Greece takes place in the facility of Malakasa (Athens), while the registration of applicants staying in Northern Greece takes place in the facility of Diavata (Thessaloniki).

Since its operationalisation, the platform has been marked by deficiencies restricting applicants' access to the procedure and in turn a prompt vulnerability assessment. For instance, as noted in a joint RLS and MIT report in November 2023,[679] "*out of 19 persons interviewed between May and October 2023, 69% of respondents who used the online platform to book an appointment at a RIC reported issues accessing or using the platform […and] 23% respondents said they paid a private lawyer to apply via the online platform*

679 Refugee Legal Support (RLS) & Mobile Info Team (MIT), *Protection Unavailable: Dysfunctional Practices and Restrictions on the Right to Asylum*, November 2023, available at: https://tinyurl.com/4zf673xu, p.22.

for them […]". Meanwhile, access to the platform was yet again suspended between May 2023 and the beginning of July 2023.[680]

As further noted in the aforementioned 2023 report by RLS & MIT:

> 'Under the new procedure […] at one of two RICs on the Greek mainland, […] applicants are unable to exit the facility for a maximum of 25 days while they undergo screening consisting of a police interview, medical check, vulnerability assessment, and the registration of an asylum claim […]. Restriction of movement is applied as a blanket measure […] including (to) vulnerable persons […] meaning that people with a disability, pregnant women, victims of human trafficking, people with serious illnesses and torture survivors, among others, are subjected to de facto detention within the RICs for periods up to 25 days (and in practice possibly longer). […] assessment of vulnerability within the screening procedure is inadequate […].'[681]

According to the law, when indications or claims of past persecution or serious harm arise (*i.e.*, torture survivors), the Asylum Service has to refer the applicant to a medical and/or psychosocial examination, which should be conducted free of charge and by qualified, specialised personnel. Alternatively, the applicant must be informed that they can undergo such examinations at their own initiative and expense.[682] Article 77(2) of the Asylum Code provides that '*[a]ny results and reports of such examinations are deemed as justified by the Asylum Service where it is established that the applicant's allegations of persecution or serious harm are likely to be well-founded'*.

However, there are still no public health structures specialised in identifying or assisting torture survivors in their rehabilitation process. As a result, it is for the NGOs running relatively specialised programmes, to handle the identification and rehabilitation of victims of torture. This is rather problematic for reasons that concern the sustainability of the system, as NGOs' funding is often interrupted. In **Athens**, torture survivors were referred for identification purposes to the NGO METAdrasi in the context of its programme "*Hope and Memory: Identification and Certification of Victims of Torture*"[683]. However, the programme ended at the end of 2023.

According to a report of FENIX of April 2023 regarding identification and certification of victims of torture:

> 'practice over the years has demonstrated serious deficiencies in the identification and certification of victims of torture of applicants in Greece […]. Additionally, structural deficiencies are also observed in the specific process to certify VoTs, namely due to restrictive legislation limiting only public authorities to provide certification for VoTs in accordance with the Istanbul Protocol, whilst national authorities and bodies do not have the qualification or training and lack of interpretation to proceed with this certification. At the same time, non-governmental organisations, namely Metadrasi, hold the appropriate expertise to provide certification for VoTs according to the Istanbul Protocol […] Nonetheless, […] the VoT certification provided by NGOs may be taken into consideration by asylum authorities for the purposes of the asylum procedure, but it is at the discretion of each decision maker […].'[684]

Also, according to Article 62(5) of the Asylum Code "*[i]n case the competent Authorities identify victims of human trafficking, they are obliged to inform the National Referral Mechanism (NRM) for the*

680 GCR, *Submission to the Committee of Ministers of the Council of Europe concerning the groups of cases of M.S.S. v. Greece (Application No. 30696/09) and Rahimi v. Greece (8687/08),* July 2023, p. 3, available at: https://bit.ly/4b3Q3JR.

681 Refugee Legal Support / Mobile Info Team, *Protection Unavailable: Dysfunctional Practices and Restrictions on the Right to Asylum Assessing the implementation of reception and identification procedures on mainland Greece*, November 2023, p. 32 et al., available at: https://tinyurl.com/yrsjp5xa.

682 Article 77(3) Asylum Code.

683 METAdrasi, *Hope and Memory: Identification and certification of victims of torture*, available at: https://bit.ly/3JQEFFP.

684 FENIX – Humanitarian Legal Aid, *Unrecognised Vulnerability- Greece's systematic failure to identify and certify Victims of Torture*, pp. 6-7, available at: https://tinyurl.com/mwpxajcv.

identification and referral of victims of Human Trafficking as soon as possible[685] *in accordance with Articles 76 and 79 L. 4781/2021*".

Challenges continued being identified in 2024 as well. According to UNHCR, RIC Malakasa maintained a very limited number of appointments on the platform, while RIC Diavata had less limitations. Yet in the case of Diavata, in GCR's experience, the online platform would remain open for 15-16 appointments per day, following which it went down quickly again. SolidarityNow noted that the platform of RIC Malakasa opened on 2 December 2024 in the morning and closed again at the end of the same day. ELIL noted that Farsi speakers have managed to get appointments for Malakasa, while Arabic and Pashto speakers have not succeeded. In one case due to the platform being down, Equal Rights Beyond Borders wrote to the two RICs and RIC Diavata requested the person to come for registration.[686]

The same issues remain during 2025. According to GCR, despite the Greek Government's assurances in its 2025 Action Plan (para 13) that the platform is operational without interruption, complaints regarding the non-smooth operation of the online platform of the MoMA persist to date, including reports of complete inability to access the online platform, resulting in the ongoing risk of arbitrary arrest and detention of asylum seekers awaiting registration, and their non-access to reception conditions. The platform is often non-accessible or does not grant an appointment date for the registration of the request for international protection at the Malakasa and Diavata RICs. Failure to register an application for international protection means deprivation of the protection linked with the asylum seeker's status (i.e. right to remain on the territory, enjoyment of reception conditions). Most recently, on 7 April 2025, the Greek Ombudsman, in its written intervention addressed to the Asylum Service, following a GCR complaint for the arrest and detention of an Afghan national, who was unable to access the platform, re-raised the issue of the impossibility of accessing the online platform of the Ministry. In that case, the applicant was arrested outside Malakasa, where he went to submit in person an asylum application due to the lack of access to the online platform, and he was consequently detained on the basis of a return decision. Moreover, and even in the event that an applicant has scheduled an appointment to Malakasa and Diavata RICs, while awaiting the day of the full registration of his/her asylum application, they are not protected from arrest and detention in view of deportation.[687]

1.2. Age assessment of unaccompanied children by the RIS and in the asylum procedure

Article 41 (f) Asylum Code refers to the Joint Ministerial Decision 9889/2020,[688] which sets out a common age assessment procedure both in the context of reception and identification procedures and the asylum procedure.

According to Article 1(2) JMD 9889/2020, in case of doubt as to the person's age, *i.e.*, when the authority's initial assessment is not consistent with the person's statements or storyline,[689] the RIS or the Asylum Service or any authority/organisation competent for the protection of minors or the provision of healthcare or the Public Prosecutor should inform – at any point of the reception and identification procedures or the asylum procedure – the Manager of the RIC or the reception facility, where the individual resides, or the Head of RIS or the Asylum Service if the doubt arises for the first time during the personal interview for the examination of the asylum application, who, acting on a reasoned decision, is obliged to refer the individual for an age assessment procedure.

The age assessment is, according to the law, conducted by the Medical and Psychosocial Support Unit of the Reception and Identification Centre or the Control Access Facilities Temporary Accommodation of Asylum Seekers (CAFTAAS) or the Mobile Reception and Identification Units or the nearest one to the

685 Office of The National Rapporteur on Trafficking in Human Beings, web page, available at: https://bit.ly/3T60ZRw.
686 Information obtained during Legal Aid Working Group meeting of 4 December 2024
687 GCR Submission to the Committee of Ministers of the Council of Europe concerning the execution of the M.S.S. v. Greece Group of cases - April 2025 available here
688 Joint Ministerial Decision 9889/2020, Gov. Gazette 3390/B/13-8-2020.
689 See Article 1(3) JMD 9889/2020.

residence of the referred person, a competent structure of the public health system or, in case the aforementioned are not available, by a private qualified doctor, such as a paediatrician or pathologist and a private trained psychologist and social worker, under a relevant programme.[690] According to same clause, the referral shall be made on the basis of the easiest, most accurate and fastest age determination.

The age assessment is conducted following three successive steps, unless a safe conclusion can be drawn already at the first or second examination stage:

- Initially, the assessment is based on the individual's macroscopic features (*i.e.*, physical appearance) such as height, weight, body mass index, voice, and hair growth, following a clinical examination from properly trained healthcare professionals (*i.e.*, physicians, paediatricians, etc.) who will consider body-metric data.[691]

- In case the person's age cannot be adequately determined through the examination of macroscopic features, a psychosocial assessment is carried out by a psychologist and a social worker to evaluate the cognitive, behavioural and psychological development of the individual (second step). If a psychologist is not available or there is no functioning social service in the nearest public health institution, this assessment can be conducted by a specially trained psychologist and a social worker available from a certified civil society organisation but it cannot be conducted by an organisation in charge of providing care or housing to the person whose age is in question. The outcome of the age assessment at this point is a combination of the psychosocial assessment and the examination of the development of macroscopic features.[692]

- If a conclusion cannot be reached after the conduct of the above procedures, the person will be subjected to the following medical examinations (last step): either left wrist and hand X-rays for the assessment of the skeletal mass, or dental examination or panoramic dental X-rays or any other appropriate means which can lead to a firm conclusion according to the international bibliography and practice.[693]

According to Article 1(7) JMD 9889/2020, the opinions and evaluations are delivered to the entity responsible for the referral, which then issues a relevant act to adopt the abovementioned conclusions, registers the age in the database of Reception and Asylum, and notifies accordingly the General Secretariat for Vulnerable Persons and Institutional Protection (former Special Secretary for UAMs).[694]

After the age assessment procedure is completed, the individual should be informed in a language they understand about the content of the age assessment decision, against which they have the right to appeal in accordance with the Code of Administrative Procedure. The appeal has to be submitted to the authority that issued the contested decision within 15 days from the notification of the decision on age assessment.[695] Also, as long as an age assessment procedure is pending, the person is considered a child (presumption of minority).[696]

Concerning age assessment in the asylum procedure, Article 80(3) Asylum Code provides for procedural safeguards and refers explicitly to 'applicable regulatory procedures', *i.e.*, JMD 9889/2020. According to the aforementioned provision, '*when such a referral for age determination examinations is considered necessary and throughout this procedure, attention shall be given to the respect of gender-related special characteristics and of cultural particularities*'.

The provision also sets out guarantees during the procedure:

690 See Art 4 JMD 9889/2020.
691 See Article 1(5)(a) JMD 9889/2020.
692 See Article 1(5)(b) JMD 9889/2020.
693 See Art 1(5)(c) JMD 9889/2020. Contrary to MD 92490/2013 and JMD 1982/2016 which provided for left wrist, hand X-rays, dental examination and panoramic dental X- rays cumulatively and not alternatively.
694 See Presidential Decision 77/2023 (Government Gazette A' 130/ 27-06-2023), available in Greek at: https://bit.ly/4b7MkL8.
695 See Article 1(9) of JMD 9889/2020.
696 Article 1(11) of JMD 9889/2020.

1. A guardian for the child is appointed who shall undertake all necessary action in order to protect the rights and the best interests of the child, throughout the age determination procedure;
2. Unaccompanied children are informed prior to the examination of their application and in a language which they understand, of the possibility and the procedures to determine their age, of the methods used, therefore, the possible consequences of the results of the above-mentioned age determination procedures for the examination of the application for international protection, as well as the consequences of their refusal to undergo this examination;
3. Unaccompanied children or their guardians consent to carry out the procedure for the determination of the age of the children concerned;
4. The decision to reject an application of an unaccompanied child who refused to undergo this age determination procedure shall not be based solely on that refusal; and
5. Until the completion of the age determination procedure, the person who claims to be a minor shall be treated as such.

The law also states that '*the year of birth can be modified after the age determination procedure under Article 80, unless during the interview it appears that the applicant who is registered as an adult is manifestly a minor. In such cases, a decision of the Head of the competent Receiving Authority, following a recommendation by the case-handler, shall suffice*.'[697]

The JMD 9889/2020 was an anticipated legal instrument, filling the gap of dedicated age assessment procedures within the context of the Asylum Service and limiting the use of medical examinations to a last resort while prioritising alternative means of assessment. Multiple safeguards prescribed in both the IPA and JMD 9889/2020 regulate the context of the procedure sufficiently, while explicitly providing the possibility of remaining doubts and thus providing the applicant with the benefit of the doubt even after the conclusion of the procedure.[698] The above is corroborated by the World Medical Association (WMA) which clarifies that there is "*conflicting evidence about the accuracy and reliability of the available methods of age assessment, which may generate significant margins of error*".[699]

The persisting administrative *contra legem* treatment of persons in a pending age assessment procedure as adults was noted over 2025, with a court decision clarifying that this is a malpractice in contrast to what the law stipulates. In a case supported by GCR, a child had been detained for three months in a Pre-Removal Detention Centre together with adults unknown to him, under conditions completely unsuitable for children and with no access to a guardian, given that he was treated as an adult.[700]

In its 2022 Concluding Observation, the UNCRC already noted its serious concern regarding the generalized and inappropriate determination procedures and urged the state to *"[e]nsure that the age determination procedure is multidisciplinary, scientifically based, respectful of children's rights, harmonized across the country, and used only in cases of serious doubt about the claimed age, and takes into consideration CRC/C/GRC/CO/4-6 14 documentary or other forms of evidence available, and ensure access to effective appeal mechanisms*".[701]

Nonetheless, in August 2025, the procedure was reformed once again by the Joint Ministerial Decision 147627/22-8-2025 by the Ministries of Migration & Asylum and Health. Competent authorities —including the Reception and Identification Service, the Asylum Service, and child protection agencies—initiate the procedure. It is conducted in a single session including a medical examination of physical development, a psychosocial assessment by a qualified specialist, and a wrist/hand X-ray for bone age estimation. In

697 Article 84(4) of the Asylum Code.

698 See also GCR, *Without papers, there's no life: Legal barriers in access to protection for unaccompanied children in Greece*, July 2023, available at: https://tinyurl.com/y6fb7zh5 ,p. 7.

699 See, inter alia, World Medical Association, *WMA Statement on Medical Age Assessment of Unaccompanied Minor Asylum Seekers*, October 2019, available here.

700 For more information, see GCR's Press Release, *Children, even alleged ones, are not to be detained. A recent decision of the Administrative Court of Athens safeguards the rights of children and persons under age assessment procedure in Greece*", 2 May 2024, available here.

701 UNCRC Concluding Observations on Greece (2022), § 39(c) and 40(c) cited by GCR/AIRE Submission to the Committee of Ministers of The Council of Europe concerning the execution of the O.R. v Greece etc. Judgments of the Court - November 2025 available here.

case of conflicting results, radiological findings prevail. Written consent from the individual or their guardian is mandatory; refusal results in a presumption of adulthood without affecting the asylum claim. The process requires all steps to be completed within the same day.

With a joint letter to the Minister of Migration and Asylum in October 2025, 25 organizations expressed serious concerns that the new Ministerial Decision (JMD) violates fundamental safeguards as enshrined in the Convention on the Rights of the Child, EU law, and the European Convention on Human Rights. They point out that the procedure should prioritize non-medical methods as mandated by Regulation (EU) 2024/1348.[702]

In November 2025, the GCR and the AIRE Centre filed a submission to the Committee of Ministers of the Council of Europe concerning the execution of the *O.R. v Greece* judgment, emphasizing, regarding the new procedure,[703] that the new JMD:

i. provides that all stages (including X-Rays) to occur cumulatively and on the same day, with priority given to the results of medical examinations (X-rays), contrary to the obligation to conduct age assessments using the least intrusive method and use medical examinations only as a measure of last resort and against the fact that guarantees put in place by EU and international law to ensure a holistic and multidisciplinary age-assessment procedure (a development welcomed by the ECtHR). Moreover, increased weight on the result of the X-Ray examinations as provided by the JMD, means that even where all previous results indicated that the applicant is a child the results of the X-Rays take precedence, contrary to the presumption of minority;
ii. reduces the appeal deadline from 15 to 5 days, without suspensive effect, hindering access to an appeal procedure in practice; and
iii. introduces a presumption of majority upon refusal to undergo medical testing.

The provisions above entail the risk that unaccompanied children are not properly identified and are excluded from any protection foreseen by Law for UASC, including guardianship, reception conditions, protection from detention, etc.

In addition, the new JMD provides that the presumption of minority during the procedure applies only to individuals registered as minors, excluding those unaccompanied children wrongly registered as adults. Those wrongfully identified as adults are not appointed with a guardian to provide support during the age assessment procedure, remain in accommodation facilities with unrelated adults, are not protected from detention and might be detained with unrelated adults, and are excluded from any guarantees provided for unaccompanied minors. However, as the Court has already found, the principle of presumption of minor age, is an inherent element of the protection of the right to respect for private life of a foreign unaccompanied individual declaring himself or herself to be a minor.

2. Special procedural guarantees

Indicators: Special Procedural Guarantees

1. Are there special procedural arrangements/guarantees for vulnerable people?
   ☒ Yes ☐ For certain categories ☐ No
   - ❖ If for certain categories, specify which:
     Article 1-λγ of the Asylum Code: “children; unaccompanied children; direct relatives of victims of shipwrecks (parents, siblings, children, spouses); disabled persons; elderly; pregnant women; single parents with minor children; victims of human trafficking; persons with serious illness; persons with cognitive or mental disability and victims of torture, rape or other serious forms of psychological, physical or sexual violence such as victims of female genital mutilation.”

[702] Save the Children & GCR, *Children on the move in Greece* , September - December 2025 https://tinyurl.com/yck3jkzy

[703] GCR, the AIRE Centre, Submission to the Committee of Ministers of The Council of Europe concerning the execution of the O.R. v Greece etc. Judgments of the Court - November 2025 available here.

2.1. Adequate support during the interview

According to Article 72 (2) Asylum Code, where applicants have been identified as applicants in need of special procedural guarantees, they shall be provided with adequate support in order to be in the position to benefit from the rights and comply with the obligations in the framework of the asylum procedure.

The Asylum Code provides examples of forms of adequate support that can be granted in the procedure. More specifically:[704]

- The possibility of additional breaks during the personal interview;
- The possibility for the applicant to move during the interview if their health condition so requires; and
- Leniency to minor inconsistencies and contradictions, to the extent that they relate to the applicant's health condition.

National legislation expressively provides that each caseworker conducting an asylum interview shall be 'trained in particular as of the special needs of women, children, and victims of violence and torture.'[705]

The law also provides that, when a woman is being interviewed, the interviewer, as well as the interpreter, should also be female where this has been expressly requested by the applicant.[706] On this note, it is important to recall recommendations made to Greece by the Committee on the Elimination of Discrimination against Women (CEDAW) which, in its February 2024 Concluding observations on the combined eighth and ninth periodic reports of Greece, *inter alia*, noted the need to "*[e]nsure the application of a gender-sensitive approach in receiving refugee and asylum-seeking women and in considering asylum claims, including by training immigration officers on gender-sensitive interviewing techniques, and that gender-based violence against women is recognized as a protection ground*".[707]

In practice, GCR is aware of cases where the vulnerability or particular circumstances of the applicant have not been taken into account or have not properly been assessed at first or/and second instance.

According to GCR's observations, inadequate interview conditions continued to be reported in the premises of RAO and AAUs in 2024 and 2025 as interpretation was a challenge. Notably, registrations and interviews were conducted without consideration of potential vulnerabilities and relevant needs. Certain interviews and registrations took place simultaneously in different spaces within the same container, which does not provide proper sound insulation and is not in line with the principle of confidentiality. Given that, for the most of 2024, there was a significant gap in the provision of interpretation services with RICs/ CACCs/ CAFTAAS and RAOs, vulnerability assessment was in practice unfeasible.

The Appeals Committees further contribute to the non-implementation of special procedural guarantees through a strict interpretation of Article 72 Asylum Code. Several Committees have ruled that the onus is on the asylum applicant to establish exactly what evidence they would have been able to submit in their specific case if procedural guarantees had been provided during the procedure.[708]

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704 Article 67(2) IPA.

705 Article 82(12)(a) Asylum Code. Also, according to the Concluding observations on the combined eighth and ninth periodic reports of Greece of the Committee on the Elimination of Discrimination against Women "*training immigration officers on gender-sensitive interviewing techniques, and that gender-based violence against women is recognized as a protection ground*", available here, 13.

706 Article 82(5) Asylum Code, as well as Administrative Court of Appeal of Athens, Decision 3043/2018, in Farmakidis-Markou Konstantinos, *Refugee Law*, Nomiki Bibliothiki, 2021, in greek, in which the court found that an applicant who has not requested an interpreter of the same gender for the interview cannot rely on this provision at a later stage.

707 CEDAW, *Concluding observations on the combined eighth and ninth periodic reports of Greece*, February 2024, available at: https://tinyurl.com/3f8yvh9v, para. 44 (c).

708 6th Appeals Committee, Decision 30955/2020, 18 May 2021, para II.4; 12th Appeals Committee, Decision 233902/2021, 9 September 2021, p. 3.

According to a decision of the 10th Committee of the Appeals Authority dated 13 November 2023 regarding the second instance examination of the asylum case of a vulnerable person from Siera Leone, the vulnerability of the applicant "*was not assessed, since on the day of his registration he was subjected to an extremely superficial, non-thorough and faulty medical examination […] Therefore […] at the time of his oral interview, the procedures of first reception had not even been initiated, let alone completed, and specifically his assessment as vulnerable by the competent EODY psychosocial unit. Thus, an essential type (of the procedure) was violated, as the assessment and recognition of vulnerability constitutes a special procedural guarantee in favor of the asylum seeker and a special procedural obligation of the Administration, the violation of which affects the validity of the examination of the application for international protection, making it ineffective and non-specialized […] In view of these, the Committee judges necessary to postpone the issuance of its final judgment so that the applicant can undergo at his own initiative medical examinations and present medical certificates on his state of health during the new scheduled discussion of the case […]*".[709]

All decisions rejecting minors' claims have troubling similarities. Procedural deficits (absence of a guardian, of appropriate legal representation and legal aid during the process), as well as substantial deficits regarding the determination of refugee status (lack of any reference to the Best Interest of the Child or lack of assessment thereof, obvious lack of knowledge regarding forms of child persecution in general and in countries of origin in particular or the lack of a proper assessment of a minor's credibility), make it almost impossible for unaccompanied minors undergoing the procedure themselves to qualify for international protection. The number of decisions granting refugee status or subsidiary protection to unaccompanied children and the number of in-merit rejection decisions issued throughout 2024 is not available. What is available is only the number of 1s instance decisions granting refugee status and subsidiary protection to UAMs, which amounted to a total of 986 in the 11 months of 2024 (968 decisions granting refugee status & 18 decisions granting subsidiary protection).[710]

2.2. Exemption from special procedures

The Asylum Code does not provide for the exemption of vulnerable persons from special procedures as a rule (see Identification).[711] Applicants in need of special procedural guarantees are only exempted from the Accelerated Procedure, the Border Procedure, and the Fast-Track Border Procedure where adequate support cannot be provided (see above).[712]

Appeals Committees have continued to dismiss alleged infringements of Article 72(3) Asylum Code stemming from the failure of the Asylum Service to exempt the applicant from the fast-track border procedure, on the ground that the appellant has not demonstrated procedural damage (*δικονομική βλάβη*). The position of the Appeals Committees remains incompatible with the case law of administrative courts, according to which failure to refer such cases to the regular procedure unlawfully circumvents the special protection afforded by law to vulnerable groups.

Illustrative of the above is a decision issued by the Supreme Administrative Court of Piraeus (decision A65/2023) in the case of a vulnerable woman from Iraq, whose decision recognising her vulnerability and referring her to the normal procedure was not taken into consideration by the Asylum authorities, even though it was issued before the issuance of 1st instance decision rejecting her asylum application. According to the Court:

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709 Decision IP/268799/2023/13.11.2023 of the 10th Committee of the Appeals Authority on a case legally supported in 2nd instance by the Registry of Lawyers of the Asylum Service in GCR/HIAS/RSA, *Δελτίο Νομολογίας Ασύλου 2/2203*, December 2023, pp. 25-26, available in Greek at: https://bit.ly/3JuO7y7.

710 MoMA, *Information Note A, November 2024, Reception, Asylum & Integration Procedures*, p. 14, available here, table 11f.

711 Article 41 (d) Asylum Code provides that the determination of an applicant as vulnerable has the sole effect of triggering immediate care of particular reception, and Article 77 (3) Asylum Code adds 'the provision of special procedural guarantees'.

712 Article 72(3) Asylum Code. This provision clarifies that, where the applicant falls within the cases where appeals have no automatic suspensive effect, they must have access to interpretation services, legal assistance and at least one week to prepare the appeal (see also Border Procedure and Fast-Track Border Procedure).

> the legislator establishes special treatment for applicants for international protection, who are proven to belong to the category of vulnerable persons. [...] the applicant's application for international protection was referred to the normal procedure, as it was judged that she [...] suffers from a mental illness. Both the Regional Asylum Office of Lesvos, which examined in first instance her application for the granting of international protection, issuing its decision [...] after the issuance of the above decision, as well as the Independent Appeals Authority that examined her appeal, should have refrained from issuing a decision and refer the case back to the competent authorities, in order to re-examine the asylum request, based on the guarantees of the normal procedure (longer deadline, possible search for legal assistance), after conducting a new interview of the applicant by an employee of the Asylum Service specialized in vulnerability issues [...].[713]

Unaccompanied children below the age of 15, as well as unaccompanied children who are victims of trafficking, torture, rape, or other forms of serious psychological, physical and sexual violence, are always processed under the regular procedure.[714] For those aged 15 or over who are not victims of trafficking, torture or violence, exemption from special procedures depends on the individual grounds applied by the authorities in each case:[715]

Exemption of unaccompanied children aged 15 or over from special procedures			
Accelerated procedure		Border and fast-track border procedures	
Ground		Ground	
Claim unrelated to protection	√	Protection in another Member State	√
Safe country of origin	x	First country of asylum	√
False information or documents	√	Safe third country	X
Destruction or disposal of documents	√	Subsequent application	X
Clearly unconvincing application	√	Application by dependant	√
Subsequent application	x	Claim unrelated to the protection	√
Application to frustrate return proceedings	√	Safe country of origin	X
Application not as soon as possible	√	False information or documents	X
Refusal to be fingerprinted under Eurodac	√	Destruction or disposal of documents	X
Threat to public order or national security	x	Clearly unconvincing claim	√
Refusal to be fingerprinted under national law	√	Application to frustrate return proceedings	√
Vulnerable person	√	Application not as soon as possible	√
		Refusal to be fingerprinted under Eurodac	√
		Threat to public order or national security	X
		Refusal to be fingerprinted under national law	√
		Vulnerable person	√

As far as the Safe Third Country concept is concerned, the law specifies that unaccompanied children may only be subject to the border and fast-track border procedure if it complies with their best interests.[716]

Pressure on the Greek authorities to abolish the exemptions of vulnerable applicants from the fast-track border procedure and to “reduce the number of asylum applicants identified as vulnerable”, for the sake of the implementation of the EU-Türkiye statement and the increase of returns to Türkiye, has already

713 Decision A65/2023 of the Supreme Administrative Court of Pireus in GCR/HIAS/RSA, *Δελτίο Νομολογίας Ασύλου 1/2023*, June 2023, pp. 26-27, available at: https://bit.ly/4bbuWWd. The case was legally supported by GCR.

714 Article 80(7) of the Asylum Code.

715 Articles 88(10) and 95(4) of the Asylum Code.

716 Article 95(4)(d) of the Asylum Code.

been reported since late 2016.[717] However, as underlined by FENIX "[…] serious deficiencies in the determination of asylum applicants' vulnerabilities have been systematically observed in recent years in Greece, […] Asylum applicants often are rushed through several different phases of the asylum process before the medical and/or psychosocial examinations are completed. Frequently, asylum interviews are conducted even while the medical assessment remains pending".[718]

Within this framework, L 4540/2018, transposing the recast Reception Conditions Directive, has omitted persons suffering from PTSD from the list of vulnerable applicants.[719] The same omission was made in the subsequent adoption of both the IPA and the Asylum Code.

2.3. Prioritisation

Although Article 39(5)(d) IPA provided that applications of persons belonging to vulnerable groups were examined "under absolute priority",[720] this provision was abolished by L. 4686/2020.[721]

3. Use of medical reports

Indicators: Use of medical reports

1. Does the law provide for the possibility of a medical report in support of the applicant's statements regarding past persecution or serious harm? ☒ Yes ☐ In some cases ☐ No

2. Are medical reports taken into account when assessing the credibility of the applicant's statements? ☒ Yes ☐ No

If the applicant consents to it, the law provides for the possibility for the competent authorities to refer them for a medical and/or psychosocial diagnosis where there are signs or claims which might indicate past persecution or serious harm. These examinations shall be free of charge and shall be conducted by specialised scientific personnel of the respective specialisation and their results shall be submitted to the competent authorities as soon as possible. Otherwise, the applicants concerned must be informed that they can undergo such examinations at their own initiative and expense. The results and reports of these examinations have to be taken into consideration by the Asylum Service, in order for the deciding authorities to establish if the applicant's allegations of persecution or serious harm are likely to be well-founded".[722]

Specifically, a contested provision was introduced in 2018, as per which individuals who have been subjected to torture, rape, or other serious acts of violence should be certified as such by a public hospital or by an adequately trained doctor of a public sector health care provider and obtain a certificate so attesting.[723] The provision has been maintained by the IPA[724] and the Asylum Code.[725]

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717 European Commission, *Joint Action Plan of the EU Coordinator on the implementation of certain provisions of the EU-Türkiye Statement*, Annex 1 to COM(2016) 792, 8 December 2016, paras 2 and 3, available at: https://bit.ly/44e019t; Human Rights Watch, *EU/Greece: Pressure to minimise numbers of migrants identified as vulnerable*, 1 June 2017, available at: https://bit.ly/3RqQM0F; AIDA, *The concept of vulnerability in European asylum procedures*, September 2017, p. 17, available at: https://bit.ly/424yGDH.

718 FENIX – Humanitarian Legal Aid, *Unrecognised Vulnerability- Greece's systematic failure to identify and certify Victims of Torture*, p. 12, available at: https://tinyurl.com/mwpxajcv.

719 Article 20(1) L. 4540/2018, which was later abolished by Article 119 (2) of L 4636/2019 See currently in force Article 1 (lc) regarding the definition of vulnerable persons, where persons suffering from PTSD are not included.

720 Article 39(5)(d) L.4636/2019.

721 Article 2(3) L. 4686/2020.

722 Article 53 L 4375/2016, which was later abolished by Article 119 (1) of L 4636/2019 and currently in force Article 77 of the Asylum Code.

723 Immigration.gr, *Η πιστοποίηση θυμάτων βασανιστηρίων αποκλειστικό «προνόμιο» του κράτους;* May 2018, available in Greek at: https://tinyurl.com/3ne4vn42.

724 Article 61(1) IPA.

725 Article 67 Asylum Code.

The main critiques against this provision are that doctors in public hospitals and health care providers are not adequately trained to identify possible victims of torture and that the law foresees solely a medical procedure. According to the Istanbul Protocol, a multidisciplinary approach is required – a team of a doctor, a psychologist, and a lawyer – for the identification of victims of torture. Moreover, stakeholders have expressed fears that certificates from entities other than public hospitals and public health care providers would not be admissible in the asylum procedure and judicial review before courts.

According to decision 147/2022 of the First Instance Administrative Court of Thessaloniki in the case of a vulnerable person from Siera Leone whose medical documents issued by public entities and his certification of victim of torture issued by Metadrasi NGO were not taken into consideration neither during first nor during the second instance examination of his asylum application, states the following: "*the contested decision which rejected applicant's claims as unreliable, without taking into consideration the documents presented and without inviting the applicant to a prior hearing, is not legally and sufficiently justified and must be cancelled […]. subsequently, the request for annulment must be accepted, the contested decision must be annulled, and the case must be referred back to the competent Committee, so that the above mentioned […] documents be considered […] and the applicant be invited in person*".[726]

As reported by several civil society organisations,

> 'certain categories such as victims of torture are systematically not identified as such, where certification does not take place. Certification of victims of torture is impossible in the country in practice, given that public health authorities do not have the processes and capacity in place to carry out certification. The authors have contacted public health institutions on the islands on various occasions to inquire whether they certify victims of torture in accordance with the Istanbul Protocol, victims of rape of other serious form of violence, as well as whether hospital staff are appropriately trained for such a certification and whether the victims are able to receive the necessary care for their rehabilitation'.[727]

According to a report of FENIX – Humanitarian Legal Aid entitled *Unrecognised Vulnerability- Greece's systematic failure to identify and certify Victims of Torture* of April 2023:

> 'Despite national law, the certification of VoTs systematically does not occur. Article 67(1) of Law 4939/2022 imposes that only public authorities are competent to provide certification. This is a restriction to Article 25 of the Reception Conditions Directive, which only specifies that the competent authorities have 'appropriate training'. This is an unnecessary restriction of the competent authorities which provide certification and a violation of Article 4 of the Reception Condition Directive. The restriction creates further barriers to the identification and certification of VoTs, especially considering that no public authority in Greece currently has qualified personnel or is competent for this type of certification of VoTs. […] The gap in the identification and certification of VoT is not only verified on the islands of Lesvos; it is also verified on the mainland, including in Athens. The Forensic Service of Athens and several public hospitals systematically reply to requests submitted by Fenix legal representatives that they cannot proceed with the identification and certification of VoTs according to the Istanbul Protocol due to a lack of specialised training and knowledge […] there is no public authority with qualified professionals willing to assume the required competence to proceed with the certification process of VoTs.'[728]

In Decision 593/2023, the First Instance Administrative Court of Thessaloniki cancelled a second instance asylum decision rejecting the asylum claim of a family from Iraq, among other reasons, because the

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726 Decision 147/2022 of 1st Instance Administrative Court of Thessaloniki – case supported by lawyer Athina Kalogridi in ARSIS – Association for the Social Support of Youth, Seeking International Protection: A Case-Law Handbook, 2022-2023, pp. 49-53, available at: https://tinyurl.com/384xn8xm.

727 RSA, HIAS, GCR, Legal Center Lesvos, DRC, Fenix, ActionAid, Mobile Info Team, *The Workings of the Screening Regulation. Juxtaposing proposed EU rules with the Greek reception and identification procedure*, January 2021, p. 16, available at: https://bit.ly/3fL8xFF.

728 FENIX – Humanitarian Legal Aid, *Unrecognised Vulnerability- Greece's systematic failure to identify and certify Victims of Torture*, pp. 17-19, available at: https://tinyurl.com/mwpxajcv.

Asylum Service violated an essential step of the examination of an asylum application. In particular, despite one of the applicants' claim of being a victim of torture, the Asylum Service neither referred the applicants to the competent authorities for medical examination, nor did the Asylum Service inform the applicant about the possibility to undergo such examination on his own initiative/expense. In particular, the Court stated that "*during his interview the applicant made specific allegations about torture he suffered in the past. However, nothing in the file indicated that he was informed of his possibility to be examined, on his own initiative and at his own expense, by a legally competent medical service, for the examination […] of the existence of symptoms and signs of torture, nor was he competently referred at any stage of the procedure, for relevant consideration. [..] thus […] the decision should be cancelled and referred back to the Administration, in order to comply with the type of the procedure […]*".[729]

4. Legal representation of unaccompanied children

Indicators: Unaccompanied Children

1. Does the law provide for the appointment of a representative to all unaccompanied children?
   ☒ Yes ☐ No

Under Greek law, any authority detecting the entry of an unaccompanied or separated child into the Greek territory shall take the appropriate measures to inform the closest Public Prosecutor's office and the General Secretariat for Vulnerable Persons and Institutional Protection.[730]

On 22 July 2022, L 4960/2022 on the National Guardianship System and Framework of Accommodation of UAMs[731] entered into force, replacing former law L 4554/2018 on guardianship, which was never implemented in practice. New provisions on guardianship and accommodation were inserted in the third part of the Asylum Code regarding Reception (provisions on guardianship were incorporated in Chapter C / Part 3 in Articles 66A-66ΚΔ and provisions on accommodation in Chapter D / Part 3 in Articles 66ΚΕ–66ΛΔ). Under the new legislative provisions on guardianship, general competency was transferred from the National Centre for Social Solidarity of the Ministry of Labour and Social Affairs to the Special Secretary for the Protection of Unaccompanied Minors (SSPUAM) now General Secretariat for Vulnerable Persons and Institutional Protection (GSVPIP).

Under the new law, the provision of guardianship is delegated to a list of legal entities appointed by the Public Prosecutor (*i.e.*, public entities, NGOs, international organisations) who employ persons acting as guardianship-mandated persons (henceforth referred to as "mandated guardians"). The Public Prosecutor can also appoint a child's family member or friend to be responsible for their everyday care.

In late October 2023, METAdrasi and Praksis NGOs were identified by MoMA as the two entities entrusted with the execution of the National Guardianship scheme, following a public procurement process.[732] The project commenced officially on 1 November 2023, and as per its blueprint, the initial two months were dedicated to preparatory measures, such as trainings and prioritisation of cases. Subsequently, the first mandated guardians were deployed on the ground at the beginning of 2024, after obligatory trainings were concluded.

729 Decision 593/2023 of First Instance Administrative Court of Thessaloniki – case supported by ARSIS lawyer Anthi Argyriou in *op. cit.,* ARSIS – Association for the Social Support of Youth, Seeking International Protection: A Case-Law Handbook, 2022-2023, pp. 91-94.

730 Article 64(1) of the Asylum Code as amended by Article 4 L.4960/2022.

731 L 4960/2022 *National Guardianship System and Framework of Accommodation of UAMs and other provisions under the jurisdiction of the MoMA*.

732 For administrative and funding purposes, the two NGOs operate under a Private Agreement Partnership, with METAdrasi taking the lead with a 70%-30% split of responsibilities.

The total number of mandated guardians for UASC throughout the country on 22 January 2025 stood at 128,[733] significantly below the expected minimum number of 170[734] (with a project that provisioned a maximum of 180 mandated guardians). This team is responsible for addressing the needs of the 2,414 UASC registered in Greece as of December 2024.[735] With an average allocation of 15 children per professional, they can potentially cover up to 2,550 children.

At the time of writing, UAMs' presence in Safe Areas or Zones inside RICs, both on the mainland and the islands, is much higher than the number of those registered (and thus recorded in the cited statistics), and exceeds the actual capacity of these arrangements (*e.g.*, in Samos Safe Area, in January 2025, there were more than 500 children for a space that can accommodate 200 children).[736] In parallel, UASC are staying in such Areas for significantly longer periods of time compared to those foreseen by law (max. 25 days, while in practice, some UASC have stayed for more than three months). This concerning situation also surpasses the existing capacity of mandated guardians, creating a protection gap for children on the move, as flagged by NGOs in Greece.[737]

Although circulars have been issued to clarify the guardianship's legal framework,[738] challenges identified in practice primarily stem from the novelty of the scheme and the emergence of mandated guardians as a new professional profile with roles and responsibilities previously associated with other field professionals (e.g. lawyers or social workers). Consequently, discrepancies have been observed concerning the level of involvement of guardians, lawyers, social workers and educators, some of which have affected UACS' asylum procedure, such as Dublin II procedures and appeals, as lawyers and other professionals now require authorisations from the mandated guardian to support or follow up on a case.

With Joint Ministerial Decision no 539638/20.12.2023 of the Minister of Economy and the Minister of Migration and Asylum, a Mechanism for the submission and management of complaints of UAMs in the context of guardianship was set up,[739] as foreseen by Article 66KB Asylum Code. The coordinator of mandated guardians, which is appointed by each of the two NGOs that has undertaken the provision of guardianship services, is designated by law as the person responsible for the procedure of submission, examination and resolution of complaints of minors and is expected to cooperate with the Child Protection Policy Manager of the guardian, who is responsible for the general supervision of the complaints mechanism. In particular, the coordinator shall ensure: (a) Receiving the complaint, the immediate filing of the complaint, the weekly updating of the Institutional Protection Unit on all complaints submitted, and the keeping of a record of the complaints received, (b) investigating and collecting data on complaints, (c) the resolution of complaints, (d) regularly updating the minor and the authorities involved on the conduct of the procedure, (e) the inclusion of a report on the complaints in the reports referred to in paragraph (e). (2 of Article 66KA of the Act). 4939/2022. If the child's complaint concerns the coordinator, the Child Protection Policy Officer is then responsible for the management of the complaint in question.[740] The Law also sets up the Board of Guardianship for Unaccompanied Minors within GSVPIP, consisting of five of its officials, which decides on complaints submitted by unaccompanied minors and brought before it, following a referral from the Institutional Protection Unit.

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733 In the context of their right of reply, submitted on 10 September 2025, the Greek General Secretariat for Vulnerable Persons and Institutional Protection, clarified that, while this number is accurate January 2025, it should be noted that the average number of guardians for 2024 was 127, due to the gradual implementation of the guardianship project, which included recruitments in three stages (60 guardians by the end of the first month, 120 by the end of the first trimester, and 170 by the end of May 2024). Since May 2024, until August 2025, the average number of guardians was 142 (reaching at a point 168 guardians, in June 2024).

734 Information shared by the competent GSVPIP during a meeting of the Legal Aid Working Group operating in Greece dedicated to guardianship.

735 See Ministry of Migration and Asylum, *Situation Update: Unaccompanied Minors (UAM) in Greece*, reference date: 01 December 2024, available here.

736 Information shared within Child Rights Advocacy Network (CRAN) members at the meeting of 16 January 2025.

737 See, among others, *Joint Press Release of 12 Child Rights Advocacy Network (CRAN) members titled Hundreds of unaccompanied children in Unsafe Zones: Need for an Immediate Activation of Relocation*, 5 December 2024, available here.

738 Mainly GSVPIP Circular 1/2024 available in Greek here, and a document providing guidelines to shelters and other facilities for UAMs, 20 June 2024, available upon request.

739 Government Gazette B 7143/20.12.2023.

740 See Article 7 of the 539638/20.12.2023 JMD.

The establishment of a national guardianship system by Law 4960/2022, launched in January 2024, has been a welcome development, as previous legislation on the matter had never entered into force.

Since 2024 and up to the end of 2025,[741] a number of structural shortcomings, including the capacity of the system exist. A number of issues have already arisen, first and foremost, delays in appointment of Guardians and/or lack of Guardians in particular for newly arrived unaccompanied children and especially in the mainland[742]. Covering all unaccompanied children and appointing guardians in a timely manner are the main challenges identified in the assessment of the guardianship system by the main actors of the scheme.[743] As reported, as of January 2025, 120 guardians have been appointed by the Public Prosecutors,[744] 65 a non-sufficient number to cover the need of unaccompanied children present in the country. Also, instability persists due to resignations of appointed Guardians, coupled with delays in the timely disbursement of salaries for both Guardianship Officers and Coordinators by the competent Guardianship Service Providers have been identified as challenges within the system[745].

Additional gaps in the application of the provisions have been noted and criticized since the institution does not work yet in a unified manner for all children located in Greece.[746] According to Save and Children and GCR, despite the establishment of a national guardianship scheme, critical gaps persist, leaving many UASC without legal representation and support. As of early 2025, there are only 128 mandated guardians nationwide, falling short of the target of 170 (or up to 180 if needed)— a figure still far below what is required to meet actual needs. The guardianship programme is hampered by severe bureaucratic delays (e.g. in the Public Prosecutors' offices) and structural weaknesses. Fluctuations in arrivals strain an already overstretched system, while high turnover rates and excessive caseloads undermine effective support. In some cases, children in CCACs/RICs are not being assigned a mandated guardian, delaying access to critical legal support and essential services such as healthcare, psychosocial support, clothing, and other basic needs[747].

The number of applications for international protection lodged by unaccompanied minors during 2025 was 3052 (of which 37 are subsequent applications) - a decrease in comparison to 2024 that reach 4136 (out of which 39 were subsequent applicants). In 2025, only 449 unaccompanied children received positive decisions [748] in striking contrast with the recognition rate of 2024, which was 1025.[749]

As some decisions spill over from previous years and the number of negative decisions is not publicly available, nor was this number shared by the Greek authorities despite GCR's request, one cannot estimate the actual scale of children left with no protection status.

741 Comments of the GCR and the AIRE Centre before the Committee of Ministers of the Council of Europe regarding the execution of the ECtHR judgments O.R. v Greece et al. –November 2025, available here and here

742 Greek National Commission on Human Rights, Note on the 7th National Report to the Council of Europe in the context of the Revised European Social Charter , Follow-up to Collective Complaint No. 173/2018 International Commission of Jurists (ICJ) and the European Council for Refugees and Exiles (ECRE) v. Greece, April 2025; ERBB, 'Suspended and Secluded: The State of Unaccompanied and Separated Children in Greece', 2025 Report, https://directus.equalrights.org/assets/1bd72379-f47e-4aaa-8638-a431751e0eaa.

743 GSVPIP, EUAA, UNICEF, and the implementing partners METAdrasi and PRAKSIS, Report on the Guardianship System Evaluation, 2025, https://tinyurl.com/3ue4ryp5

744 European Commission, Communication on the status of migration management in mainland Greece, COM(2025) 170, 4 April 2025, p. 9.

745 GSVPIP, EUAA, UNICEF, and the implementing partners METAdrasi and PRAKSIS, Report on the Guardianship System Evaluation, 2025, https://data.unhcr.org/en/documents/details/118708

746 GCR-Save the Children, Children on the move, January 2025 - April 2025. https://resourcecentre.savethechildren.net/pdf/2025-Save-GCR-Joint-Briefing_Q1_ENGLISH.pdf

747 Ibid

748 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 11e

749 MoMA, *Statistics: Consolidated Reports – Overview, December 2024 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 11e

Since April 2021, the Ministry of Migration and Asylum and UNHCR, in collaboration with IOM and the NGOs Arsis, METAdrasi and the Network for Children's Rights, launched a mechanism to rapidly identify unaccompanied children who are homeless or live in insecure conditions and transfer them to safe accommodation. The National Emergency Response Mechanism (NERM), which in accordance with L. 4939/2022,[750] is part of the General Secretariat for Vulnerable Persons and Institutional Protection, and includes a telephone hotline available Monday to Friday from 08:00 to 22:00 and Saturday from 11:00 to 19:00 (multiple languages available) for identifying and tracing children in need,[751] and Info Desks / Mobile Units in Athens and Thessaloniki, together with emergency accommodation facilities. It is, therefore, considered an integral part of UASCs protection in Greece.[752]

According to GCR's observations, the new mechanism is very responsive to requests addressed both by NGOs and by UAMs themselves. According to the General Secretariat for Vulnerable Persons and Institutional Protection since the beginning of NERMs operation in 2021 until 31 August 2024, the NERM received 9,121 referrals of homeless unaccompanied children (UAC) and those in precarious living conditions from local authorities, citizens, and the children themselves. From its operationalisation until the end of 2023, 4,437 children were placed in age-appropriate accommodation.[753] According to MoMA's answer in Parliament,[754] the Secretariat plans to expand NERM's competence beyond UASCs, offering also support to vulnerable persons who are homeless or at risk -an already long-awaited development given the lack of state social support services even for the local population.

According to the latest information published, by the General Secreteriat, since 2021 and until the end of December 2025, the Mechanism received 16,763 calls, which concern 11,598 different cases of (UAMs), out of which 8,979 concern accommodation requests, 1,159 legal aid, and 1,060 other types of assistance. Since 2 March 2022, the line has received referrals for 4 unaccompanied*[755],10 orphans (with escorts) directly from an orphanage of Ukraine and 591 separated minors from Ukraine.[756]

E. Subsequent applications

Indicators: Subsequent Applications

1. Does the law provide for a specific procedure for subsequent applications? ☒ Yes ☐ No
2. Is a removal order suspended during the examination of a first subsequent application?
   - ❖ At first instance ☒ Yes ☐ No
   - ❖ At the appeal stage ☐ Yes ☐ No ☒ In some cases
3. Is a removal order suspended during the examination of a second, third, subsequent application?
   - ❖ At first instance ☐ Yes ☒ No
   - ❖ At the appeal stage ☐ Yes ☒ No

A "subsequent application" is an application for international protection submitted after a final decision has been taken on a previous application for international protection, including in cases where the

750 Article 66ΛΓ.

751 Ministry of Migration and Asylum, *Σε λειτουργία ο εθνικός μηχανισμός για τον εντοπισμό και την προστασία ασυνόδευτων παιδιών σε επισφαλείς συνθήκες*, 6 April 2021, available in Greek here.

752 Ministry of Migration and Asylum, Special Secretariat for the Protection of UAMs, *National Emergency Response Mechanism. A safety net for unaccompanied children identified in precarious living conditions*, November 2022, available here.

753 See more at Greece: National Emergency Response Mechanism (see here) and project's annual report of 2023 here.

754 See relative answer of deputy Minister Mrs Voultepsi, March 2024, available in Greek here.

755 According to the announcement there there are cases of unaccompanied minors whose status changes from unaccompanied to separated and later on to adulthood.

756 General Secretariat for Vulnerable Persons & Institutional Protection Situation Update: Unaccompanied Minors (UAM) in Greece Reference Date: 01.01.2026 https://tinyurl.com/p8bevuys

applicant has explicitly withdrawn their application and cases where the determining authority has rejected the application following its implicit withdrawal.[757]

The definition of "final decision" was amended in 2018. According to the new definition, as maintained in the Asylum Code, a "final decision" is a decision granting or refusing international protection: (a) taken by the Appeals Committees following an appeal, or (b) which is no longer amenable by the aforementioned appeal due to the expiry of the time limit to appeal.[758] An application for annulment can be lodged against the final decision before the Administrative Court.[759]

The law sets out no time limit for lodging a subsequent application.[760] Subsequent applications are lodged before Regional Asylum Offices (RAO) across the country following appointment given upon pre-registration on the Ministry of Migration and Asylum's electronic platform.[761] Accordingly, challenges with accessing the electronic platform, as *inter alia* observed in previous years,[762] also have a direct impact on applicants' ability to submit subsequent applications. The interruption of interpretation services during the first half of 2024, and since April 2024 with regards the asylum procedures,[763] has had a similar impact during most of 2024.

Namely, as a result of the interruption, the MoMA's online platform was not operating and registration appointments already obtained were postponed, rendering access to the procedure impossible in practice. In a joint letter, 36 civil society organisations, including GCR, called on the authorities to immediately fill the gaps in interpretation, underlining that the relevant services are funded by the EU Asylum, Migration and Integration Fund.[764] By the end of the year the issue was gradually resolved and registration for appointments resumed, nonetheless after several months of interruption.

A subsequent application can also be lodged by a member of a family who had previously lodged an application. In this case, the preliminary examination concerns the potential existence of evidence that justifies the submission of a separate application by the dependent person. Exceptionally, an interview is held for this purpose.[765]

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757 Article 1(κδ) of Asylum Code. Article 86 of the Asylum Code: an application may be considered implicitly withdrawn based on the applicant's behavior, which may include an applicant missing his interview appointment, failing to renew his asylum seeker's card before expiration, failing to inform the asylum service about any change of address. Implied withdrawal shall be deemed to exist in particular where it is established that the applicant:
(a) has failed to respond to requests for information essential to his/her application, as referred to in Article 3 of this Code, unless he/she proves within ten (10) days that this is due to force majeure, as more specifically defined in par. 4 of Article 83 of this Code, or
(b) failed to attend the personal interview or a hearing before the Appeals Committee as provided for in Articles 82 and 102 of this Code, despite having been duly summoned; or
(c) fled from the place where he or she was detained or failed to comply with the alternative measures imposed; or
(d) left the place where he was staying without requesting permission or informing the competent authorities, if he was obliged to do so, or left the country without obtaining permission from the competent receiving authorities,
(e) has failed to comply with the obligations laid down in Article 83 of this Code, or has failed to comply with the obligation to report or other communication obligations or the obligation to produce a document which he has or ought to have in his possession and which he is able to produce; or
(f) has not appeared to renew the voucher on the next business day after its expiry in accordance with Article 75,
(g) fails to cooperate with the authorities in breach of the duty to cooperate, in accordance with Article 83,
(h) fails to comply with a transfer decision in accordance with Article 43 in order to complete the reception and identification procedure, thereby preventing the smooth completion of the procedures for examining the application for international protection in accordance with Article 46.

758 Article 1(κδ) of Asylum Code.

759 Article 114 (1) of Asylum Code.

760 Article 94 of Asylum Code.

761 The relevant platform can be accessed at: https://bit.ly/3Jyqp44.

762 AIDA, *Country report on Greece: 2023 update*, available at: https://tinyurl.com/44yc8h29, p.148.

763 RSA, "*Major deficiencies in the provision of interpretation services in Greece: Even asylum interviews are no longer being conducted*", 5 November 2024, available at: https://tinyurl.com/f7y3at5e.

764 Joint CSO Open letter: Put an end to the disruption of interpretation services still undermining asylum seekers' rights in Greece, 1 November 2024, available at: https://tinyurl.com/f8pvdpua.

765 Article 94(5) of Asylum Code.

As per data published by the MoMA,[766] a total of 4,687 subsequent asylum applications – 39 of which concerned UAMs – were registered by the Asylum Service from January 2024 to December 2024. An signisficant increase was noted during 2025 subsequent applications registered being 6.514,[767] out of which 37 concerned UAMs.

That being said, the aforementioned data does not include information on the type (i.e., first, second or further) of subsequent asylum application registered by the GAS, thus making it impossible to assess the extent to which Article 94(10) Asylum Code, requiring the submission of a € 100 fee for the registration of each second or further subsequent application, was triggered throughout the year (see below: Second and every following subsequent application).

Information on the main nationalities of those that submitted subsequent asylum applications during the year is also not included in the specific publications, nor was it provided instead referencing the aforementioned publicly available data, which despite some improvements, is still lacking. The same applies to information regarding the total number of subsequent applications that were considered admissible and referred to be examined on the merits.

During 2024 a total of 3,037 subsequent applications were dismissed as inadmissible at first instance and 1,693 at second instance.[768] During 2025 3,709 subsequent applications were dismissed as inadmissible at first instance and 1,456 at the second.[769]

Preliminary examination procedure

When a subsequent application is lodged, the competent authorities examine the application in conjunction with the information provided in previous applications.[770]

Subsequent applications are subject to a preliminary examination, during which the authorities examine whether new substantial elements have arisen or have been presented by the applicant that could not be invoked by the applicant through no fault of their own during the examination of their previous application for international protection or appeal. The preliminary examination of subsequent applications is conducted within five days from their lodging to assess whether new substantial elements have arisen or been submitted by the applicant.[771] The examination takes place within two days if the applicant's right to remain on the territory has been withdrawn.[772] During this preliminary stage, all information is provided by the applicant in writing.[773]

Given the purpose of the procedure, elements or claims related either to the applicant's personal circumstances or to the situation in the applicant's country of origin that did not exist during the examination of their previous application should be considered new in light of the first asylum procedure. Elements previously available to the applicant or claims that could have been submitted during the first asylum procedure should be considered new when the applicant provides valid reasoning for not presenting them at that stage. Furthermore, such new elements should be considered to be substantial if they lead to the conclusion that the application is not manifestly unfounded, that is to say, if the applicant does not invoke claims clearly not related to the criteria for refugee status or subsidiary protection.

766 MoMA, *Statistics, Consolidated Reports - Overview: December 2024 - International Protection | Appendix A*, available at: https://tinyurl.com/yvd7454p, tables 7c and 7f.
767 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 7c and 7f
768 MoMA, *Statistics, Consolidated Reports - Overview: December 2024 - International Protection | Appendix A*, available https://tinyurl.com/yvd7454p Tables 8a and 8b
769 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 8a and 8b
770 Article 94 (1) of Asylum Code.
771 Article 94 (2) of Asylum Code.
772 Articles 94(2) and 94 (9) of Asylum Code.
773 Article 94 (2) of Asylum Code.

Indicative Case law

In its decision IP/61590/2025 AAU of Amigdaleza, in the case of a subsequent application filed after an implicit revocation of the international protection, an Iranian applicant missed his scheduled interview and that implicit revocation was concluded by the authorities, terminating the examination of the application. According to the AAU, however, the above claims were not recorded, examined, or assessed at an earlier stage, as the applicant did not appear at the scheduled interview for his previous application. Consequently, the above information presented in the applicant's subsequent application was accepted as new. Consequently, his application required further examination in accordance with Article 94 of Law 4939/2022 and must be deemed admissible in order to be further examined .[774]

In its decision IP/63615/2025 RAO of Western Greece in the case of a Somali applicant whose first application was rejected due to his transit through Türkiye, at the subsequent application RAO accepted his application on the fact that "*it appears from the information in the applicant's file that one year has elapsed since his transit through Türkiye (…10/2023). The Service considers that the above fact, namely that one year has elapsed since his transit through Türkiye, may be regarded as new. As for the legal requirement regarding whether this element in his subsequent application is also material, the Service considers that this element is indeed material, as it relates to the conditions set forth by the legislation for Türkiye be designated a "safe third country" for the specific applicant in accordance with Article 91 of Law 4939/2022. Consequently, his application requires further examination pursuant to Article 94 of Law 4939/2022 and must be deemed admissible in order to be further examined in accordance with the aforementioned provisions*."[775]

In the case of IP/129638/2025 RAO Alimos, the Service considered that the applicant's claims regarding her mental health, as corroborated by the documents submitted, may, under certain conditions, overturn the conclusions of previous rejection decisions regarding her credibility. Consequently, the claims under consideration must be regarded as new evidence. As for the legal requirement regarding whether the evidence cited by the applicant in her subsequent application is also substantial, the Service considered that the evidence cited by the applicant in her subsequent application was substantial, as they relate to the conditions set forth by law for the applicant to be recognized as a beneficiary of subsidiary protection[776]

The RAO of Thessalonikis, in decision IP/752502/2025, accepted the applicants (i.e., a female survivor of SGBV) subsequent applicationeven thought the claim refered to a fact the applicant was aware for the beginning of the procedure. According to the decision "*her allegation of sexual harassment suffered at the hands of her uncle and the risk of recurrence of the abuse she cites, it appears that this is being raised for the first time before the competent examining authorities and may be considered new evidence since the applicant was able to explain that, due to fear and cultural barriers, she was unable to raise this claim in her previous applications. As for the legal requirement regarding whether the evidence invoked by the applicant in her subsequent application is also substantial, the Service finds that the evidence invoked in her subsequent application are material, as they alter the assessment of the risk she faces in the event of return to her country of origin. In conclusion, upon evaluating and comparing what the applicant initially stated and what she stated in subsequent application, in conjunction with the information regarding the applicant's country of origin, it appears that the facts she invokes in the subsequent application are new and substantial. Consequently, her application requires further examination in accordance with Article 94 of Law 4939/2022 and must be deemed admissible in order to be further examined in accordance with the provisions referred to above*".[777]

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774 Decision IP/ 61590/2025 AAU of Amigdaleza summary [in Greek} in: GCR et al, Greek Asylum Case Law Report Issue 1/2025 https://tinyurl.com/4mmsv6n9 p.21

775 Decision IP/ IP/63615/2025 RAO of Western Greece summary [in Greek} in: GCR et al, Greek Asylum Case Law Report Issue 1/2025 https://tinyurl.com/4mmsv6n9 p20

776 Decision IP/ 129638/2025 RAO Alimos summary [in Greek} in: GCR et al, Greek Asylum Case Law Report Issue 1/2025 https://tinyurl.com/4mmsv6n9 p22

777 Decision IP/ 752502/2025 RAO Thessaloniki, summary [in Greek} in: GCR et al, Greek Asylum Case Law Report Issue 2/2025 https://tinyurl.com/3fkyetz5 p.21

If the preliminary examination concludes on the existence of new elements "which affect the assessment of the application for international protection", the subsequent application is considered admissible and examined on the merits and the applicant is issued a new "asylum applicant's card". If no such elements are identified, the subsequent application is deemed inadmissible.[778]

Until a final decision is taken on the preliminary examination, all pending measures of deportation or removal of applicants who have lodged a subsequent asylum application are suspended.[779] However, as mentioned, applicants do not receive an asylum applicant's card until the conclusion of this preliminary stage, and subject to the application being deemed admissible. In the meantime, therefore, applicants have no access to the rights attached to the asylum applicant status or protection.

Exceptionally, under the Asylum Code, 'the right to remain on the territory is not guaranteed to applicants who

(a) make a first subsequent application which is deemed inadmissible, solely to delay or frustrate removal, or
(b) make a second subsequent application after a final decision dismissing or rejecting the first subsequent application'.[780]

Any new submission of an identical subsequent application is dismissed as inadmissible.[781]

An appeal against the decision rejecting a subsequent application as inadmissible can be lodged before the Independent Appeals Committees under the Appeals Authority within 5 days of its notification to the applicant.[782]

Second and every following subsequent application

Since September 2021, following relevant amendments to the IPA,[783] each subsequent application after the first one is subject to a fee amounting to €100 per application, with the relevant provision being maintained under Article 94(10) Asylum Code. This amount may be revised through a Joint Ministerial decision.

A Joint Ministerial Decision of the Ministers of Migration and Asylum and of Finance, which is in force since 1 January 2022, determined various issues concerning the implementation of the statutory provision (definitions, payment procedure, reimbursement of unduly paid fees etc.).[784] The same Ministerial Decision foresees that if the application is submitted on behalf of several members of the applicant's family, the same fee is paid separately for each applicant, including minor children.[785] Illustratively, a five-member family composed of two parents and three minor children has to pay a fee of €500, to be able to submit a second or further subsequent application.

National human rights bodies, including the Greek Ombudsperson and civil society organisations repeatedly called on the Minister of Migration and Asylum to abolish the aforementioned legislative regulation. At the time of the writing (February 2025) the fee remains a precondition for the registration.

778 Article 94(4) of Asylum Code.
779 Article 94(9) of Asylum Code.
780 Article 94(9) of Asylum Code.
781 Article 94(7) of Asylum Code.
782 Article 97(1d) of Asylum Code.
783 Article 89(10) IPA, as amended by Article by Article 23 L.4825/2021, available at: https://bit.ly/4d7ACSN.
784 Joint Ministerial Decision 472687/ 21.12.2021, Gazette 6246/ B/ 27.12.2021 entered into force on 01 January 2022, available at: https://bit.ly/3JQNj7f. ,
785 Article 1 (2) Joint Ministerial Decision 472687/2021.

As noted by the Greek Ombudsperson,[786] "*linking the deposit of a fee with the submission of a subsequent application for international protection undermines exercise of the right to asylum, as enshrined in Article 18 of the EU Charter of Fundamental Rights. A fee, and indeed one amounting to €100 […], constitutes the submission of a subsequent application almost prohibitive for a population that is in a vulnerable financial situation, as is the case with asylum applicants and contravenes Articles 40-42 of Directive 2013/32/EU*".

As further noted in a joint statement by 10 civil society organisations, members of the Lesvos Legal Aid Actor sub-Working Group, the provision is also "*in conflict with the provisions of Articles 25(2) and 20(1) of the Greek Constitution, Articles 47 and 52 of the Charter of Fundamental Rights of the EU and relevant case law of the ECtHR regarding the provisions of Articles 3, 8 and 13 of the ECHR, as it effectively makes access to the asylum procedure impossible for those refugees who cannot afford to pay the €100 fee for each person/family member.*"[787]

In the same statement, the organisations further flag the additional concerns arising in relation to applicants for international protection who have had their applications rejected as inadmissible, without ever having been examined on the merits, on account of the persistent application of the "safe third country" concept in the case of Türkiye and the persistent refusal of the Greek authorities to enforce Article 38(4) Directive 2013/32/EU (Article 91(5) Asylum Code), despite the ongoing lack of any reasonable prospect of readmission to Türkiye for now more than three years. As noted, with said practice impacting on Syrian nationals even before the introduction of the JMD designating Türkiye as a "safe third country" for specific nationalities (also see Safe Third Country), "*there are cases of applicants who have not been able to access a safe legal status for [more than] four years, as they are constantly rejected on admissibility. […] the Administration must invite them to an oral hearing to assess the merits according to Article 91(5) of the Asylum Code and not to force them to apply for international protection for a third time and to pay a fee of €100*".[788]

The Greek Council for Refugees (GCR) and Refugee Support Aegean (RSA) have filed a judicial review petition before the Greek Council of State for the annulment of the aforementioned Joint Ministerial Decision. The date of the hearing was set for June 2022 but was subsequently postponed and took place in May 2024. A further annulment application was also filled by HIAS Greece and two families of individual applicants before the Council of State, which after several postponements as well, was also heard on May 2024. The decisions remain pending by the end of 2025.

The European Commission has also pointed out to the Greek authorities that the unconditional submission of a fee of €100 for the second and further subsequent applications raises issues regarding effective access to the asylum procedure as evidenced by European Commissioner Johansson's reply of 25 January 2022 to a relevant question submitted under the urgent procedure by the German Green MEP Erik Marquardt.[789]

F. The safe country concepts

Indicators: Safe Country Concepts

1. Does national legislation allow for the use of "safe country of origin" concept? ☒ Yes ☐ No
   - ❖ Is there a national list of safe countries of origin? ☒ Yes ☐ No
   - ❖ Is the safe country of origin concept used in practice? ☒ Yes ☐ No

786 Greek Ombudsperson, *Comments and observations on the draft law 'Reform of deportation procedures and returns of third country nationals, attracting investors and digital media nomads, issues of residence permit and procedures for granting international protection and other provisions of the MoMA and Ministry of Citizen Protection*, Document Prot. No 43/30.08.20201, available in Greek at: https://tinyurl.com/22yp7m4h, p. 11.

787 Joint statement by 10 civil society organizations-members of the Legal Aid Working Group of Lesvos, *Imposition of a €100 fee for access to asylum from the 2nd and each further subsequent application to applicants for international protection*, 2 March 2022, available in Greek at: https://tinyurl.com/n2585h35.

788 *Ibid.*

789 European Parliament, Parliamentary question E-005103/2021, 20 January 2022, available at: https://bit.ly/3M3dGWh.

2. Does national legislation allow for the use of "safe third country" concept? ☒ Yes ☐ No
   - ❖ Is the safe third country concept used in practice? ☒ Yes ☐ No

3. Does national legislation allow for the use of "first country of asylum" concept? ☒ Yes ☐ No

Following the EU-Türkiye Statement of 18 March 2016,[790] the provisions concerning the "first country of asylum" and the "safe third country" concepts were applied for the first time in Greece vis-à-vis Türkiye. Serious concerns about the compatibility of the EU-Türkiye Statement with international and European law, and more precisely the application of the "safe third country" concept, have been raised since the publication of the Statement.[791]

On 28 February 2017, the CJEU delivered an order with regard to an action for annulment brought by two Pakistani nationals and one Afghan national against the EU-Türkiye Statement. The order stated that '*the EU-Turkey Statement, as published by means of Press Release No 144/16, cannot be regarded as a measure adopted by the European Council, or, moreover, by any other institution, body, office or agency of the European Union, or as revealing the existence of such a measure that corresponds to the contested measure*.'[792] Therefore, '*the Court does not have jurisdiction to rule on the lawfulness of an international agreement concluded by the Member States*.'[793] The decision became final on 12 September 2018, as an appeal against it before the CJEU was rejected.[794]

1. Safe country of origin

According to Article 92 Asylum Code, safe countries of origin are:

(a) Those included in the common list of safe countries of origin by the Council of the EU; and
(b) Third countries, in addition to those of case (a), which are included in the national list of safe countries of origin and which shall be established and apply for the examination of applications for international protection and published in accordance with Article 92 paragraph 5, issued by a Joint Ministerial Decision by the Ministers of Citizen Protection and Foreign Affairs, following a recommendation of the Director of the Asylum Service.

A country shall be considered as a "safe country of origin" if, on the basis of legislation in force and of its application within the framework of a democratic system and the general political circumstances, it can be clearly demonstrated that persons in these countries do not suffer from persecution, generally and permanently, nor torture, inhuman or degrading treatment or punishment, nor a threat resulting from the use of generalised violence in situations of international or internal armed conflict.[795]

To designate a country as a "safe country of origin", the authorities must take into account *inter alia* the extent to which protection is provided against persecution or ill-treatment through:[796]

- ❖ The relevant legal and regulatory provisions of the country and the manner of their application;
- ❖ Compliance with the ECHR, the International Covenant on Civil and Political Rights (ICCPR), namely as regards non-derogable rights as defined in Article 15(2) ECHR, the Convention against Torture and the Convention on the Rights of the Child;
- ❖ Respect of the *non-refoulement* principle in line with the Refugee Convention; and

790 European Council, Press Release: *EU-Turkey Statement*, 18 March 2016, available at: https://bit.ly/3GtKveu.
791 See, *e.g.*, Greek National Commission for Human Rights (GNCHR), *Έκθεση για τη συμφωνία ΕΕ-Τουρκίας της 18ης Μαρτίου 2016 για το προσφυγικό/μεταναστευτικό ζήτημα υπό το πρίσμα του Ν. 4375/2016*, 25 April 2016, available in Greek at: https://tinyurl.com/yz7anh2z; Parliamentary Assembly of the Council of Europe (PACE), Resolution 2109 (2016), *The situation of refugees and migrants under the EU-Türkiye Agreement of 18 March 2016*, available at: http://bit.ly/2fISxIY; United Nations Human Rights Council, *Report of the Special Rapporteur on the human rights of migrants on his mission to Greece*, A/HRC/35/25/Add.2, 24 April 2017, available at: http://bit.ly/2rHF7kl, para 31.
792 General Court of the European Union, Cases T-192/16, T-193/16 and T-257/16 *NF, NG and NM v. European Council*, Order of 28 February 2017, press release available at: http://bit.ly/2lWZPrr.
793 *Ibid*.
794 CJEU, Cases C-208/17 P, C-209/17 P and C-210/17 P *NF, NG and NM v European Council*, Order of 12 September 2018.
795 Article 92(3) of Asylum Code.
796 Article 92 (4) of Asylum Code.

- ❖ Provision of a system of effective remedies against the violation of these rights.

By means of a Joint Ministerial Decision of the Ministers of Migration and Asylum and Foreign Affairs, issued following a proposal by the Director of the Asylum Service, the countries of origin designated as safe, pursuant to this article, shall be determined. The evidence taken into consideration for the issuance of the said Joint Ministerial Decision, as prescribed in the preceding paragraphs, must be current and derived from credible sources of information, including, in particular, official diplomatic sources from both domestic and foreign jurisdictions, the EUAA, the legislation of other Member States concerning the concept of safe countries, the Council of Europe, and UNHCR. The designation shall be subject to mandatory review in November of each year. In the event of a substantial change in the human rights situation of a country designated as a safe country of origin, the designation shall be reviewed as expeditiously as possible and prior to the lapse of one year, as provided in the preceding sentence. The European Commission shall be notified of every decision concerning such designation.[797]

A country may be designated as a "safe country of origin" for a particular applicant only if, after an individual examination of the application, it is demonstrated that the applicant (a) has the nationality of that country or is a stateless person and was previously a habitual resident in that country; and (b) has not submitted any serious grounds for considering the country not to be a safe country of origin in their particular circumstances and in terms of their qualification as a beneficiary of international protection.[798] The "safe country of origin" concept is a ground for applying the Accelerated Procedure.

Until the implementation of IPA, there was no national or EU common list of safe countries. Therefore, the rules relating to safe countries of origin in Greek law had not been applied in practice and there had been no reference or interpretation of the abovementioned provisions in decision-making practice. Following a joint Ministerial Decision issued on 31 December 2019,[799] 12 countries were designated as safe countries of origin. These are Albania, Algeria, Armenia, Gambia, Georgia, Ghana, India, Morocco, Senegal, Togo, Tunisia and Ukraine. In January 2021 Bangladesh and Pakistan were included in the aforementioned list.[800] In February 2022, Benin, Egypt and Nepal were also added to the list.[801] The list of safe countries of origin was updated in November 2022 by Joint Ministerial Decision 708368, which removed Ukraine from the list.[802] In December 2023 a new JMD was published that included the countries mentioned in the previous JMD. [803] In December 2024 Angola and Moldova were also added to the list.[804]

Data on the full number of asylum applications submitted by citizens of countries considered as safe are not published by the MoMA nor have they been provided by the Ministry following GCR's yearly requests. Instead, following the latest such request sent by GCR in January 2025, the MoMA replied by referring GCR to the Ministry's website "*and in particular at the link https://migration.gov.gr/statistika/ [where] the monthly newsletters are published, alongside relevant annexes, which include summary and detailed statistical data on the work of the First Reception Service, the Asylum Service and the Appeals Authority*". As per the specific publications,[805] during 2025 a total of 2,101 asylum applications were submitted by Pakistani nationals, 3,132 applications by Bangladesh nationals, while 2,105 were submitted by Egyptian nationals. Yet data on the number of applications submitted by nationals of the other 16 countries designated as safe countries of origin is not available.

According to Article 88 (7 f) of the Asylum Code, asylum applications of applicants for international protection coming from "safe countries of origin" are examined under the Accelerated Procedure.

797 Article 92 (5) of Asylum Code.
798 Article 92 (2) of Asylum Code.
799 Joint Ministerial Decision No 1302/20.12.2019, Gov. Gazette 4907/B/31.12.2019.
800 Joint Ministerial Decision No 778/2021, Gov. Gazette 317/B/29-1-2021.
801 Joint Ministerial Decision No 78391/2022, Gov Gazette 667/B/15-02-2022
802 Joint Ministerial Decision No 708368/2022, Gov Gazette 6012/B/25.11.2022 available at: https://bit.ly/4d2bflc.
803 Joint Ministerial Decision No 527235/2023, Gov Gazette 6844/B/5.12.2023 available at: https://bit.ly/4d2bflc.
804 Joint Ministerial Decision No 305652/2024, Gov Gazette 7117/B/27.12.2024 available at: https://bit.ly/4g0fFJP.
805 MoMA, *Statistics, Consolidated Reports - Overview: December 2025- International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp table 7d

2. Safe third country

General rules

The "safe third country" concept is a ground for inadmissibility (see Admissibility Procedure).

According to Article 91 (1) of the Asylum Code, a country shall be considered a "safe third country" for a specific applicant when all the following criteria are **cumulatively** fulfilled:

(a) The applicant's life and liberty are not threatened for reasons of race, religion, nationality, membership of a particular social group or political opinion;
(b) The country respects the principle of *non-refoulement*, in accordance with the Refugee Convention;
(c) The applicant is in no risk of suffering serious harm according to Article 15 of IPA;
(d) The country prohibits the removal of an applicant to a country where they risk to be subject to torture or cruel, inhuman or degrading treatment or punishment, as defined in international law;
(e) The possibility to apply for refugee status exists and, if the applicant is recognised as a refugee, to receive protection in accordance with the Refugee Convention; and
(f) The applicant has a connection with that country, under which it would be reasonable for the applicant to move to it[806].

The transit of the applicant from a third country may be considered as the applicant 's connection with the third country, on the basis of which it would be reasonable to move to it. Yet this needs to be assessed in conjunction with specific circumstances, and in particular: (a) the time of stay there, (b) any contact or objective and subjective possibility of contact with the authorities, for access to work or granting a right of residence, (c) possible, prior to transit, residence such as long-term visits or studies, (d) existence of any, even distant, kinship, (e) existence of social or professional or cultural relations, (f) existence of property, (g) connection with a wider community; (h) knowledge of the language concerned; (i) geographical proximity of the country of origin.

Designation of Türkiye and Albania as safe third countries

The Asylum Code provides the possibility for the establishment of a list of safe third countries by way of Joint Ministerial Decision.[807] On 7 June 2021, a Joint Ministerial Decision of the Deputy Minister of Foreign Affairs and the Minister of Migration and Asylum was issued, designating Türkiye as "safe third country" in a national list for asylum applicants originating from Syria, Afghanistan, Pakistan, Bangladesh and Somalia, without providing any legal reasoning.[808] The aforementioned Joint Ministerial Decision was amended by a subsequent JMD under Article 86(3) IPA, previously in force, declaring Türkiye a safe third country for said nationalities, again, without providing any legal reasoning.[809] The abovementioned JMD designated Albania as a safe third country for the first time for people entering Greece from the Albanian-Greek borders, and North Macedonia as a safe third country for people entering the Greek territory from the borders between North Macedonia and Greece. [810] Subsequently, on 12 December 2022, a new JMD[811] was issued pursuant to which JMD 42799/03.06.2021[812], as amended by the JMD 458568/15.12.2021, upon review of the existing information (domestic legislative status of the third

806 In case C-564/18 (LH v Bevándorlási és Menekültügyi Hivatal) of 19 March 2020, the CJEU examined the compatibility of said provision with Article 38(2) of the Recast Asylum Procedures Directive 2013/32/EU and ruled that 'the transit of the applicant from a third country cannot constitute as such a valid ground in order to be considered that the applicant could reasonably return in this country', available at: https://bit.ly/3w4pWUe. Moreover, contrary to Article 38(2) of the Directive, national law does not foresee the methodology to be followed by the authorities in order to assess whether a country qualifies as a 'safe third country' for an individual applicant.
807 Article 91(3) of the Asylum Code.
808 JMD 42799/03.06.2021, Gov. Gazette 2425/B/7-6-2021, available in Greek at: https://bit.ly/4aGni5U.
809 JMD 458568/15.12.2021, Gov. Gazette 5949/B/16.12.2021, available in Greek at: https://bit.ly/4aGnnGK.
810 *Ibid.*
811 JMD 734214/06.12.2022 (Gov. Gazette 6250/B/12-12-2022), available in Greek at: https://bit.ly/427H9GU.
812 JMD 42799/03.06.2021 (Gov. Gazette 2425/B/7-6-2021, as above.

country, bilateral or multilateral inter-governmental agreements or agreements of the third country with the European Union, as well as internal practice), [813] remains in force. The latest JMD establishing the list of safe third countries was published in December 2023 and includes the countries mentioned in the previous JMD.[814]

It must be stressed that these JMDs provide no reasoning as to why and on the basis of which information Türkiye was designated as a safe third country for the five nationalities. Instead, they refer to "Opinions" of the Head of the Asylum Service, which have not been made public, in contravention of Articles 12(1)(d) and 38(2)(c) of the Asylum Procedures Directive and Articles 86(3) IPA, previously in force and 91(3) of the Asylum Code. According to Article 91(3) of the Asylum Code, the information (domestic legislative status of the third country, bilateral or multilateral inter-governmental agreements or agreements of the third country with the European Union, as well as internal practice)" taken into account for the adoption of a JMD designating a country as a "safe third country", must be "up to date and come from credible sources of information, in particular from official domestic and foreign diplomatic sources, EASO, the legislation of the other Member States in relation to the concept of safe third countries, the Council of Europe, and UNHCR. The European Commission shall be informed of any decision designating a country as a safe third country.

The European Commission has expressly stated that:[815]

> 'Article 12(1)(d) of Directive 2013/32/EU provides that such information, when taken into account by the deciding authority, should also be accessible to the applicant and his/her legal advisers. To the extent Opinion 8815/14.05.2021 of the Director of the Asylum Service contains information referred to in Article 10(3)(b) of Directive 2013/32/EU, and the deciding authority takes the opinion into account for the purpose of taking a decision on an application for international protection, it should be made accessible to the applicant and his/her legal advisers'.

Contrary to Article 91(3) of the Asylum Code, the Opinion was simply a compilation of sources of information about Türkiye and contains no legal reasoning as to why this information leads to the conclusion that Türkiye is a safe third country for asylum applicants from the five countries concerned. In fact, the sources mentioned in the "Opinion" seem to rather substantiate the opposite conclusion. Finally, it should be mentioned that the "Opinion" has still not been published by the authorities nor is it included as part of the applicants' file in the inadmissibility decisions.[816]

As a result, since the entry into force of the JMDs, the applications lodged by those nationals of these countries can be rejected as "inadmissible" without their applications being examined on their merits.

The criteria provided by the Asylum Code are to be assessed in each individual case, except where a third country has been declared as generally safe in the national list.[817] Such provision seems to derogate from the duty to carry out an individualised assessment of the safety criteria where the applicant comes from a country included in the list of "safe third countries", contrary to the Directive and to international law. Even where a country has been designated as generally safe, the authorities should conduct an individualised examination of the fulfilment of the safety criteria. Moreover, there should be a possibility to challenge both the general designation of a country as safe and the application of the concept in an individual case.[818]

Application of the designation in practice

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813 JMD 458568/15.12.2021, Gov. Gazette 5949/B/16.12.2021, as above.
814 JMD 538595/12.12.2023 (Gov. Gazette 7063/B/15-12-2023) available at: https://bit.ly/4b8PcHK.
815 European Commission, *Reply to parliamentary question E-3532/2021*, 4 October 2021, available at: https://bit.ly/3NimFGj.
816 Equal Rights Beyond Borders, HIAS Greece and RSA, *The state of the Border Procedure on the Greek islands*, September 2022, available at: https://bit.ly/3VbNjU5, pp. 19-20.
817 Article 91(2) of the Asylum Code.
818 RSA, *RSA Comments on the International Protection Bill*, October 2019, available at: https://bit.ly/3eqsDC0, pp. 4-5.

Prior to any analysis of the statistics, it must be noted that '[full and transparent publication of asylum statistics has been a core demand of MPs and civil society in Greece from the re-establishment of the Ministry of Migration and Asylum to present […] monthly reports of the Ministry of Migration and Asylum do not disaggregate first and second instance decisions by country of origin. However, detailed figures by country and type of decisions have been secured through parliamentary questions.[819]

Up until the end of 2020, the safe third country concept was only applied in the context of the Fast-Track Border Procedure under Article 84 IPA, previously in force, to those who entered Greece after 20 March 2016 via the Greek Aegean islands and under a measure of geographical restriction. It should be noted that the concept was only applied to Syrian nationals.

Since June 2021, all applications for international protection submitted by nationals of Syria, Afghanistan, Somalia, Pakistan and Bangladesh throughout the Greek territory are examined under the safe third country concept pursuant to JMD 42799/2021, as amended by JMD 485868/2021 and 734214/2022. Based on this new policy, asylum applications of people from the aforementioned five nationalities are not examined on the basis of their individual circumstances and the risks they face in their country of origin. Instead, they are presumed to be safe in Türkiye, and only if Türkiye is proven not to be safe, these applications are deemed 'admissible', and the competent decision authorities proceed to the examination of their applications on the merits. Three out of the five nationalities mentioned in the JMD 42799/03.06.2021 are amongst those with the highest recognition rate in Greece. In 2020, before the adoption of said JMD, 92% of Syrians, 66% of Afghans, and 94% of Somalis (median acceptance rate: 84%) received refugee or subsidiary protection status.[820]

According to MoMA statistics, during 2024, a total of 3,310 inadmissibility decisions were issued pursuant to JMD 734214/06.12.2022. These included 2,143 first-instance inadmissibility decisions and 1,142 second-instance inadmissibility decisions. Of the latter, 1,132 inadmissibility decisions were issued under the border procedure based on the 'safe third country' concept, 11 inadmissibility decisions under the border procedure concerning Albania as a 'safe third country,' and 24 inadmissibility decisions under the border procedure concerning North Macedonia as a 'safe third country.[821] During 2025, statistics mention a striking decrease of relevant decisions: 464 first instance inadmissibility decisions were issued under the border procedure applying the safe third country concept, and 66 at the second instance border procedure applying the safe third country concept, 11 inadmissibility decisions under the border procedure concerning Albania as a safe third country, and 27 inadmissibility decisions under the border procedure concerning North Macedonia as a 'safe third country,[822] leading to a total of 568 cases declared as inadmissible. Between the two years there is a difference of more than 2,500 cases with no evident explanation leading to reasonable reservations regarding their accuracy.

Additionally, mention should be made to the number of cases found admissible yet rejected after an in-merit examination of the claim as manifestly unfounded at the second instance due again to safe country of origin. According to the statistics during 2025 3,154 case were rejected on that notion (3,674 in 2024).[823]

Continued application of the safe third country concept despite the lack of prospects of removal to Türkiye and developments during 2025

In addition to the above, according to the official statistics of the Ministry of Migration and Asylum published in December 2024, '*Returns under the EU-Türkiye Joint Statement have not been made since*

819 RSA, *The Greek asylum procedure in figures in 2022, Analysis of main trends in refugee protection*, available at: https://bit.ly/4482hhP, p. 2.

820 GCR, *EU-Türkiye Statement: Six years of undermining refugee protection, 8 NGOs warn that policies implemented in Greece keep displaced people from accessing asylum procedures, despite clear need of protection,* available in Greek at: https://bit.ly/3tMP7GU, 1.

821 MoMA, *Statistics*, available at: https://bit.ly/4arfSEx, 7-8.

822 MoMA, *Statistics, Consolidated Reports - Overview: December 2025- International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp table 8a 8b

823 Ibid

March 2020 due to Covid-19. It should be noted that the Greek authorities have asked the Turkish ones to resume returns in accordance with the EU-Türkiye Joint Statement'.[824]

Furthermore, the suspension of returns/readmissions under the EU-Türkiye Statement is publicly acknowledged by both the European Commission and the relevant Ministers of the Greek government.[825] The European Commission, in a 12 October 2022 report on Türkiye, explicitly states *inter alia* that '*Türkiye maintained the suspension of returns from the Greek islands that it put in place in March 2020 […] The return of irregular migrants from the Greek islands under the EU-Türkiye Statement continued to be suspended, as it has been since March 2020*'.[826] In its 6th Annual report, the Commission clearly points out that Türkiye was no longer using COVID-19 as a pretext for refusing returns. In particular, the Commission recognises that: '*[a]lthough resettlements from Türkiye resumed as of July 2020, returns from Greece remain suspended. Responding to repeated requests from the Greek authorities and the European Commission regarding the resumption of return operations, Türkiye has stated that no return operation would take place unless the alleged pushbacks along the Turkish-Greek border stop and Greece revokes its decision to consider Türkiye a Safe Third Country'*.[827] The Minister of Citizen Protection has explicitly stated that Türkiye refuses to implement the Statement and invokes the COVID-19 pandemic as grounds for suspending readmissions. The Minister of Migration and Asylum noted in early 2022 that "*Türkiye has unilaterally suspended admission of those who do not qualify international protection since March 2020, under the pretext of COVID*". In a previous statement, the Minister stressed that Türkiye "*has refused to implement its commitments, and continues to refuse to engage in any way on the issue*".[828] Besides, the Readmission Unit of the Migration Management Directorate of the Hellenic Police, in response to relevant questions submitted by GCR, systematically confirms the absence of any prospect of removal of refugees from the Eastern Aegean islands to Türkiye, while the Administrative Courts competent for the judicial review of detention affirm the manifest lack of prospects of readmissions to Türkiye, highlighting that the procedure for the readmission of third-country nationals to Türkiye has already been suspended since 16 March 2020 and there is no evidence that this suspension will be lifted immediately; that the police authority has not proceeded to any action to execute the readmission decision; as well as that precondition for the readmission of third-country nationals to Türkiye is the submission of a relevant return application by the competent Greek authority. However, no requests have been submitted for the applicants' return to Türkiye nor does it appear that there is any intention to do so, due to the indefinite suspension of the relevant procedures on the part of the Turkish authorities.[829]

It is also worth noting that due to this suspension, the Greek authorities do not send readmission requests to the Turkish authorities regarding persons whose applications have been examined under the safe third country concept.[830]

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824 MoMA, *Report A, December 2024*, available in Greek at: https://tinyurl.com/47jnw39s, 18.

825 European Commission, *Türkiye Report 2021*, SWD(2021) 290, 19 October 2021, available at: https://bit.ly/3DiPMTP, p. 48; *Reply to parliamentary question, Answer given by Ms Johansson on behalf of the European Commission*, Question reference: P-000604/2021, 1 June 2021, available at: https://bit.ly/3IIx2hW; European Commission, *Commission Staff Working Document: Türkiye 2020 Report*, 6 October 2020, available at: https://bit.ly/3xgt4aK, 48.

826 European Commission, *Türkiye 2022 Report*, SWD(2022) 333 final, 12 October 2022, available at: https://bit.ly/3HmE7X0, pp. 5, 8. European Commission, *Sixth Annual Report on the Facility for Refugees in Türkiye*, COM(2022) 243, 24 May 2022, available at: https://bit.ly/40N9H7r, 2-3.

827 European Commission, *Sixth Annual Report on the Facility for Refugees in Türkiye*, COM(2022) 243, 24 May 2022, available at: https://bit.ly/3LakP8y, 3.

828 RSA, *Greece arbitrarily deems Türkiye a 'safe third country' in flagrant violation of rights*, February 2022, available at: https://bit.ly/3iIFsen, p. 3; MoMA, *Request by Greece towards the EU for the immediate return 1,450 third country nationals under the Joint EU-Türkiye Statement*, 14 January 2021, available in Greek at: https://bit.ly/3izPzmA.

829 Administrative Court of Kavala, AR779/2022, 14 July 2022, para 4, Administrative Court of Athens AP831/2022, 26 May 2022, para 4, Administrative Court of Korinthos, Π2424/2022, 24 June 2022, para3, Administrative Court of Rhodes, AP46/2022, 24 March 2022, para 4, AP72/2022, 25 May 2022, para 4, AP78/2022, 21 June 2022, para 3, AP79/2022, 21 June 2022, para 3, AP515/2021, 16 December 2021, para 3; AP514/2021, 16 December 2021, para 3; AP450/2021, 3 November 2021, para 4; AP136/2021, 24 March 2021, para 4; AP122/2021, 4 March 2021.

830 See e.g. Hellenic Police, 4666/3-123706, 14 February 2022; 4666/3-123672, 2 February 2022; 4666/3-123670, 31 January 2022; 4666/3-123598, 20 January 2022; 4666/3-123580, 17 January 2022; 4666/3-123567, 15 January 2022; 4666/3-123539, 11 January 2022; 4666/3-229920, 27 December 2021; 4666/3-229748, 29 November 2021.

Article 38(4) of the Asylum Procedures Directive, which provides that "*where the third country does not permit the applicant to enter its territory, Member States shall ensure that access to a procedure is given in accordance with the basic principles and guarantees described in Chapter II*", was transposed into Greek law through Article 91(5) of the Asylum Code,[831] pursuant to which "*where the safe third country does not allow the applicant to enter its territory, their application shall be examined on the merits by the competent Examination Authorities*".

Despite the suspension of returns to Türkiye since March 2020,[832] and the aforementioned provision of Article 91(5) of the Asylum Code, the Greek asylum authorities have since systematically applied the safe third country concept vis-à-vis applicants from Syria, Afghanistan, Somalia, Pakistan and Bangladesh, leading to a large number of applicants having their claims dismissed as inadmissible and being ordered to return to Türkiye, despite the lack of any prospect of return/readmission. As already noted above, as many as 3,310 asylum applications (at first and second instance) were dismissed as inadmissible based on the safe third country concept in 2024, the vast majority of which with regards to Türkiye.[833] Subsequent applications lodged following a final rejection of an application for international protection as inadmissible are channelled again into admissibility procedures and dismissed based on the safe third country concept or due to a lack of new elements.

To the knowledge of GCR, in only a few decisions did the Appeals Committees deem applications for international protection admissible on the grounds that it was certain that Türkiye would not allow the appellants to enter its territory, in light the country's general refusal to readmit rejected applicants who had irregularly entered Greece through its territory.[834]

This practice exposes applicants for international protection to a legal limbo whereby they are not granted access to an examination of their applications on the merits, contrary to the purpose of the Geneva Convention and of the Asylum Procedures Directive. It also leads to their exclusion from reception conditions, without access to dignified living standards or the possibility to cater to their basic needs, including food and healthcare.

The European Parliament and civil society have raised concerns over Greece's non-compliance with Article 38(4) of the Asylum Procedures Directive and its application of the safe third country concept.

In response to parliamentary questions raised by Members of the European Parliament, the European Commission stated that, under Article 38(4), Member States must grant access to substantive asylum procedures if a third country refuses entry to an applicant, precluding inadmissibility rejections based solely on the safe third country concept. It emphasised that Greece must consider the prevailing circumstances during the (re-)examination of applications, particularly in light of Türkiye's suspension of returns since 2020 under the EU-Türkiye Statement.[835] The Commission further highlighted that legal or factual circumstances, including the suspension of bilateral readmission agreements or a failure by the

831 L. 4636/2019, Gov. Gazette A' 169/01.11.2019.

832 European Commission, *Türkiye 2022 Report*, SWD(2022) 333 final, 12 October 2022, available at: https://bit.ly/41KEpPW, p. 5, 8, 21, RSA, *Greece arbitrarily deems Türkiye a 'safe third country' in flagrant violation of rights*, February 2022, available at: https://bit.ly/46RDw9l, pp. 2-3, EASO, *Asylum Report 2021*, 29 June 2021, p. 242, available at: https://bit.ly/3NjoEKi; Hellenic Parliament, *Defence & Foreign Affairs Committee*, 17 December 2021, available in Greek at: https://bit.ly/3RzGqLS.

833 MoMA, *Statistics*, available at: https://bit.ly/4arfSEx, 7-8.

834 10th Appeals Committee, No 83008/2023, 9 February 2023; 20th Appeals Committee, No 91410/2023, 14 February 2023; 10th Appeals Committee, No 151657/2023, 14 March 2023; 10th Appeals Committee, 312252/2023, 16 June 2023; 20th Appeals Committee, No IP/21911/2023, 18 July 2023; 20th Appeals Committee No IP/36908/2023, 28 July 2023.

835 CHAP (2021)02261, 7 June 2021; CHAP(2021)02274, 8 June 2021, CHAP(2021)02994, 31 July 2021. See also RSA, *Asylum seekers in Greece lodge complaint on infringement of Asylum Directives*, 16 June 2021, available at: https://bit.ly/3tkl5ZV; European Commission, *Reply to parliamentary question P-000604/2021(ASW),* 1 June 2021, available at: https://bit.ly/44otFZl; European Commission, *Reply to parliamentary question E-004131/2021(ASW)*, 21 December 2021, available at: https://bit.ly/45w7rFb; European Commission, *Reply to parliamentary question E-005103/2021(ASW)*, 25 January 2022, available at: https://bit.ly/3Q3NugU; European Commission, *Reply to parliamentary question E-001347/2022(ASW), 22 June 2022*, available at: https://bit.ly/46OaKqG.

third country to respond to readmission requests, necessitate adherence to Article 38(4). These obligations are particularly relevant in light of Türkiye's continued non-admission of applicants since 2020, requiring Member States to safeguard procedural access to the examination of such claims. [836]

Civil society organisations have urged Greece to repeal its national list of safe third countries, disclose opinions on these designations, and cease inadmissibility decisions based on the concept. The Commission has previously called on Greece to ensure compliance with Article 38(4) to avoid legal limbo for applicants.[837]

The Greek Ombudsperson has criticised the cyclical inadmissibility reviews, which fail to examine applications on their merits, undermining refugee protection standards. [838] While internal SOPs of the Asylum Service introduced in 2021 allowed merit-based examination for applicants in Greece for over a year, inconsistent application of these rules has left many, particularly Syrians, Afghans, and Somalis, in ongoing procedural uncertainty.

On 7 October 2021, GCR and Refugee Support Aegean (RSA) filed a judicial review before the Greek Council of State for the annulment of the JMD 42799/03.06.2021 designating Türkiye as a safe third country for nationals of Syria, Afghanistan, Somalia, Pakistan and Bangladesh.[839] On 4 March 2022, requests for the continuation of the hearing were filed before the Council of State for the annulment of the subsequent JMD, 458568/15.12.2021 of the Minister of Migration and Asylum and the Deputy Minister of Foreign Affairs. The application for annulment was examined before the Plenary of the Council of State on 11 March 2022.

On 3 February 2023, the Plenary of the Council of State (CoS) issued its decision No. 177/2023,[840] which postpones the final judgment and referred the following questions to the CJEU for a preliminary ruling, given there were reasonable doubts as to the meaning of Article 38 of the Directive:

a) Must Article 38 of the Asylum Procedures Directive, read in conjunction with Article 18 of the Charter of Fundamental Rights of the European Union, be interpreted as precluding national legislation, designating a third country as generally safe for certain categories of applicants for international protection, which has undertaken the legal obligation to readmit those categories of applicants to its territory, but it follows that for a long time (in case more than twenty months) this country has refused readmissions and that the possibility to change the country's attitude in the near future does not appear to have been explored? Or,
b) Must this Article be interpreted as meaning that readmission to the third country is not a cumulative condition for the adoption of the national act designating a third country as safe for these categories of applicants, but it is a cumulative condition for the adoption of an individual act rejecting a specific application for international protection as inadmissible on the ground of 'safe third country'? Or,
c) Must Article 38 be interpreted as meaning that the possibility of readmission to the 'safe third country' must be established only at the time of enforcement of the decision, where that decision to reject the application for international protection is based on the 'safe third country' ground?[841]

On Friday 4 October 2024 the CJEU (C-134/2023) in line with the Advocate's General Opinion, ruled that:

836 European Commission, Directorate General for Migration and Home Affairs, Ref.Ares(2021)7836311, 17 December 2021, no longer available online.
837 Letter to the Director of the Asylum Service by co-signing civil society organisations, *European Commission dispels Greece's designation of Türkiye as a 'safe third country' for refugees – Repeal the national list of safe third countries*, Ref. no: β/72/27.10.2022, 27 October 2022, available at: https://bit.ly/40Lhq5J.
838 RSA, *Greece arbitrarily deems Türkiye a 'safe third country' in flagrant violation of rights*, February 2022, available at: https://bit.ly/3iIFsen, p. 5; Ombudsperson, Letters 301551/41050/2021 and 301755/41017/2021, 22 July 2021.
839 GCR, *Decision declaring Türkiye a 'safe third country' brought before Greek Council of State*, 7 October 2021, available at: https://bit.ly/3iLkeMJ.
840 Plenary of the Council of State, 177/2023, available in Greek at: https://bit.ly/426WSpv. See also RSA, *Key points of the Greek Council of State ruling on the 'safe third country' concept'*, 17 February 2023, available at: https://bit.ly/3FB91KC.
841 European Legal Network on Asylum (ELENA), *Greece: Preliminary reference regarding Türkiye as a safe third country*, 3 February 2023, available at: https://bit.ly/3LhmQzH.

- ❖ Article 38 of Directive 2013/32/EU does not preclude legislation of a Member State designating a third country as generally safe for certain categories of applicants for international protection, even if that third country has suspended, in general terms and without any prospect of a contrary development, the admission or readmission of those applicants to its territory.
- ❖ Member States may not, however, issue a decision rejecting an application for asylum as inadmissible on the basis of the concept of 'safe third country' in cases where they have established that the applicant for asylum will not be allowed to enter the territory of a country designated as safe**.**

Therefore, the decision on the existence or not of the possibility of readmission to the third country, in this case Türkiye, becomes a prerequisite at the stage of issuing the decision on the asylum application and not at the stage of its execution, as has been the practice of the Asylum Service up to now, as well as in the majority of decisions of the Independent Appeals Committees. It should be noted that those decisions of the national authorities, based on the Proposals of the same Advocate General in Cases C-924/19 PPU and C-925/19 PPU, overwhelmingly interpreted, incorrectly, that the condition of effective or not readmission to the third country is reviewed not at the stage of issuance, but at the stage of execution of the decision declaring an application for international protection as inadmissible on the basis of the application of the safe third country concept.

It should be recalled that the majority of the Plenary of the CoS, in the above-mentioned judgment, has interpreted Article 38 of the Directive, taking into account the provision of Article 18 of the Charter of Fundamental Rights of the European Union, which safeguards the right to asylum, in a way that serves the purpose pursued by the Directive.

In addition to the serious legal controversy over the interpretation of Article 38 given by the CJEU and its opposition to the adoption of the above-mentioned regulation - since it is contrary to fundamental principles of international and European Union law governing the interpretation of legal provisions- the CJEU's judgment is of major importance because it overturns an arbitrary and abusive practice of the Greek authorities which has been in force for many years –that of wholesale rejecting asylum applications as inadmissible under the safe third country principle– and puts an end to the denial of the rights of thousands of applicants, by prohibiting their rejection when there is no possibility of their readmission to Türkiye and dictating their individual examination in accordance with the Directive.

On 27 February 2025 by decision of the Plenary of the Council of State (CoS), the Joint Ministerial Decision designating Turkey as a safe third country for asylum seekers originating from Syria, Afghanistan, Somalia, Pakistan, and Bangladesh has been annulled.

The Council of State, specifically, ruled that:

> ‘from the case file accompanying the Joint Ministerial Decision 538595/12.12.2023 issued by the Ministers of Foreign Affairs and Migration and Asylum, titled ‘Designation of third countries as safe and compilation of a national list pursuant to Article 91 of Law 4939/2022 [...]’ (Government Gazette B’ 7063), and particularly from the recommendation of the Director of the Asylum Service, it does not emerge that the criteria set out in Article 91 of Law 4939/2022 (Article 38 of Directive 2013/32/EU) were duly assessed for the designation of Türkiye as a safe third country for the aforementioned categories of foreign nationals. This is because the recommendation and its attached Annex merely summarize the texts of the international sources considered, without specifically evaluating the information contained therein against the criteria set forth in the law, so as to substantiate the legal requirements for the designation.’

Accordingly, the 18th Appeals Committee, in its IP/783018/2024 Decision, upheld an appeal against the rejection of a subsequent application, interpreting the applicable legislation in alignment with CJEU Decision C-134/2023.

Notwithstanding the judgments of the CJEU and the Council of State, GCR has received reports and is aware of asylum applications that have been rejected as inadmissible under the safe third country concept.[842]

On 9 April 2025, the Greek government issued a new Joint Ministerial Decision re-designating Türkiye as a "safe third country" for asylum seekers originating from Syria, Afghanistan, Somalia, Pakistan and Bangladesh.[843] The decision is based on a revised proposal that selectively cites favorable sources while excluding credible reports that contradict this classification. It disregards key evidence from the European Court of Human Rights, UN bodies, and EU institutions, which highlight Turkey's mass deportations, persistent human rights violations, and lack of effective asylum access. Even cited sources are selectively interpreted. Moreover, the proposal lacks reasoning for why Turkey is deemed safe specifically for nationals of these countries, raising serious doubts about the legality and objectivity of the designation under asylum law.

On 10 June 2025, the Greek Council for Refugees (GCR) and Refugee Support Aegean (RSA) filed a judicial review before the Greek Council of State for the annulment of the aforementioned JMD and is pending.

2.1. Safety criteria

Applications lodged by Syrian, Afghan, Somali, Bangladeshi and Pakistani nationals

In 2022, the Asylum Service issued 8,611 first instance decisions on applications lodged by Syrian (initially subject to the fast-track border procedure), Afghan, Somali, Bangladeshi and Pakistani applicants, including third country nationals of Palestinian Origin with previous habitual residence in Syria. The applications submitted by the aforementioned applicants were examined under the safe third country concept.[844] According to the official figures provided by the Ministry of Migration and Asylum to the Hellenic Parliament, the Asylum Service dismissed 3,409 claims as inadmissible based on the "safe third country" concept (Afghanistan: 1,095, Bangladesh: 231, Pakistan: 249, Somalia: 577, Syria: 1,257).[845]

A relevant breakdown for 2024 has not been provided by the MoMA, even though GCR has requested it. Instead, following the latest such request sent by GCR in January 2025, the MoMA replied by referring GCR to the Ministry's website "*and in particular at the link https://migration.gov.gr/statistika/ [where] the monthly newsletters are published, alongside relevant annexes, which include summary and detailed statistical data on the work of the First Reception Service, the Asylum Service and the Appeals Authority […]*".[846] Yet a closer look at the public sources referenced by the MoMA highlights only a limited part of this data is available.

Namely, as per the MoMA' monthly updates,[847] throughout 2024 a total of 2.143 first instance inadmissibility decisions seem to have been issued under the safe third country concept, in the context of border procedures. For the purpose of clarity and certainty beyond doubt, this data needs to be checked, given that in the two different language versions (English and Greek) of the same publication, the specific number is quoted in one case (English) as related to the number of first instance inadmissibility decisions under the safe third country concept, and in the other (Greek), as related to first instance inadmissibility decisions under the first country of asylum concept. Nevertheless, given that, as mentioned in First Country of Asylum, the specific concept (*i.e.*, first country) is not applied as a stand-alone inadmissibility

842 IP/179788/26.03.2025 19th Appeals Committee, Αρ.πρωτ.:IP/179788
843 See official text of the JMD in Greek here.
844 MoMA, *Parliamentary Control*, Protocol No 97157, 17 February 2022, available in Greek at: https://bit.ly/3qGGT16, p. 8.
845 MoMA, *Reply of the Ministry to the Greek Parliament*, 156079/2023, 16 March 2023, available at: https://bit.ly/3JIy0y6, p. 12.
846 MoMA, Analysis and Studies Office, *Reply to GCR's request for information for the preparation of the present 2024 Update of AIDA Country Report: Greece*, received on10 January 2025, in answer to protocol number 565, 573 and 574/2024 GCR requests, lodged on December 5, 2024.
847 MoMA, *Statistics, Consolidated Reports - Overview 2024- International Protection* | *Appendix A*, available in English here, table 8a ; and in Greek here, table 8a.

ground in practice, it could reasonably be presumed that in the latter version reference to the first country of asylum is erroneous.

As already mentioned, statistics regarding 2025, apart from not including the relevant break down, leave way for much interpretation since the difference between the two years (2024 and 2025) requires further clarification. Reasonable reservations regarding their accuracy are maintained.

Since mid-2016, namely from the very first decisions applying the safe third country concept in the cases of Syrian nationals, up until October 2024,[848] first instance decisions dismissing the applications of Syrian nationals as inadmissible based on the designation of Türkiye as a safe third country in the Fast-Track Border Procedure, were based on a pre-defined template provided to Regional Asylum Offices or Asylum Units on the islands, and were identical –except for the applicants' personal details and a few lines mentioning their statements– and repetitive.[849]

Specifically, the Asylum Service reaches the conclusion that Türkiye is a safe third country for Syrian nationals, relying on:

(a) the provisions of Turkish legal regime in force, *i.e.*, the Turkish Law on Foreigners and International Protection (LFIP), published on 4 April 2013,[850] the Turkish Temporary Protection Regulation (TPR), published on 2014[851] and the Regulation on Work Permit for Applicants for and Beneficiaries of International Protection, published on 26 April 2016,[852] without taking into consideration its critical amendments, based on emergency measures;[853]
(b) the letters, dated 2016, exchanged between the European Commission and Turkish authorities,[854]
(c) the letters, dated 2016, exchanged between the European Commission and the Greek authorities,[855]
(d) the 2016 letters of UNHCR to the Greek Asylum Service, regarding the implementation of Turkish law about temporary protection for Syrians returning from Greece to Türkiye and
(e) sources, indicated only by title and link, without proceeding to any concrete reference and legal analysis of the parts they base their conclusions.

Second instance decisions under the JMD 538595/2023[856]

Throughout 2024, 1,167 "inadmissible/safe country of origin" decisions were issued by the Appeals Committee under the JMD 538595/2023.[857] Of these, 10 decisions concerned Albania and 25 North

848 *i.e., date at which* the CJEU delivered its judgement in Case C-134/23, which is available here, see also joint press release by GCR and RSA, who represented the case before the Court, available here and here.

849 ECRE, *The role of EASO operations in national asylum systems*, 29 November 2019, available at: https://bit.ly/2RVALRt, pp. 33 and 35; ECRE et al., *The implementation of the hotspots in Italy and Greece*, December 2016, p. 38, available at: https://bit.ly/4a8glLp. On **Lesvos**, see GCR, *GCR Mission to Lesvos – November 2016*, available at: https://bit.ly/3Gv1rRT, p. 20; On **Samos**, see GCR, *GCR Mission to Samos – June 2016*, available at: https://bit.ly/3GvJJO6, p. 20 On **Leros** and **Kos**, see GCR, *GCR Mission to Leros and Kos – May to November 2016*, p. 32, available at: https://bit.ly/3t7mWoI.

850 Türkiye: Law No. 6458 of 2013 on Foreigners and International Protection, 4 April 2013, as amended by the Emergency Decree No 676, 29 October 2016, available at: https://bit.ly/3LhAJhk.

851 National Legislative Bodies / National Authorities, *Türkiye: Temporary Protection Regulation*, 22 October 2014, available at: https://bit.ly/2YM9F3T.

852 National Legislative Bodies / National Authorities, *Türkiye: Regulation on Work Permit of International Protection Applicants and International Protection Status Holders*, 26 April 2016, available at: https://bit.ly/3oTLij3.

853 Venice Commission, Opinion No. 865 / 2016, *Opinion on the Emergency Decree Laws Nos. 667-676 adopted following the failed coup of 15 July 2016*, adopted at its 109th plenary session, 9-10 December 2016, Doc. CDL-AD(2016)037, available at: https://bit.ly/3uQDa6h; International Commission of Jurists, *Türkiye: Justice suspended, Access to justice and the State of Emergency in Türkiye*, 2018, available at: https://bit.ly/3DlcsTi, p. 2.

854 Letters between the European Commission and the Turkish and Greek authorities between April and July 2016, available at: https://bit.ly/4bbi6Y2.

855 *Ibid*.

856 See here.

857 MoMA, *Statistics, Consolidated Reports - Overview 2024- International Protection | Appendix A*, available in English here, table 8b

Macedonia. The official statistical data for 2024 do not break down the cases according to nationality (Syrian, Afghan, Somali, Pakistani or Bangladeshi), nor has such data been provided following GCR's yearly requests. According to the relevant statistics for 2025, only 66 "inadmissible/safe country of origin" decisions were issued by the Appeals Committee, 11 inadmissibility decisions under the border procedure concerning Albania as a 'safe third country', and 27 inadmissibility decisions under the border procedure concerning North Macedonia as a 'safe third country.[858] No additional data are available.

Decisions of the Appeals Committees rejecting cases as inadmissible follow the line of reasoning of the Asylum Service to a great extent. Appeals Committees have continued to refrain from taking into consideration up-to-date and reliable sources of information concerning risks of inhuman or degrading treatment and *refoulement* facing individuals in Türkiye. Appeals Committees have also held that the designation of a third country as safe may be maintained, even in cases where the applicant invoked reports by international organisations reaching the opposite conclusion.[859] Greek authorities come to the conclusion that applicants do not face a risk of *refoulement* in Türkiye on the ground that they had not already faced such treatment in the country prior to their arrival in Greece.[860] Only in a few exceptions have the Independent Appeals Committees (IACs) cited Türkiye's practice of coercion of refugees into signing "voluntary return" forms.[861] Furthermore, none of the Asylum Service and IAC decisions seen in 2024 or early 2025 refer to authoritative evidence on the current state and deficiencies of the Turkish asylum system, including a "20% rule" on registration of international and temporary protection claims in all provinces with a significant population of non-nationals, and removal of tens of thousands to countries such as Afghanistan and Syria. Almost none refer to the country's "20% rule" on access to asylum procedures.[862]

To GCR's knowledge there have been certain appeals of Syrians which have been considered as admissible at second instance.[863]

2.2. Connection criteria

Article 91(1)(f) Asylum Code requires there to be a connection between the applicant and the "safe third country", which would make return thereto reasonable. Whereas no further guidance was laid down in previous legislation[864] as to the connections considered "reasonable" between an applicant and a third

858 MoMA, *Statistics, Consolidated Reports - Overview: December 2025- International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp table 8a 8b

859 2nd IAC, 171515/2023, 23 March 2023, p. 7; 8th IAC, 583703/2022, 5 October 2022, p. 12; 511455/2022, 5 September 2022, p. 19; 237130/2022, 29 April 2022, p. 16; 161054/2022, 21 March 2022, p. 13; 142176/2022, 11 March 2022, para 9; 458313/2021, 15 December 2021, para 9; 11th IAC, 71895/2022, 8 February 2022, para 13; 67923/2022, 7 February 2022, para 9; 384227/2021, 15 November 2021, para 9; 2075/2021, 26 February 2021, para 11; 2727/2020, 9 April 2020, para 10; 13th IAC, IP/113682/2023, 13 September 2023, para 11; 22148/2023, 13 January 2023, para 8; 734754/2022, 7 December 2022, para 9; 14th IAC, IP/335367/2023, 6 December 2023, p. 18; 250567/2023, 3 May 2023, p. 24; 211179/2023, 11 April 2023, p. 24; 16th IAC, 85916/2023, 10 February 2023, para IV.4; 394674/2022, 7 July 2022, p. 7; 21st IAC, 710801/2022, 28 November 2022, pp. 9-10; 690292/2022, 18 November 2022, p. 8; 467020/2021, 20 December 2021, p. 10, as cited in ProAsyl and RSA, *The concept of "Safe third country". Legal standards and Implementation in the Greek Asylum System,* February 2024, available at: https://bit.ly/44fR5jV, p. 10, note 29.

860 For example, 3rd IAC, 47496/2022, 28 January 2022, para 15; 4th IAC, 204504/2023, 7 April 2023, pp. 18-19; 79499/2023, 8 February 2023, para III.2; 6th IAC, IP312088/2023, 28 November 2023, para IV.5; IP/291367/2023, 21 November 2023, para IV.5; 11th IAC, IP/578/2023, 28 June 2023, pp. 24-25; 12th IAC, 168365/2023, 7 April 2023, p. 15; 14th IAC, IP/335367/2023, 6 December 2023, p. 21; 250567/2023, 3 May 2023, p. 26; 211179/2023, 11 April 2023, pp. 25-26.

861 10th IAC, 22083/2020, 28 April 2021, para 2; 12540/2020, para 4; 17th IAC, 292768/2023, 8 June 2023, para 3; 21st IAC, 398486/2021, 19 November 2021, p. 20, as cited in ProAsyl and RSA, *"The concept of "Safe third country". Legal standards and Implementation in the Greek Asylum System,* February 2024, available at: https://bit.ly/44fR5jV, p. 12, note 43.

862 Exceptions include 4th IAC, 204504/2023, 7 April 2023, pp. 14 and 17; 12th IAC, 168365/2023, 22 March 2023, pp. 11 and 14; 15th IAC, IP/20208/2024, 10 January 2024, para 16, as cited in ProAsyl and RSA, *"The concept of "Safe third country". Legal standards and Implementation in the Greek Asylum System,* February 2024, available at: https://bit.ly/44fR5jV, p. 10, note 29.

863 GCR, HIAS, RSA, *Greek Asylum Case Law Report Issue 1/2024*, available here; GCR, HIAS, RSA, Greek Asylum Case Law Report Issue 2/2024, available here.

864 Article 56(1)(f) L 4375/2016.

country,[865] the IPA, as amended by the Asylum Code, has introduced further detail in the determination of such a connection. Transit through a third country may be considered as such a connection in conjunction with specific circumstances such as:[866]

(a) Length of stay;
(b) Possible contact or objective and subjective possibility of contact with the authorities for the purpose of access to the labour market or granting a right to residence;
(c) Stay prior to transit, *e.g.*, long-stay visits or studies;
(d) Presence of relatives, including distant relatives;
(e) Existence of social, professional or cultural ties;
(f) Existence of property;
(g) Connection to a broader community;
(h) Knowledge of the language concerned;
(i) Geographical proximity to the country of origin.

The article attempts to incorporate into Greek law the decision of the Plenary Session of the Council of State No 2347-2348/2017[867], which accepted that Türkiye may be designated as a safe third country for Syrian citizens. However, in view of the strong minority of 12 members, out of a total of 25, advocating at the time for the referral of a preliminary question to the Court of Justice of the European Union, this judgment cannot be regarded as a reliable case-law, be it at the national, European or international level, which would justify transposing it into Greek law. It should be noted that among the issues raised in the Plenary Session, the issue of the applicant's safe connection with the third country was of particular concern as well as whether the applicant's simple transit through that country was sufficient in this respect, in combination with certain circumstances, such as the duration of their stay there and the proximity to their country of origin.

The compatibility of Article 91(1)(f) Asylum Code with the EU acquis should be further assessed, in particular taking into consideration the CJEU Decision in case C-564/18 of 19 March 2020, in which the Court ruled that "the transit of the applicant from a third country cannot constitute as such a valid ground in order to be considered that the applicant could reasonably return in this country".

Article 91(1)(f) of the Asylum Code includes particularly broad, generic and often ambiguous factors that are arguably liable to lead to an arbitrary application of the safe third country concept to an individual applicant. This is particularly the case in relation to "cultural ties", "broader community" or "geographical proximity to the country of origin" which could virtually apply indiscriminately to all refugees originating from a particular country. Any factors pointing to a connection with a country should be read with thorough consideration of the individual circumstances of the applicant. Greek courts have clarified, for instance, that such an assessment cannot be limited to mere reference to the number of refugees present in the country or the duration of the person's stay prior to arrival in Greece. Yet, asylum authorities at first and second instance frequently use a standard text concluding on the existence of a connection between an applicant and Türkiye, without having conducted any individualised assessment of their personal circumstances.[868]

Greek Asylum Service practice with regards to Türkiye

It is worth noting that, since October 2021, applications for international protection of asylum applicants originating from Syria, Afghanistan, Pakistan, Bangladesh and Somalia are deemed admissible if a period of more than one year has elapsed since the applicants' transit from the third country and the applicants have not maintained relations (economic, social, etc.) with that country during that period. Hence, it is considered that the precondition of the link as per Article 91(1)(f) of the Asylum Code is no longer fulfilled and as such it would be not reasonable for the applicants to return to that country. The aforementioned

865 Article 56(1)(f) L 4375/2016.
866 Article 86(1)(f) IPA and 91(1)(f) of the Asylum Code.
867 Greek Council of State, Joint decisions 2347/2017 and 2348/2017, 22 September 2017, available here.
868 RSA, *The concept of "safe third country" – legal standards and implementation in the Greek asylum system*, 20 February 2024, available here.

admissibility decisions are based on internal Guidelines of the Asylum Service issued in October 2021, which to date have nevertheless not been made public.

As regards subsequent applications lodged upon rejection of a first application on safe third country grounds**,** the Ministry of Migration and Asylum issued a Circular on 6 July 2021, as per which: '*Specifically, for those applicants entering from Türkiye, the invocation of new and substantial elements must relate exclusively as foreseen in the law and the EU-Türkiye Joint Statement, to the finding on the initial application as to whether Türkiye –as the country of transit of the applicant– is safe or not for them in accordance with the national and European legislation. In the absence of any new and substantial elements as provided above, the subsequent application shall be rejected by the competent examination authorities as inadmissible, in accordance with [Article 94(4) of the Asylum Code].*" According to the above Circular, the fact that readmissions to Türkiye have been suspended since March 2020 is not considered as a new and substantial element.'[869]

In such cases, applicants are expected to provide new and substantial elements as to why Türkiye cannot be considered a safe third country for them. In many of them, the GAS found the application admissible based on the new elements provided, taking into account that in the lapse of the one-year period between the decision of inadmissibility and the submission of the subsequent application, the applicant was staying in Greece in a way that a connection to Türkiye could no longer be established.[870]

In practice, as it appears from first instance inadmissibility decisions issued to Syrian nationals, to the knowledge of GCR, the Asylum Service considers that the fact that an applicant would be subject to a temporary protection status upon return is sufficient in itself to establish a connection between the applicant and Türkiye, even in cases of very short stays and in the absence of other links.[871]

The Appeals Committees considers that the connection criteria can be established by taking into consideration *inter alia* the "large number of persons of the same ethnicity" living in Türkiye; the "free will and choice" of the applicants to leave Türkiye and "not organise their lives in Türkiye"; "ethnic and/or cultural bonds" without further specification; the proximity of Türkiye to Syria; and the presence of relatives or friends in Türkiye without an effective examination of their status and situation there. Additionally, in line with the 2017 rulings of the Council of State,[872] transit from a third country, in conjunction with *inter alia* the length of stay in that country or the proximity of that country to the country of origin, is also considered in second instance decisions as sufficient for the fulfilment of the connection criteria. It should be recalled that in the case presented before the Council of State where the Court found that the connection criteria were fulfilled, that applicants had stayed in Türkiye for periods of one and a half month and one month respectively.

Greek courts have clarified that such an assessment cannot be limited to mere reference to the number of refugees present in the country or the duration of the person's stay prior to arrival in Greece.[873] Yet asylum authorities at both first and second instance frequently use a standard text concluding on the existence of a connection between an applicant and Türkiye, without having conducted any individualised

869 RSA *et al*., *The state of the border procedure on the Greek islands*, September 2022, available at: https://bit.ly/46PpMfC, p. 22.

870 *Ibid.*, pp. 23-24.

871 Note that the decision refers to the applicant's 'right to request an international protection status', even though persons under temporary protection are barred from applying for international protection, see AIDA, *Country Report: Türkiye, 2017 Update,* March 2018, available at: https://bit.ly/4aP9k23, p. 125.

872 Council of State, Decision 2347/2017, 22 September 2017, para 62; Decision 2348/2017, 22 September 2017, para 62. Note the dissenting opinion of the Vice-President of the court, stating that transit alone cannot be considered a connection, since there was no voluntary stay for a significant period of time. See also EDAL, Greek Council of State, Decision no 2347/2017, 22 September 2017, available at: https://bit.ly/3QibK0Z; EDAL, *Greek Council of State on Turkey as a safe third country and aspects of the Greek Asylum procedure*, 22 September 20177, available at: https://bit.ly/3UcgPJd; Joint decisions 2347/2017 and 2348/2017, 2347/2017 and 2348/201, Greece: Council of State, 22 September 2017, https://bit.ly/44uHAxr.

873 GCR, HIAS, RSA, *Greek Asylum Case Law Report Issue 2/2024*, 9 η ΕπΠροσ IP/129467/2024 . 9 η ΕπΠροσ IP/129654/2024 , both available in Greek here.

assessment of their personal circumstances. Other decisions adopt widely diverging and at times too broad interpretations of factors that may establish a sufficient connection.[874]

3. First country of asylum

The "first country of asylum" concept is a ground for inadmissibility (see Admissibility Procedure and Fast-Track Border Procedure).

According to Article 90 Asylum Code, a country shall be considered to be a "first country of asylum" for an applicant provided that they will be readmitted to that country, if the applicant has been recognised as a refugee in that country and can still enjoy that protection or enjoys other effective protection in that country, including with regards to the principle of *non-refoulement*.

The "first country of asylum" concept is not applied as a stand-alone inadmissibility ground in practice.

G. Information for asylum seekers and access to NGOs and UNHCR

1. Provision of information on the procedure

Indicators: Information on the Procedure

1. Is sufficient information provided to asylum seekers on the procedures, their rights and obligations in practice? ☐ Yes ☒ With difficulty ☐ No

❖ Is tailored information provided to unaccompanied children? ☒ Yes ☐ No

According to Article 74 paras 1 to 8 of the Asylum Code (Greek Law 4939/2022 ratifying the Code on reception, international protection of third-country nationals and stateless persons, and temporary protection in cases of mass influx of displaced persons) applicants should be informed, in a language that they understand and in a simple and accessible manner, on the procedure to be followed, their rights and obligations, the consequences of the rejection of their application, as well as on the possibilities of challenging it.

The Asylum Service assists applicants in understanding an information document provided upon registration, explaining basic rights and obligations of applicants deriving from the procedure. and state whether they have actually understood its contents. A copy of the document is provided to the applicant while one with the applicant's signature is kept in the applicant's file. Detailed information can be found at the website of the Ministry of Migration and Asylum.[875]

Interpretation, (or tele-interpretation using appropriate technical means when the physical presence of the interpreter is not possible) is provided during the submission of the application for international protection, as well as in all the stages of the examination of the asylum application, meaning both in first and second instance as long as the necessary communication cannot be ensured without an interpreter. The cost of interpretation is borne by the State where it is demonstrably impossible to provide interpretation in the language of the applicant's choice. Interpretation shall be provided in the official language of the applicant's country of origin or in another language that the applicant is reasonably expected to understand, including international sign language.

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874 For example, 1st IAC, 310227/2022, 1 June 2022, para 4.3; 6th IAC, 5892/2020, 27 May 2020, p. 25; 8th IAC, 103648/2023, 20 February 2023, pp. 8-9; 142176/2022, 11 March 2022, para 10; 458313/2021, 15 December 2021, para 10; 9th IAC, 288224/2021, 4 October 2021, p. 11; 13th IAC, IP/113682/2023, 13 September 2023, para 12; 22148/2023, 13 January 2023, para 9; 734754/2022, 7 December 2022, para 10; 14th IAC, IP/335367/2023, 6 December 2023, p. 23; 250567/2023, 3 May 2023, p. 28; 211179/2023, 11 April 2023, p. 28; 18th IAC, 672919/2022, 11 November 2022, p. 7; 165716/2021, 3 August 2021, p. 7; 165163/2021, 3 August 2021, p. 8; 68486/2021, 16 June 2021, p. 6; 19th IAC, 73674/2022, 8 February 2022, p. 18; 73459/2022, 8 February 2022, p. 12.

875 See website of the MoMA, available at: https://migration.gov.gr/gas/diadikasia-asyloy/.

All information regarding the operation and structure of the Reception and Identification Service, the operation of the Asylum Service and the Regional Asylum Offices, information and updates about the Asylum Procedure on first and second instance, as well as press releases and announcements pertinent to those who seek or have been granted international protection are available in Greek and English at the Ministry of Migration and Asylum's website.[876]

For accurate and timely dissemination of the latest update on asylum and migration issues, the Ministry has also created a Viber community.[877]

Since 2020, the Ministry of Migration and Asylum launched a new platform,[878] where applicants and beneficiaries of international protection, as well as their representatives, can proceed to the following actions:

- Schedule an appointment with the competent Regional Asylum Office
- Be informed on the renewal of international protection cards
- Apply for change of personal data and contact information
- Submit application for separation of files
- Submit application to request statement of application status
- Submit application to postpone/ expedite the interview date
- Submit additional documents
- Request for copies of personal file
- Apply for legal aid at second instance
- Apply for notification of ΠΑΑΥΠΑ (Provisional Social Security and Health Care Number)
- Apply for notification of Tax Registration Number

Although these initiatives were supposed to make the Asylum Service accessible to everyone, as well as to avoid congestion and long waiting queues outside the Regional Asylum Offices, especially during the pandemic, the adjustment of the applicants and beneficiaries to this new reality was not easy, and at times, simply not possible. The main difficulty was the actual access to the platform, since many of the persons of concern were either illiterate or technologically illiterate. This issue, combined with the fact that the Asylum Offices did not serve requests that could be submitted through the online system, eventually excluded many applicants and beneficiaries from those services. Using the platform to request for copies or to make appointments with the asylum service is currently mandatory. Therefore, persons visiting the Asylum Offices are denied access and are referred to the platform. The need for improvement and for the provision of alternative solutions was raised by several NGOs through a letter addressed to the National Commission of Human Rights since December 2021,[879] as well as the fact that the platform remained not available in all languages while the initial menu is only in Greek and English. The issue was raised also in 2022,[880] and still persists at the time of the writing (2026).

Moreover, legal aid for the appeals procedure must be requested via the electronic application of the Ministry for Migration and Asylum, which significantly hinders access for those not familiar with the use of electronic applications or who do not have access to the required equipment/internet.[881] Moreover, in practice the Head of the RICs on the islands and Evros and the Head of Pre-removal detention facilities in Athens (Amigdaleza and Tavros) notify applicants of first instance decisions while a large number of applicants receive their first instance decision via email. In all cases, the inability of the applicants to understand the content of the communicated documents and the procedure that can follow to secure legal aid has been reported by many applicants as well and continued in 2024 and 2025.

876 See: https://bit.ly/39WDeDR.
877 See: https://bit.ly/3J1xTKx.
878 See: https://bit.ly/3tLovGq.
879 Letter signed by 14 NGOs communicated to the National Commission of Human Rights on 16 of December 2021, not available online.
880 Amnesty International, *ΠΡΟΣΒΑΣΗ ΣΤΟ ΑΣΥΛΟ (ΚΑΠΟΙΕΣ ΕΠΙΣΗΜΑΝΣΕΙΣ)*, 30 June 2022, available in Greek at: https://bit.ly/3WtfkXV.
881 The electronic application platform for legal aid and other applications relevant to the asylum procedure is available at: https://bit.ly/3BPGrCV.

Access to information in detention

For those detained and due to the critically insufficient interpretation services provided in detention facilities, access to information is even more limited. According to the CPT's report to the Greek Government, foreign nationals detained in facilities across the country are deprived of their right to be informed about their rights in a language they could understand. According to the delegation, "a two-page information leaflet (Δ-33 form) detailing the rights of detained persons was generally available and pinned to the wall in various languages in most police stations visited, none of the persons interviewed by the CPT's delegation had obtained a copy of it". Furthermore, the detainees complained that "they had signed documents in the Greek language without knowing their content and without having been provided with the assistance of an interpreter".[882] These findings remain valid in 2024 and 2025.

The same issue was raised in all subsequent CPT reports.[883] Similar observations were made by the Council of the European Union after the 2021 evaluation and its recommendations to the Greek Government that followed in 2024,[884] and were reported once again by GCR in its Submission to the UN Human Rights Committee in 2024.[885] A delegation of the Council of Europe's CPT held talks with the Minister and Deputy Minister of Citizen Protection and senior officials responsible for prison matters in Athens on 23 and 24 October 2023 in light of the Committee's decision of March 2022 to open the procedure which may lead to the adoption of a Public Statement under Article 10, paragraph 2, of the Convention regulating the CPT. A delegation of the CPT also carried out an *ad hoc* visit to Greece from 21 November to 1 December 2023. The relevant report was published on July 2024 stating "*As was the case in 2018 and 2020, the Committee must once again conclude that there remains an acute lack of interpretation services in all the establishments visited during the 2023 visit. Further, access to information in a language and form that detained foreign nationals understand also remains insufficient".*[886]

2. Access to NGOs and UNHCR

Indicators: Access to NGOs and UNHCR

1. Do asylum seekers located at the border have effective access to NGOs and UNHCR if they wish so in practice? ☐ Yes ☒ With difficulty ☐ No
2. Do asylum seekers in detention centres have effective access to NGOs and UNHCR if they wish so in practice? ☐ Yes ☒ With difficulty ☐ No
3. Do asylum seekers accommodated in remote locations on the territory (excluding borders) have effective access to NGOs and UNHCR if they wish so in practice? ☐ Yes ☒ With difficulty ☐ No

Access of NGOs to Reception and Identification Centres, camps on the mainland and pre-removal detention facilities is subject to prior permission by the competent authorities. Article 78 of the Asylum Code (Greek Law 4939/2022 ratifying the Code on reception, international protection of third-country nationals and stateless persons, and temporary protection in cases of mass influx of displaced persons) provides for the obligation of all Greek and International Organisations of Civil Society active in the field

882 CPT, *Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 28 March to 9 April 2019*, CPT/Inf (2020) 15, April 2020, available at: https://bit.ly/3MDGG8Z, para. 100.

883 CPT, *Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 13 to 17 of March 2020*, CPT/Inf (2020) 36, Strasbourg, 19 November 2020, available at: https://bit.ly/3quLJ4r, paras 22 -23.

884 Council of the European Union, *Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2021 evaluation of Greece on the application of the Schengen acquis in the field of return*, 9 November 2021, available here.

885 GCR, *GCR Submission to the UN Human Rights Committee, Greece's State Party Report, 142nd Session, 14 October – 7 November 2024*, September 2024, available here.

886 CPT, Report to the Greek Government on the visit to Greece carried out by the CPT from 20 November to 1 December 2023. The Government of Greece has requested the publication of this report and of its response. The Government's response is set out in document CPT/Inf (2024) 22. Strasbourg, 12 July 2024, para 32, available here.

of refugee support and protection as well as their members to register in the established Registry of Greek and Foreign Non-Governmental Organisations (NGOs) in the Special Secretariat for the Coordination of Involved Agencies of the Ministry of Immigration and Asylum.

NGOs that meet the minimum necessary conditions for participation as provided in the Asylum Code are registered by the competent service. Non-profit organisations, voluntary organisations and any corresponding organisation, Greek or international, that is not registered in the registry, may not participate in the implementation of international protection, immigration and social integration actions within the Greek territory, and in particular in the provision of legal, psychosocial and medical services.

The Law also provides of an additional Registry of Members of Non-Governmental Organisations (NGOs) active in matters of international protection, immigration and social integration, in which the members, employees and partners of the above-described categories of organisations active in Greece are registered. The registration of these persons in the Registry and their certification is a necessary condition both for their activity within the Greek territory and for their cooperation with public bodies.

In practice employees of NGOs and members whose name is not provided for in the registry are banned from entering places of detention and reception facilities under the Ministry's responsibility. GCR is aware of several instances when access was refused to interpreters and on occasion lawyers or were obliged to wait for several hours before they were granted permission to enter.

Concerning the lawfulness of these new registration requirements, ECRE's Expert Opinion upon request from the ELENA Coordinator in Greece, published in December 2021,[887] emphasises that the registry has been heavily criticised by civil society organisations,[888] the Council of Europe,[889] and in the context of UN Special Procedures,[890] and it has also been the subject of a question at the European Parliament.[891] The criticism focuses on the lack of meaningful public consultation before the adoption of the framework, the excessive requirements for registration/certification, which serves as a precondition for NGOs to be able to operate in Greece in the field of international protection, migration and social inclusion, the introduction of seemingly unlimited discretion to deny registration or remove NGOs from the registry on the basis of vague criteria, and the absence of effective remedies. According to the reports, such a framework can interfere with the freedom of association by establishing a situation of legal uncertainty and restricted guarantees that could create significant obstacles in the free development of NGO activities in Greece. As of October 2021, at least three refugee-assisting organisations have been denied registration. The Greek Ombudsperson has since called for the re-examination of the rejection decision as it found that it resulted in violation of national, EU and international law".[892] An annulment application was lodged by Equal Rights Beyond Border and HIAS Greece before the Council of State against JMD 10616/2020

887 ECRE, *Expert Opinion upon request from the ELENA Coordinator in Greece concerning the lawfulness of Greek legislation regulating the registration of non-governmental organisations (NGOs) on the Registry of NGOs working with refugees and migrants in Greece*, December 2021, available at: https://bit.ly/3yvt6xc.

888 Amnesty international, *Greece: Regulation of NGOs working on migration and asylum threatens civic space*, 31 July 2020, available at: https://bit.ly/3rsGjVW; RSA, *Risk of Repression: New Rules on Civil Society Supporting Refugees and Migrants in Greece*, available at: https://bit.ly/31dyTLH, p. 3; RSA, *Repression Continued: Greece Further Restricts Civil Society Supporting Refugees and Migrants*, September 2020, available at: https://bit.ly/3J0OL6N; HIAS Greece, *Some thoughts on the new Joint Ministerial Decision, regulating the registration of migration-related NGOs in Greece*, 8 May 2020, available at: https://bit.ly/3OYVm5E.

889 CoE Commissionner for Human Rights, *Letter of Commissioner for Human Rights*, 3 May 2021, available at: https://bit.ly/3MSLWGb; Council of Europe, *Expert Council on NGO Law of the Conference of INGOs, Opinion on the compatibility with European standards of recent and planned amendments to the Greek legislation on NGO registration*, 6 July 2020, available at: https://bit.ly/3WP56RL and Addendum to that opinion, 23 November 2020, available at: https://bit.ly/3NcGpeU.

890 OHCHR, *Letter to Greece by the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on the human rights of migrants*, 31 March 2021, available at: https://tinyurl.com/y5mnekua.

891 European Parliament, *Follow-up to the letter from the Committee on Civil Liberties, Justice and Home Affairs regarding Greece's NGO registration law (JMD 10616/2020)*, 16 October 2020, available at: https://rb.gy/7kt7jr.

892 RSA, *Ombudsman calls for re-examination of rejection of RSA's registration on the NGO Registry*, 13 December 2021, available at: https://bit.ly/3MSpU7o.

establishing the aforementioned NGO Registry and is still pending before the Council of State.[893] On 6 November 2023, RSA requested statistical data on the number of organisations and individuals approved, rejected and/or de-registered from the Registry since its establishment, but the request received no reply by the MoMA.[894]

UNHCR is present in Athens, Lesvos, Chios, Samos, Kos, Thessaloniki, and Evros through physical presence, field missions and *ad hoc* visits all sites in their area of responsibility.[895] UNHCR's teams continue to assist new arrivals by helping them gain access to necessary services, and by providing them with information on procedures, rights and obligations.

Asylum applicants can access UNHCR as well as other organisations through a variety of means. UNHCR has established the UNHCR HELP Website providing information on how to apply for asylum, cash assistance, family reunification, access to employment and other important elements. According to the announcement, the website is updated on a regular basis, including with a section of 'Latest Announcements' for all the recent news,[896] events and opportunities relevant for refugees and asylum seekers in Greece. UNHCR maintains a WhatsApp automatic information system, a Facebook page and UNHCR Protection HelpDesk.[897] Helplines are also provided depending on the refugees whereabouts providing information and assistance.[898] After the Covid pandemic several helplines and helpdesks remain established by the majority of actors allowing asylum applicants and recognised refugees to access information and services in person and remotely.[899]

H. Differential treatment of specific nationalities in the procedure

Indicators: Treatment of Specific Nationalities

1. Are applications from specific nationalities considered manifestly well-founded? ☒ Yes ☐ No
   - ❖ If yes, specify which: Syria

2. Are applications from specific nationalities considered manifestly unfounded?[900] ☒ Yes ☐ No
   - ❖ If yes, specify which: Egypt, Albania, Algeria, Armenia, Georgia, Gambia, Ghana, India, Morocco, Bangladesh, Benin, Nepal, Pakistan, Senegal, Togo, Tunisia

Syria

Since 2014 up until the first half of 2021, Syrians and stateless persons were channelled into a fast-track procedure often resulting in the granting of refugee status. This applied to those with a former residence in Syria who could provide original documents such as passports, or who had been identified as Syrians/persons with a former residence in Syria within the scope of the Reception and Identification Procedure; provided that the EU-Türkiye Statement and the Fast-track border procedure did not apply to their cases. However, the Joint Ministerial Decision 42799/2021 issued in June 2021, pursuant to Article 86 of L. 4636/2019, already replaced by Article 92 of the Asylum Code, established that Türkiye is to be considered safe for applicants from Syria, Afghanistan, Pakistan, Bangladesh and Somalia. As a result, applications lodged by nationals of the above-mentioned countries are now channelled into the

893 For more information, see HIAS Greece and RSA, Joint Civil Society Submission to the European Commission on the 2023 Rule of Law Report, *Rule of Law Backsliding Continues in Greece*, January 2023, available at: https://tinyurl.com/54h5wr88, paras 69-74.

894 Vouliwatch *et.al.*, *Greece in Institutional Decline: Joint Civil Society Submission to the European Commission on the 2024 Rule of Law Report*, January 2024, available at: https://tinyurl.com/29tusvpv, para. 121.

895 UNHCR, *About UNHCR in Greece*, available at: https://bit.ly/428wpYa.

896 Available here.

897 UNHCR, *Information on the road with you*, available at: https://bit.ly/3BQAK7V.

898 See UNHCR, *Contact us*, available at: https://bit.ly/3MvAsYT.

899 *i.e.*, National service map, available at: https://bit.ly/3QdLFQz; City of Athens, *Targeted support and assistance to asylum seekers and beneficiaries of international protection with disabilities*, available at: https://bit.ly/3ICrSpX, and Caritas ADAMA center, available at:: https://bit.ly/3BT7YDn; GCR Helpline, information available at: https://bit.ly/3WvGyNo; EPAPSY Psychosocial Support (PSS) Helpline, KEM Athens heldesk , Refugee.Info website - Facebook HelpLine, Lighthouse Relief Helpline & Information point,. HRC Information Hotline, IOM HELIOS Helpline, MSF Day Care Center, Athens Solidarity Center by SolidarityNow

900 Whether under the 'safe country of origin' concept or otherwise.

admissibility procedure upon arrival, to assess whether Türkiye is a safe third country and whether their cases are admissible and should be examined on the merits.

The practice with regard to the examination of the applications of Syrian asylum seekers changed after the fall of the Assad regime on the 8th of December 2024. The Governmental Council for Foreign Affairs and Defence, aligning with similar decisions made by other European governments, suspended the issuance of asylum decisions for Syrian nationals. As a result, applicants who had successfully completed an admissibility interview by December 8, but had not yet received a decision, were required to undergo an interview on the merits. Applicants who had not yet undergone an admissibility interview participated in a merged interview, covering both admissibility and merits.[901] In all cases, no decisions were issued.

The suspension regarding the issuance of decisions on applications of Syrian nationals was officially confirmed a month later, on 10 January 2025, by the (at the time) Minister of Migration and Asylum. As per the Minister's reply to a parliamentary question:[902]

> 'The recent takeover of Syria by Hay'at Tahrir al-Sham (HTS) […] has created considerable uncertainty and raised critical questions about the future protection needs and possible return of millions ofdisplaced Syrians, with significant implications for EU+ asylum and reception systems. The volatility and uncertainty of the situation does not allow for a safe assessment in the medium and long term.
> In this context, our country has temporarily suspended the issuance of decisions on asylum applications from Syrian nationals in order to review and reassess the situation in Syria, a measure taken by the vast majority of EU Member States. Following the fall of the Assad regime, the possible grounds for persecution and the risks faced by applicants in Syria should be assessed in the light of up-to-date information on the country of origin.
> It is noted that regional asylum services continue to receive asylum applications, while asylum interviews are conducted but no decisions are being issued. It is estimated that there are currently around 6,050 pending asylum applications from Syrian nationals. The average processing time for Syrian nationals in Greece before the suspension of the examination was approximately 2.5 months.
> [...] On the basis of the above, it is recommended that a standstill be maintained at this stage until the highly volatile situation in Syria is stabilised, and that guidelines be issued by international organisations such as the EUAA and UNHCR whenever possible, in order to resume the examination of asylum applications of Syrian nationals on an individual basis.'

Also, although the fast-track border procedure was initially introduced as an exceptional and temporary procedure, it has become the rule for the applicants residing in Lesvos, Samos, Chios, Leros, and Kos.

Safe country of origin

Legislation also provides for the application of the Safe Country of Origin concept to consider applications manifestly ill-founded unless specifically proven otherwise by the person of concern. Article 92 of the Asylum Code (replacing by codification Article 87 of Law 4636/2019, according to Articles 36 - 37 of 2013/32/EE Directive) authorises for the relevant Ministry to include such countries of origin in a National List of Safe Countries of Origin, by way of Joint Ministerial Decisions. Joint Ministerial Decision 78391 (ΦΕΚ Β'' -667/ 15.02.2022),[903] of the Ministry of Migration and Asylum and external Affairs (replacing JMD 778/20.1.2021) designated as safe countries of origin, Egypt, Albania, Algeria, Armenia, Georgia, Gambia, Ghana, India, Morocco, Bangladesh, Benin, Nepal, Ukraine, Pakistan, Senegal, Togo, Tunisia. The Decision was amended in November 2022 by JMD 708368 / 25.11.2022 in order to exclude Ukraine from the list. In December 2024, JMD 305652 (ΦΕΚ Β 7117/27.12.2024) included Angola and Moldava in the list, reaching a total of 18 Safe Countries of Origin.

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901 Indicative Press Releases: Naftemporiki, *Το ΚΥΣΕΑ αποφασίζει για τους Σύρους πρόσφυγες – Στην ατζέντα το «πάγωμα» αιτημάτων ασύλου*, 13 December 2024, Naftemporiki, available at: https://tinyurl.com/37zyhf7k.

902 Minister's of Migration and Asylum no. 6556/10-01-2025 response to the Greek parliament, available [in Greek] here.

903 Available only in Greek at: https://bit.ly/3MUZJgG.

Ukraine

Differential treatment according to nationality was repeatedly reported since the initiation of temporary protection for Ukrainian Nationals in April 2022. The Greek Government seemed to openly discriminate in favour of asylum applicants of Ukrainian origin against all other nationalities, a fact repeatedly criticised by Civil Society at the time and already documented in previous AIDA reports (2022, 2023).[904] Ukrainian nationals were provided with specific facilitations and a particular asylum procedure based on their nationality simpler and less time-consuming than all other asylum applicants including immediate access to the procedure, 24-hour information through the Ministry's hotline for Ukrainian nationals as well as special status – a temporary protection residence permit, which was provided immediately after the temporary protection application and for the duration of one year (see Temporary protection annex).

[904] Available here.

Reception Conditions

Short overview of the reception system

On 10 June 2022, L 4939/2022 (Asylum Code) replaced the former L 4636/2019 (IPA - Articles 1-112 and 114) which incorporated the relevant EU (recast) Directives (Directive 2013/33/EU, Directive 2013/32/EU and Directive 2011/95/EU).[905] L. 4939/2022 constitutes a codification of legislation on reception, international protection of third country nationals and stateless persons, as well as on temporary protection in the event of a mass influx of displaced persons and was incorporated as per the provisions of P.D. 80/2006 (A΄ 82), following the Council Implementing Decision (EU) 2022/382. The Asylum Code also incorporates L 4960/2022 on the National Guardianship System and Framework of Accommodation of Unaccompanied Minors (UAMs),[906] which entered into force on 22 July 2022 and which replaced former -and never implemented- L. 4554/2018 on guardianship.

Under the Asylum Code, the Reception and Identification Service (RIS) within the Secretariat General of Reception of Asylum Applicants under the Ministry of Migration and Asylum (MoMA) is defined as the authority responsible for reception.[907] The Special Secretary for the Protection of Unaccompanied Minors (SSPUM), which was established under the MoMA in February 2020,[908] competent for the protection of UAM, including for their accommodation, and also for the guardianship of UAMs, was abolished in June 2023. Its responsibilities (under Article 39 of P.D. 106/2020) were transferred to the new General Secretariat for Vulnerable Persons and Institutional Protection (GSVPIP) established with Article 6(1) of P.D. 77/2023 (A' 130/ 27.6.2023),[909] falling under the competency of the Deputy Minister of Migration and Asylum.[910] The new General Secretariat is also competent for the National Emergency Response Mechanism, according to Article 66ΛΓ Asylum Code added with Article 39 of L. 4960/2022.

With regard to the composition of the reception system, a substantial change occurred in 2022, when the EU-funded ESTIA accommodation scheme was terminated. ESTIA provided rented housing to vulnerable asylum applicants in the context of reception. The scheme, which since January 2021 had been operating under the sole responsibility of the MoMA,[911] was terminated at the end of 2022, amidst increased concerns for former residents, such as families that had already started the integration process and children who were enrolled to school, who upon exiting ESTIA, were frequently left to their fate or on the streets or forced to interrupt their education (school).[912] The programme's termination, which had been announced by the MoMA in February 2022,[913] also signified the transformation of Greece's reception system into one exclusively modelled on camp-based accommodation, with very few exceptions concerning in particular UAM (e.g., shelters and SILs). Since then, island CCACs and mainland camps, remained the dominant forms of reception.

During the first 9 months of 2025, the RIS registered a total of 35,711 persons, the majority of whom (59% or 21,059) were registered at border areas, and in particular the Fylakio RIC (5,094), and the CCACs of Samos (4,911), Kos (3,038), Leros (2,809), Lesvos (2,606) and Chios (2,601). Of the rest (14,652), the majority were registered in the mainland RIC of Malakasa (7,875), followed by the RIC of Diavata (4,799),

905 For the history of legislation, see *AIDA Update 2023 for Greece*, p. 174, available here.
906 L 4960/2022 *National Guardianship System and Framework of Accommodation of UAMs and other provisions under the jurisdiction of the MoMA.*
907 Article 1(ιστ΄) Asylum Code.
908 Article 1(3) P.D.18/2020, Gov. Gazette 34/A/19-2-2020.
909 P.D. 77/2023 (A' 130/ 27.6.2023), available here.
910 MoMA, *Webpage of the General Secretariat for Vulnerable Persons & Institutional Protection*, available at: https://tinyurl.com/2sspd4xx.
911 See, *e.g.,* MoMA, *Press Release on ESTIA 2021*, February 2021, available in Greek at: https://bit.ly/3uwgpjX.
912 EfSyn, *Ανέστιοι πρόσφυγες χωρίς το ESTIA*, 24 December 2022, available in Greek at: https://bit.ly/3YYaWjw; News24/7, *The government threw mothers with underage children on the streets*, 10 December 2022, available in Greek at: https://bit.ly/3lFktO2 and GCR, *Evictions, Homelessness and setbacks to integration*, 30 November 2022, available in Greek at: https://bit.ly/3S9uwHz.
913 MoMA, *ESTIA II to be completed in 2022*, 22 February 2022, available in Greek at: https://bit.ly/3iGewf1.

and by mobile units of reception and identification in the Controlled Temporary Accommadtion Facilities of Serres (1,029) and Sintiki (949).[914]

Of the total of those registered (35,711,) close to 78% (27,854) were male and 22% female, most of whom (22,943) between the ages of 18 to 34. Slightly more than 1 in 5 of total registrations concerned minors (7,369), mostly bellow 14 years of age (4,471), while close to 25% of all cases (8,895) were registered as vulnerable. These concerned priarmily victims of torture (3,495), followed by UAMs (1,914), and single-parent families with minors (1,800).[915]

The majority of those registered were from Afghanistan (9,542), Sudan (5,842) and Egypt (5,705), followed by Syria (1,925), Bangladesh (1,757) and Iraq (1,728). A total of 123 persons were registered as stateless.[916]

A. Access and forms of reception conditions

1. Criteria and restrictions to access reception conditions

Indicators: Criteria and Restrictions to Reception Conditions

1. Does the law allow access to material reception conditions for asylum applicants in the following stages of the asylum procedure?

❖ Regular procedure	☒ Yes	☐ Reduced material conditions	☐ No
❖ Dublin procedure	☒ Yes	☐ Reduced material conditions	☐ No
❖ Admissibility procedure	☒ Yes	☐ Reduced material conditions	☐ No
❖ Border procedure	☒ Yes	☐ Reduced material conditions	☐ No
❖ Accelerated procedure	☒ Yes	☐ Reduced material conditions	☐ No
❖ First appeal	☒ Yes	☐ Reduced material conditions	☐ No
❖ Onward appeal	☐ Yes	☐ Reduced material conditions	☒ No
❖ Subsequent application	☐ Yes	☒ Reduced material conditions	☐ No

2. Is there a requirement in the law that only asylum applicants who lack resources are entitled to material reception conditions? ☒ Yes ☐ No

Article 59 (1) Asylum Code provides that the competent authority for the reception of asylum applicants in cooperation with competent government agencies, international organisations and certified social actors shall ensure the provision of material reception conditions. These conditions must 'secure an adequate standard of living for asylum applicants that ensures their subsistence and protects their physical and mental health, based on the respect of human dignity'. As per the same article, the same standard of living is to be guaranteed for asylum applicants in detention. Special care is to be provided for those with special reception needs.[917]

Article 44 Asylum Code states that, during the reception and identification procedures, the Director (*Διοικητής*) and staff of the RIC or CCAC must ensure that third country nationals or stateless persons: a) live in decent living conditions, b) maintain their family unity, c) have access to emergency health care and necessary treatment or psychosocial support, d) receive the appropriate treatment, in case they belong to vulnerable groups, particularly if they are UAM or persons with disabilities, e) are sufficiently informed about their rights and obligations, f) have access to guidance and legal advice and assistance, g) maintain contact with institutions and civil society organisations active in the field of migration and human rights that provide legal or social assistance and h) have the right to communicate with their relatives and loved ones.

914 MoMA, *Registered Third-country nationals/stateless persons in Regional Units (CCAC / RIC) of Islands and Fylakio of the RIS for January – September 2025* and *Registered Third-country nationals/stateless persons in Regional Units (RIC/MURCT) in Mainland of the RIS for January – September 2025*, both available at: https://migration.gov.gr/en/statistika/.

915 *Ibid.*

916 *Ibid.*

917 Article 59(1) Asylum Code.

Asylum applicants are entitled to reception conditions from the time they make an asylum application and throughout the asylum procedure. As regards children, reception conditions apply to minors, unaccompanied or not, and to separated minors, regardless of whether they have made an application for international protection.[918] In case of status recognition, reception conditions are terminated (with exceptions) within 30 days of the notification of the positive decision. In the specific case of UAM, this time limit starts counting from the time they reach adulthood.[919]

The law also foresees that the provision of all or part of the material reception conditions presupposes that asylum applicants lack employment or that their employment does not provide them with sufficient resources to maintain an adequate standard of living that is sufficient to safeguard their health and sustenance.[920] The latter is examined in proportion to the financial criteria determining eligibility for the Social Solidarity Benefit (*Κοινωνικό Επίδομα Αλληλεγγύης*, KEA),[921] which was renamed to Minimum Guaranteed Income (*Ελάχιστο Εγγυημένο Εισόδημα*) in 2020.[922] The law also provides that reception conditions can be reduced or withdrawn following an individual and justified decision by the competent reception authority, based on the full set of grounds provided under Article 20 of the (recast) Reception Directive, including if it is established that the applicant concealed their financial resources or if they have lodged a subsequent asylum application.[923]

That being said, as in previous years, delays in accessing reception on account of chronic delays in accessing asylum on the mainland (see also Access to the procedure on the mainland) have persisted in 2025 as well. Recurrent interruptions of the online platform established by the MoMA for the purposes of booking appointments for the registration of asylum appplications in the summer of 2022,[924] and/or lack of available appointments for applicants to register their applications have remained a key reason for delays, which have continued resulting in risk of arbitrary arrest and detention of asylum seekers awaiting registration, and their non-access to reception conditions.[925]

In parallel, the MoMA's practice of not acknowledging the acquisition of the status of asylum applicant to persons having already booked a registration appointment, in spite of a number of decisions by national courts on the matter during previous years,[926] likewise persisted in 2025, further consolidating the risk to which applicants awaiting for their registration are exposed on the Greek mainland. As increasingly observed by GCR's Legal Unit, since 2023, this has frequently resulted in the arbitrary use of detention for the purpose of returning people who had already registered their will to apply for asylum via the platform. In at least eight cases represented by GCR in 2023, most of which concerned applicants from Afghanistan, competent First Instance Administrative Courts have also ruled that upon requesting the scheduling of the registration of an application for international protection via the platform, the persons concerned receive the status of an asylum applicant, as per the law. Yet, instead of reviewing the practice, the Greek authorities filled a request for the first of these Decisions to be revoked before the Administrative

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918 Article 37(1) and 62(3) Asylum Code.
919 Article 109 Asylum Code.
920 Article 59(3) Asylum Code.
921 Article 235 L 4389/2016.
922 Article 29 L. 4659/2020.
923 Article 61 Asylum Code.
924 MoMA, *Launch of the online application platform for asylum seeker registration appointments*, 13 July 2022, available in Greek at: https://bit.ly/43PpBki. For more on the skype system, see MIT, *Lives on Hold: Access to Asylum on Mainland Greece, Crete and Rhodes*, November 2021, available at: https://bit.ly/3JOqBe2. MIT, *Blocked from the system: Voices of people excluded from the asylum procedure on mainland Greece, Crete and Rhodes*, May 2022, https://bit.ly/45wetd3. MIT, *Statement on new registration asylum procedure*, 1st September 2022, available at: https://bit.ly/3Ms6Onu.
925 Also see GCR, *COMMUNICATION of the GREEK COUNCIL FOR REFUGEES to the COMMITTEE OF MINISTERS of the COUNCIL OF EUROPE (Rule 9.2.) with regard to the execution of M.S.S. (Application No. 30696/09) and H.A. and others (Application No. 4892/18) GROUP of cases*, April 2025, available at: https://tinyurl.com/yzdmexdk, paras. 7-9 and stiftung Pro Asyl & RSA, *Asylum System in Decline: Submission to the Council of Europe Committee of Ministers in the cases of M.S.S. v. Greece / H.A. v. Greece*, April 2025, available at: https://tinyurl.com/45xm2pmk, paras. 7-10.
926 For more, see previous AIDA reports on Greece, available at: https://asylumineurope.org/reports/country/greece/.

Court of Kavala. The application for revocation was rejected as inadmissible by the Court.[927] A petition for violation of EU law on the same issue has been filed by the GCR in December 2022 (CHAP(2022)03534), and is pending before the European Commission.[928]

Challenges with regards to the availability of interpretation also persisted in 2025, and particularly since early July, when the NGO METAdrasi was once more forced to halt its interpretation services in the camps, due to delays in the payment of more than 2.5 million euros owed to the organisation by the Ministry of Migration and Asylum.[929] As noted by RSA[930], *"[t]he absence of interpretation inevitably means a lack of access to necessary services such as health care"*. Up to 30 June 2025, a total of 128 interpreters were operating in the camps.[931] RSA reported that only 168 interpreters were deployed in RIS camps at the end of 2025, exclusively through emergency provision of staff by the EUAA.[932]

As noted by 36 civil society organisations in November 2024:[933] "*Language barriers due to lack of interpretation can be particularly grave for people with vulnerabilities and urgent or complex medical needs, including those suffering from chronic illnesses or mental health conditions, as well as gender-based violence (GBV) survivors. With limited or non-existent interpreter assistance, vulnerability assessments are not always conducted properly. Beyond being a procedural oversight, lack of interpretation can further be a direct violation of the fundamental right to healthcare, as people are often left unable to communicate their symptoms, receive accurate diagnoses, or understand treatment instructions"*. In this context, in December 2024, and in particular for the violation of the rights (access to asylum, to family reunification, to healthcare etc.) of vulnerable persons due to the chronic lack of interpretation, GCR had sent written interventions before the competent authorities, including the Greek Ombudsperson, for more than 60 vulnerable asylum applicants.

2. Forms and levels of material reception conditions

Indicators: Forms and Levels of Material Reception Conditions

1. Amount of the monthly financial allowance/vouchers granted to asylum applicants as of 31 December 2025 (in original currency and in €):
    - Nominal: € 150 (€ 75 if accommodation is catered for)
    - In practice: € 0 since April 2025

Material reception conditions may be provided in kind and/or in the form of financial aid.[934]

With regards to the first, according to Article 60(1) of the Asylum Code, where accommodation is provided in kind, it should take one or a combination of the following forms:

(a) Premises used for the purpose of accommodating applicants during the examination of an application for international protection made at the border or in transit zones;

927 An excerpt of the relevant decision (ΔΠρΚαβ AP516/2023) can be found in GCR, HIAS & RSA, *Greek Asylum Case Law Report: Issue 1/2023*, 5 July 2023, available (Greek) at: https://tinyurl.com/pejs4m9m, p. 57.

928 For more see GCR, *inter alia,* "Απόφαση του Διοικητικού Πρωτοδικείου κρίνει παράνομη την επιστροφή και κράτηση προσώπου που έχει αιτηθεί μέσω της online πλατφόρμας του Υπουργείου τον προγραμματισμό της πλήρους καταγραφής του αιτήματος ασύλου", February 2023, available in Greek at: https://tinyurl.com/722wkst2; "Administrative courts: The detention of asylum seekers pending full registration, to whom the Ministry of Immigration & Asylum does not recognize the status of applicant, is illegal", available at: https://tinyurl.com/722wkst2; *Administrative courts: The detention of asylum seekers pending full registration, to whom the Ministry of Migration & Asylum does not recognize the status of applicant, is illegal*, 21 March 2023, available at: https://tinyurl.com/5n7arpsa.

929 METAdrasi, "Provision of interpretation in refugee camps: Termination of the contract and months of delay in payment of the amounts due", 16 July 2025, available at: https://tinyurl.com/5ycjzm57.

930 RSA, *Reception & refugee camps in Greece in the first half of 2025*, 11 September 2025, available at: https://tinyurl.com/yp6ar5fu.

931 *Ibid.*

932 RSA *Asylum procedure and reception statistics in Greece in 2025 https://tinyurl.com/392ftj58*

933 Reliefweb, *Open Letter: Put an end to the disruption of interpretation services still undermining asylum seekers' rights in Greece*, Open letter signed by 36 NGOs, 1 November 2024, available here.

934 Article 59(1) Asylum Code.

(b) Accommodation centres, which can operate in properly customised public or private buildings, under the management of public or private non-profit entities or international organisations and guarantee a suitable standard of living;
(c) Private houses, flats and hotels, rented in the context of accommodation programmes implemented by public or private non-profit entities or international organisations.

In all cases, the provision of accommodation is under the supervision of the competent reception authority, in collaboration, where applicable, with other competent state bodies. The law provides that the specific situation of vulnerable persons, such as minors (accompanied and unaccompanied), people with disabilities, elderly people, single-parent households and pregnant women, should be taken into account in the provision of reception conditions.[935]

In practice, following the termination of the ESTIA accommodation programme in December 2022,[936] camp-based accommodation has become the only available accommodation provided under the Greek reception system. As of the end of 2025, facilities used for this purpose included 24 Controlled Temporary Accommodation camps, the RICs of Fylakio, Malakasa and Diavata on the mainland, and the Closed Control Access Centres (CCACs) operating –under EU funding– on the Eastern Aegean islands, where asylum applicants have continued being contained in prison-like conditions.[937] The *"detention-like nature"* of island facilities was also noted by the EU Ombudsperson in the context of an own-initiative inquiry regarding the use of EU funds in the CCACs.[938]

To be noted, this new camp-based model of reception, which *inter alia* fosters conditions of social isolation for applicants, stands in stark contrast to the model promoted by the former ESTIA accommodation programme, the positive impact of which had been noted by local communities as well.[939] It also challenges Greece's ability to comply with obligations arising *vis-à-vis* vulnerable applicants with special reception needs.[940]

In what concerns provision of material reception conditions in the form of financial aid, under the ESTIA II-CBI programme, the beneficiaries of such aid are:[941]

- Adult asylum applicants who have submitted or fully lodged an asylum application in accordance with Article 65 (1)(2) & (7) L. 4636/2019, as long as they reside in the centres and facilities provided under para. 4 Article 8 L. 4375/2016, in accommodation programmes of the MoMA, in shelters and hospitality centres operated by international organisations and legal entities governed by public law, local authorities, as well as civil society actors that are registered in the Registry of Greek and foreign NGOs of the MoMA. Applicants in detention are not entitled to the cash-based support.
- Beneficiaries of international protection who upon turning 18 reside in accommodation centres for UAM or in temporary accommodation spaces for UAM, for a period of three months following their placement to the aforementioned accommodation spaces.

935 Article 62(1) Asylum Code in connection with Article 1λγ΄ Asylum Code regarding the definition of '*vulnerable persons*' in a non-exhaustive manner.
936 For more, AIDA, *Country Report Greece: 2022 Update*, June 2023, available at: https://bit.ly/4cc0a07, p. 147ff.
937 Greek Council for Refugees / OXFAM / Save the Children International, *Greece: A two-tier refugee system*, Bi-monthly bulletin, May 2022, available at: https://bit.ly/3OJOetv.
938 EU Ombudsperson, *Decision in strategic inquiry OI/3/2022/MHZ on how the European Commission ensures respect for fundamental rights in EU-funded migration management facilities in Greece*, 11 July 2022, available at: https://tinyurl.com/yckyjef3.
939 For instance, as noted in January 2023 by the President of the Developmental Agency (Anaptyxiaki) of Irakleio, Crete, and Mayor of Archanes Asterousia, Crete, '[t]he framework, the rules and the whole organisation of the hospitality [under ESTIA] was exemplary and gave no room to the xenophobia that was initially expressed'. Ekriti, *Crete: An end to the hospitality program for refugees*, 2 January 2023, available in Greek at: https://bit.ly/3IEwj4h.
940 For the closure of ESTIA, see among others: RSA, *A Step backwards for protection and integration: On the termination of the ESTIA II housing programme for asylum applicants*, 22 December 2022, available at: https://bit.ly/43vr3Y5; GCR, Press Release, *Εξώσεις, αστεγία και πισωγύρισμα στην ένταξη*, 30 November 2022, available in Greek at: https://bit.ly/3oBev2B; FENIX, *Closure of ESTIA II: thousands of extremely vulnerable asylum seekers to be left without humane and adequate accommodation and proper care*, 31 October 2022, available at: https://bit.ly/43nPgzO.
941 Article 1(d) Ministerial Decision 115202/2021, *op.cit*.

In both cases, the new residency requirement as a pre-condition for receiving financial aid took effect on 1 July 2021, after first being announced through Press Releases issued by the MoMA in April and May 2021,[942] and subsequently introduced in ministerial decisions in July and September.[943] As per the new framework, financial aid is provided to those eligible at the end of each month, as long as it can be certified that they continue to reside in facilities operating under the MoMA (*i.e.*, facilities of the reception system). Applicants who are not accommodated in these facilities need to first apply, then be referred to and lastly placed in such accommodation, before the procedure for accessing financial aid can (re)start.[944]

That being said, since April 2025, none of the people residing in the camps receives the financial allowance, following the programme's end, and pending the issuance of a new call for proposals from the Ministry of Migration and Asylum for its continuation. As a result, most asylum seekers in the camps remain unable to cater for even necessary subsistence needs.[945] With regards to distribution of the cash assistance, no data has been published by the MoMA since its last relevant update in July 2024,[946] potentially reflecting this halt in the programme's operation.

By the end of the year, RSA reported that "*since the programme for provision of the financial allowance to which asylum seekers are entitled came to a close at the end of March 2025 and was not renewed. Since then, not a single asylum seeker of the 22,622 people who lived in camps has received a single euro in financial support from the state to cover necessary daily expenses*".[947]

Notwithstanding the distribution halt during 2025 and a similar interruption for several months in 2024,[948] the nominal ammounts of cash assistance to which asylum applicants have a right in the context of material reception conditions have remained unchanged since 2021, ranging from €75 for single adults in catered accommodation, up to a €420 ceiling for a family of four or more residing in self-catered accommodation.[949] In general terms, the sum to which applicants have a right is significantly lower than what is provided under the Minimum Guaranteed Income, which following a slight increase in November 2023,[950] foresees €216 support for a single-member household that is increased by €108 for each additional adult member of the household and by €54 for each minor member, up to a €972 ceiling.

In addition to the fact that financial aid can preserve refugees' dignity and facilitate the process of regaining an autonomous life, by allowing them to choose what they need most, throughout its operationalisation the programme has also had a significant and positive impact on local communities, as this assistance was eventually injected into the local economy, family shops and service providers. In proportion to programme's beneficiaries, UNHCR estimated that approximately €7.4 million in cash assistance was expected to be injected into local economies only in December 2020.[951] No such data has

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942 MoMA, *The financial assistance to international protection applicants that are not accommodated in facilities under the responsibility of the MoMA or MoMA partners is abolished from 1/7/21*, 15 April 2021, available in Greek at: https://bit.ly/3IEvEgx and *Pre-requisites for the disbursement of financial assistance to international protection applicants*, 25 May 2021, available at: https://bit.ly/3IDe5xx.

943 Ministerial Decision 115202/2021 *op.cit* and JMD 2857/2021 Amending JMD 2089/16-07-2021 on a 'Common Framework for Managing Programmes that are assigned to the Special Secretariat for the Coordination and Management of Programmes under the Asylum, Migration and Integration Fund and the Internal Security Fund and other resources and are nor financed through National Programmes' (B' 3120), Gov. Gazette 4496/29-09-2021.

944 Annex III, JMD 2089/16.7.2021 as amended by JMD 2857/29.9.2021.

945 RSA, *Reception & refugee camps in Greece in the first half of 2025*, 11 September 2025, available at: https://tinyurl.com/yp6ar5fu.

946 For the 2024 data, see AIDA Country Report on Greece: 2024 update, available at https://tinyurl.com/4hvrxduk, pp. 181-182.

947 RSA; *Asylum procedure and reception statistics in Greece in 2025*; https://tinyurl.com/392ftj58.

948 For more see , *inter alia*, AIDA, Country report on Greece: 2024 update, available at: https://tinyurl.com/4hvrxduk, p. 182.

949 Article 3 Ministerial Decision 115202/2021 on the 'Terms of material reception conditions in the form of financial assistance to applicants for international protection', Gov. Gazette 3322/B/26-7-2021, available in Greek at: https://bit.ly/4dbV70A. See also: Ministerial Decision 2857/29.9.2021 regulating the cash assistance program.

950 Article 2 (7) JMD 53923/23-7-2021, Gov. Gazette 3359/28-7-2021 as amended by JMD 97046/6.11.2023, Gov. Gazette 6456/13-11-2023, available at: https://bit.ly/4b6IFgO.

951 UNHCR, *Factsheet: Greece*, 1-31 December 2020, available at: https://bit.ly/2QVbl8I, p. 3.

been reported since the MoMA started issuing reports on the implementation of the financial aid programme.

3. Reduction or withdrawal of reception conditions

Indicators: Reduction or Withdrawal of Reception Conditions

1. Does the law provide for the possibility to reduce material reception conditions? ☒ Yes ☐ No
2. Does the law provide for the possibility to withdraw material reception conditions? ☒ Yes ☐ No

Rules regarding reduction and withdrawal

There are several situations in which reception conditions may be reduced or withdrawn.[952]

Firstly, reception conditions may be reduced or in exceptional and specifically justified cases withdrawn, following a decision of the competent reception authority, where applicants:

(a) If provided with accommodation in the context of reception, abandon said accommodation without informing the competent administration or without permission or abandon the geographical location of residence which has been determined for them by the competent authority under Article 49 (2) Asylum Code (see geographical restriction);
(b) Do not comply with the obligation to report personal information, such as address and employment contracts, or do not attend in person or do not respond to requests for information or do not attend, in the process of the examination of their application for international protection, a personal interview within the deadline set by the receiving and examining authorities;
(c) Have lodged a Subsequent Application;

In cases (a) and (b), when the applicant is located or voluntarily presents themselves before the competent authority, a duly justified decision, assessing the reasons of abandonment, is taken with respect to the renewal, in part or in full, of the provision of the material reception conditions that were reduced or withdrawn.

Secondly, the competent Reception Authority reduces material reception conditions when it finds that the applicant, without justifiable reason, has not submitted an application for international protection as soon as possible after their arrival on the Greek territory.

Thirdly, the competent Reception Authority withdraws material reception conditions when it is established that the applicant has concealed financial resources and has, as a consequence, illegitimately taken advantage of the material reception conditions.

Fourthly, in cases of serious breach of the Operating Regulations of the accommodation centres, which disturbs the smooth operation of the centres and the coexistence of the people in them, especially when demonstrating particularly violent behaviour, material conditions are withdrawn as a sanction. At the same time, the competent Police Director and, in the case of the General Police Directorates of Attica and Thessaloniki, the Police Director responsible for aliens is immediately informed, in order to ascertain whether there is a case of application of paragraph 2d or par. 3 of Article 50 of this Code. In the case of UAMs, the competent Reception Authority must, before imposing the interruption of accommodation, contact the assistance services and/or the judicial authorities responsible for the protection of UAMs, to ensure the placement of the minor in a structure appropriate for their needs and to order other potential relief measures, if this is justified by the circumstances.

Lastly, material reception conditions are reduced, in accordance with provisions under Article 61, in cases where minor applicants and the minor children of the applicants do not comply with the obligation to enrol

952 Article 61 (1), (2), (3) and (4) of Asylum Code.

and attend school (primary and secondary education of the public system of education), due to an unwillingness to integrate into the education system. In such cases, administrative sanctions foreseen for Greek citizens are also imposed on the adult members of the minor's family.[953]

Article 61 (5) of the Asylum Code provides that the decision to reduce or withdraw material reception conditions or the decision imposing the sanction foreseen in case of serious breach of the Operating Regulations of the accommodation centres, is taken by the competent Reception Authority on an individual and objective basis and must be justified. It also provides that the special situation of the person concerned, particularly if vulnerable, is to be taken into account and that the decision to reduce or withdraw material reception conditions cannot obstruct the applicant's access to medical and pharmaceutical care, in accordance with Article 59 (2) of the Asylum Code, or make it impossible for them to access basic means that ensure a dignified standard of living. The same Article also provides that the decision to reduce or withdraw material reception conditions or to impose the aforementioned sanction is communicated to the applicant in a language they understand.

As per Article 61(6), material reception conditions cannot be withdrawn or reduced before the aforementioned decision is taken. The procedure to be followed is laid down in the General Regulation of Temporary Reception and Temporary Accommodation Facilities for third country nationals or stateless persons under the responsibility of the RIS (*Γενικός Κανονισμός Λειτουργίας Δομών Προσωρινής Υποδοχής και Δομών Προσωρινής Φιλοξενίας πολιτών τρίτων χωρών ή ανιθαγενών, που λειτουργούν με μέριμνα της Υπηρεσίας Υποδοχής και Ταυτοποίησης)* and the General Regulation for the Operation of Reception and Identification Centres and Mobile Reception and Identification Units (*Γενικός Κανονισμός Λειτουργίας Κέντρων Υποδοχής και Ταυτοποίησης και Κινητών Μονάδων Υποδοχής και Ταυτοποίησης*). In the first case, the procedure foresees: (a) a written warning and (b) a reasoned decision reducing or withdrawing material reception conditions, while in the second case a three-step procedure is foreseen, consisting of (a) an oral recommendation, (b) a written warning and (c) the interruption of accommodation as long as reception and identification procedures have been completed.[954]

A 2021 general regulation covering the operation of the island CCACs *inter alia* foresees the possibility to terminate accommodation and withdraw material reception if applicants are unjustifiably not identified during the regular census-verification of the resident population for two consecutive times,[955] although no separate procedure is foreseen. The same provision is maintained under Article 9 of a 2023 General Regulation for the Operation of the CCACs.[956]

In practice

Between June and December 2020, reception conditions were withdrawn in the case of 4,957 people, 2,964 of whom were accommodated in camps, and 2,033 in the former ESTIA accommodation scheme (2,033), following status recognition or after a second instance negative decision. Data on decisions reducing or withdrawing material reception conditions have since not been provided by the MoMA, even though GCR has requested it on a yearly basis. Instead, following the latest such request sent by GCR in December 2024, the MoMA replied by referring GCR to the Ministry's website "*and in particular at the link https://migration.gov.gr/statistika/ [where] the monthly newsletters are published, alongside relevant annexes, which include summary and detailed statistical data on the work of the First Reception Service, the Asylum Service and the Appeals Authority […]*".[957] Yet, a closer look at the public sources referred to by the MoMA highlights that the specific data is not available.

953 Article 55 (2) Asylum Code.

954 Article 18 (1) Ministerial Decision 23/13532/2020, Gov. Gazette, 5272/B'/30.11.2020 and Article 10(1) Joint Ministerial Decision 1/7433/10-6-2019, Gov. Gazette 2219/B/10.6.2019.

955 Article 7 (2) Decision 25.0/118832 of the General Secretary of Reception of the MoMA, Gov. Gazette 3191/B/20.7.21, available in Greek at: https://bit.ly/3XwiTz8.

956 Article 9 (2) Decision 553695/2023 of the General Secretary of Reception of the MoMA, Gov. Gazette 7533/B/31.12.23, available in Greek at: https://bit.ly/4beC3fU.

957 MoMA, Analysis and Studies Office, *Information provision for the preparation of the updated Annual Report on Greece for 2024 in the framework of the Asylum Information Database (AIDA) project*., 10 January 2025.

Applicants have the right to lodge an appeal (*προσφυγή*) against decisions that reduce or withdraw reception conditions before the Administrative Courts. In the case of appeal before the Courts, applicants also have a right to free legal aid and representation.[958] However, as explained further below, the remedy provided by this provision is not available in practice.

4. Freedom of movement

Indicators: Freedom of Movement

1. Is there a mechanism for the dispersal of applicants across the territory of the country?
   ☐ Yes ☒ No
2. Does the law provide for restrictions on freedom of movement?
   ☒ Yes ☐ No

Asylum applicants may move freely within the territory of Greece or an area (*περιοχή*) assigned by a regulatory (*κανονιστική*) decision of the Minister of Migration and Asylum[959] (formerly, the Minister of Citizen Protection). This geographical restriction of freedom movement within a particular area should not affect the inalienable sphere of private life and should not hinder the exercise of rights provided by the law.[960]

Following the entry into force of the IPA, on 1 January 2020, and subsequently the Asylum Code that replaced it, asylum applicants' freedom of movement can also be restricted through assignment to a specific place (*τόπος*), only if this is necessary for the swift processing and effective monitoring of the applications for international protection or for duly justified reasons of public interest or reasons of public order. This restriction is imposed by the Head of the Asylum Service and is mentioned on the asylum applicants' cards.[961] Applicants who are subject to this type of restriction are provided with material reception conditions, as long as they reside within the place indicated and, in case of non-compliance, the provision of material reception conditions is interrupted in accordance with Article 61 of the Asylum Code[962].

Applicants are required to immediately notify the competent authorities of any changes to their place of residence for as long as the examination of their asylum application is pending.[963]

Finally, applicants have the right to lodge an appeal (*προσφυγή*) before the Administrative Court against decisions that restrict their freedom of movement.[964] However, as explained below, the remedy regulated by this provision is not available in practice.

The geographical restriction on the Eastern Aegean islands

In practice, the imposition of a restriction on freedom of movement is particularly applied to persons subject to the EU-Türkiye Statement and the Fast-Track Border Procedure, whose movement is systematically restricted to the island where they have arrived, under a "geographical restriction". This is despite the fact that for more than 6 years now (early 2020) Türkiye has been refusing the return of asylum applicants rejected by the Greek authorities based on the "safe third country" concept,[965] thus making the Statement non-operational in practice.

Imposition of the "geographical restriction" by regulatory decision: Following the initial introduction of a regulatory Decision imposing the geographical restriction by the Director of the Greek Asylum Service

958 Article 118 (1) and (2) Asylum Code.
959 Article 49 (1) Asylum Code.
960 *Ibid*.
961 Article 49(2) Asylum Code.
962 Article 49(3) Asylum Code.
963 Article 49(6) Asylum Code.
964 Article 118(1) Asylum Code.
965 Also see RSA, "The EU-Turkey deal is collapsing 7 years after its signing", 16 March 2023, available at: https://bit.ly/4d9CTNj.

in 2017, and its subsequent annulment by the Greek Council of State, following an action brought forth by GCR, throughout the years, competence for the issuance of such a decision was transferred at the ministerial level, with the latest such decisions being issued by the Minister of Migration Policy in June 2019 and subsequently, following the amendment of the IPA, by the Minister of Citizen Protection in December 2019 (currently in effect).[966]

The Decision issued by the Minister of Citizen Protection in December 2019 regulates the imposition of the geographical restriction since 1 January 2020,[967] and states the following:

> '1. A restriction of movement within the island from which they entered the Greek territory is imposed on applicants of international protection who enter the Greek territory through the islands of Lesvos, Rhodes, Samos, Kos, Leros and Chios. Said restriction is mentioned on the asylum applicants' cards.
>
> 2. The restriction on movement shall be lifted subject to a decision of the Director of the RIC, which is issued as per the provisions of para. 7, Article 39 of L.4636/2019, in cases of
> (a) unaccompanied minors,
> (b) persons subject to the provisions of Articles 8 to 11 of Regulation (EU) No 604/2013, as long as another member state, following a request by the Greek authorities, has accepted and undertaken the obligation to receive them in their territory,
> (c) persons whose applications can be reasonably considered to be well founded and
> (d) persons belonging to vulnerable groups or who are in need of special reception conditions as per the provisions of L. 4636/2019, as long as it is not possible to provide them with appropriate support in accordance with the specific provisions of Article 67 IPA ("applicants in need of special procedural guarantees")'.

In line with these Decisions, the geographical restriction on each asylum applicant who enters the Greek territory through the Eastern Aegean Islands is imposed automatically when the asylum application is lodged before the RAO of **Lesvos**, **Rhodes**, **Samos**, **Leros** and **Chios** and the AAU of **Kos**. The applicant receives an asylum applicant's card stating whether they are subject to the geographical restriction (*e.g.*, stating "Άνευ" if no restriction is applied). No individual decision is issued for each asylum applicant.

The lawfulness of the aforementioned practice is questionable, for the following reasons:

- No prior individual decision for the imposition of the geographical restriction is issued, as the restriction is imposed on the basis of a regulatory ('*κανονιστική*') Decision of the Minister and no proper justification on an individual basis is provided for the imposition of the restriction of movement on each island, within the frame of the asylum procedure.[968] According to the relevant Decisions, any asylum applicant who enters the Greek territory from **Lesvos**, **Rhodes**, **Samos**, **Leros**, **Chios** and **Kos** is initially subject to a geographical restriction on said island. The restriction can be lifted only if the applicant falls within one of the categories provided by the Ministerial Decision. Consequently, the geographical restriction in the asylum procedure is applied indiscriminately, *en masse* and without any prior individual assessment. The impact of the geographical restriction on applicants' "subsistence and… their physical and mental health",[969] on the ability of applicants to fully exercise their rights and to receive reception conditions, by taking into consideration reception conditions prevailing on the islands is not assessed.

- No time limit or any re-examination at regular intervals is provided for the geographical restriction imposed.

- No effective legal remedy is provided in order to challenge the geographical restriction imposed by the Minister of Citizen Protection, contrary to Article 26 of the recast Reception Conditions Directive.

966 For more, see AIDA, *Country Report Greece: 2022 Update*, June 2023, available at: https://bit.ly/45vXAir, pp. 153-154.
967 Ministerial Decision 1140/2019, Gov. Gazette 4736/B/20.12.2019, available in Greek at: https://bit.ly/3Qi4K43.
968 Article 7 recast Reception Conditions Directive.
969 Article 17(2) recast Reception Conditions Directive.

The remedy provided under Article 118(1) (formerly introduced by the amended Article 24 L 4540/2018 in December 2018) remains illusory, since an individual cannot lodge an appeal pursuant to the Code of Administrative Procedure in the absence of an individual, enforceable administrative act. In addition, no tailored legal aid scheme is provided for challenging such decisions (see Regular Procedure: Legal Assistance). *A fortiori*, no legal remedy to challenge said restriction is provided by the new Asylum Code that replaced the IPA.

As has been the case since 2021, data on the number of persons who had their geographical restriction lifted during 2025 is not published by the MoMA, nor was it provided fllowing GCR's request for information. Based on available data published by the MoMA on the number of asylum applicants transferred from the islands to the mainland throughout 2025,[970] it could be inferred that the geographical restriction might have been lifted in the case of up to 15,270 applicants.[971] However, the specific data lacks significant information, such as on the legal status or potential vulnerabilities of the people transferred (or any more specific breakdown whatsoever), thus making it impossible to draw any safe conclusions.

Since 1 January 2020, the new regulatory framework for the geographical restriction on the islands has significantly limited the categories of applicants for whom the restriction can be lifted. Thus, the implementation of this framework can further increase the number of applicants stuck on the Greek islands and serves as a constant risk for bottlenecks that can deteriorate conditions there. This was vividly showcased in the latter half of 2023 and 2024, and yet again in 2025, when, due to sustained increased arrivals, led to a drastic deterioration in the quality of reception in the CCACs —with residents, including unaccompanied minors, frequently forced to sleep on floors and in communal areas.[972]

In sum, the practice of indiscriminate imposition of the geographical restriction since the launch of the EU-Türkiye Statement has for years been a risk factor, intrinsically linked with the EU's ongoing externalisation approach, that fosters and maintains conditions of possibility for the constant (re)emergence of overcrowded, substandard reception conditions on the Greek islands.

B. Housing

1. Types of accommodation

Indicators: Types of Accommodation

1. Number of reception centres in 2025: 30
2. Total number of places in the reception system in 2025: 40,884(nominal)/33,423 (actual)[973]
3. Total number of places in private accommodation in 2025: 0[974]

4. Type of accommodation most frequently used in a regular procedure:
   ☒ Reception centre ☐ Hotel or hostel ☐ Emergency shelter ☐ Private housing ☐ Other

5. Type of accommodation most frequently used in an accelerated procedure:
   ☒ Reception centre ☐ Hotel or hostel ☐ Emergency shelter ☐ Private housing ☐ Other

970 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 2.

971 The number is based on reported transfers during 2025 from the 5 island CCACs. It does not take into consideration what is reported as transfers from "other islands" by the MoMA.

972 *Inter alia* see Amnesty International et.al., Samos: Unlawful detention and sub-standard conditions must not become a blueprint for the EU Migration Pact, 25 February 2025, available at: https://tinyurl.com/2cccrnmd; Solomon, "Unaccompanied Children Sleep on the Floor in Shifts in Greece's 'Model Camps'", 31 March 2025, available at: https://tinyurl.com/ytfrvhs7.

973 RSA, *Reception & refugee camps in Greece in the first half of 2025*, 11 September 2025, available at: https://tinyurl.com/yp6ar5fu.

974 Concerns the previous ESTIA accommodation programme that was terminated in December 2022.

Article 28 L. 4825/2021 (replacing para. 4 Article 8 L 4375/2016) provides that the Regional Services of the RIS are the:

- Reception and Identification Centres (RICs),
- Controlled Temporary Accommodation Centres and
- Closed Controlled Access Centres (CCACs), which are structured and have similar responsibilities to the RICs and which include distinct spaces for the operation of Temporary Accommodation facilities and Pre-Removal Centres.

The same article also provides for the operation of distinct spaces, within the perimeter of the aforementioned types of accommodation, that should fulfil specifications appropriate for the accommodation of third country nationals or stateless persons belonging to the vulnerable groups prescribed by law.

Overall, the Greek reception system has been long criticised as inadequate, not least in the *M.S.S. v. Belgium and Greece* ruling of the ECtHR. Subsequent jurisprudence of the ECtHR has also found violations of Article 3 ECHR due to the failure of national authorities to provide asylum applicants with adequate living conditions.[975]

The Reception and Identification Service (RIS), operating under the General Secretariat for the Reception of Asylum Applicants of the MoMA, is the responsible authority for the reception of asylum applicants,[976] including of unaccompanied minors.[977] Following the entry into force of the Asylum Code and relevant amendments by L. 4960/2022, the Special Secretary for Unaccompanied Minors (SSUM) of the MoMA remained the competent authority for the protection of UAM, including for the referral and accompaniment of UAM to dedicated accommodation facilities for UAM and the implementation of Guardianship,[978] until the transfer of its responsibilities (under Article 39 pf P.D. 106/2020) to the new General Secretariat for Vulnerable Persons & Institutional Protection establishedwith Article 6(1) of P.D. 77/2023 (A' 130/ 27.6.2023).

The capacity and occupancy of the reception system can be seen in the following table:

Capacity and occupancy of the reception system: December 2025		
Centre	Capacity	Occupancy (nominal)
Islands (for islands statistics see Reception and Identification)		
Lesvos CCAC	3,881	1,145
Samos CACC	3,664	1,796
Chios CCAC	1,014	713
Leros CACC	2,152	1,771
Kos CACC	3,455	1,363
Mainland (as of **June 2025** per reply to parliamentary scrutiny)		
Malakasa RIC	2,608	1,876
Diavata RIC	802	777
Fylakio RIC	756	474
Ritsona	2.352	1,246
Koutsochero	1,072	338
Schisto	1,221	552
Thiva	892	667
Corinth	800	517

975 ECtHR, *F.H. v. Greece*, Application No 78456/11, Judgment of 31 July 2014; *Al.K. v. Greece*, Application No 63542/11, Judgment of 11 March 2015; *Amadou v. Greece*, Application No 37991/11, Judgment of 4 February 2016; *S.G. v. Greece*, Application No 46558/12, Judgment of 18 May 2017, *A.D. v Greece*, Application no. 55363/19, Judgement of 4 April 2023.

976 Article 1(ιστ) Asylum Code.

977 Article 64 (2) Asylum Code as amended.

978 Article 64 Asylum Code.

Kyllini	398	280
Oinofyta	404	231
Thermopyles	304	150
Pyrgos	192	63
Attiko Alsos	100	74
Polykastro	1,656	778
Serres	1,514	612
Katsikas	1,288	655
Kavala	1,089	619
Filippiada	546	392
Alexandreia	730	461
Vagiochori	720	350
Sintiki	733	499
Lagkadikia	572	370
Drama	556	388
Veroia	452	272
Agai Eleni	481	222
Grand total	**36,404** (actual closer to 33,423)	**19,651**

Source: National Coordination Centre for border Control, *National Situational Picture regarding the Islands at Eastern Aegean Sea (31/12/2025),* 1 January 2026, available at: https://migration.gr/en/statistika/; and RSA, *Reception & refugee camps in Greece in the first half of 2025*, 11 September 2025, available at: https://tinyurl.com/yp6ar5fu. Data on the mainland concern actual (as opposed to nominal) capacity.

1.1. Temporary accommodation centres

In 2016, in order to address the needs of persons remaining in Greece after the imposition of border restrictions along the so-called Western Balkan route, a number of temporary camps were created on the mainland in order to increase accommodation capacity. Article 10 of L. 4375/2016[979] provided a legal basis for the establishment of different accommodation facilities.

In addition to Reception and Identification Centres,[980] the Ministry of Economy and the Ministry of Internal Affairs may, by joint decision, establish open Temporary Reception Facilities for Asylum Applicants (*Δομές Προσωρινής Υποδοχής Αιτούντων Διεθνή Προστασία*),[981] as well as open Temporary Accommodation Facilities (*Δομές Προσωρινής Φιλοξενίας*) for persons subject to return procedures or whose return has been suspended.[982]

Lastly, and amongst others, as per the amendments brought forth by L. 4686/2020, the Ministers of Finance, of Citizen Protection and of Migration & Asylum can decide on the establishment of Closed Temporary Reception Centres and Closed-Controlled Island Centres for asylum applicants subject to a detention order, for asylum applicants or persons subject to a return procedure or whose removal has been suspended, provided that restrictive conditions have been imposed on them.[983] As per the same amendment, Reception and Identification Centres (RICs), Closed Temporary Reception Structures, Pre-Removal Detention Centres (PRDCs), as well as separate areas with appropriate specifications for the accommodation of third country nationals or stateless persons belonging to vulnerable groups can operate within the aforementioned Closed Temporary Reception Centres and Closed-Controlled Island Centres.

979 As in force after replacement with Article 29 of L. 4825/2021 regarding reform of deportation and returns procedures, attraction of investors and digital nomads, issues of residence permits and of procedures for granting international protection, provisions of the competence of the MoMA and of the Ministry of Citizen Protection and other urgent provisions.

980 Article 10(1)-(2) L 4375/2016. The article has not been abolished by the IPA and remains the same.

981 Article 10(4) L 4375/2016. The article has not been abolished by the IPA and remains the same.

982 Article 10(5) L 4375/2016. The article has not been abolished by the IPA and remains the same.

983 Article 30 (4) and (5) L. 4686/2020 amending Articles 8 and 10 of L. 4375/2016 respectively.

As of 24 March 2020, following the issuance of a relevant Joint Ministerial Decision of the Ministers of Finance and of Migration & Asylum,[984] all temporary accommodation centres (*i.e.*, mainland camps) and emergency facilities (*i.e.*, hotels) have been regulated. Before that, the only three facilities officially established on the mainland were **Elaionas**,[985] **Schisto** and **Diavata**,[986] with the rest operating without an official manager, through Site Management & Support. As of May 2020, following a decision issued by the Minister of Migration and Asylum,[987] Directors were assigned for a period of a year, renewable for up to an additional two years, to the entire island, RICs and the temporary mainland accommodation centres. In the same month, as per Joint Ministerial Decisions issued by the Ministers of Environment and Energy, of Internal Affairs and of Migration and Asylum, the locations and the construction of the new island RICs on Leros ("Ormos Lakki" location, with a surface area of 25,514.09 m^2), Samos ("Zervou" location, with a surface area of 244,789.34 m^2) and Kos ("Mesovouni" location, with a surface area of 25,514.09 m^2) were decided.[988]

1.2. The islands and accommodation in the hotspots

Immediately after the launch of the EU-Türkiye Statement on 20 March 2016, Reception and Identification Centres (RIC) – the so-called "hotspot" facilities – were transformed into closed detention facilities due to a practice of blanket detention of all newly arrived persons.[989] Following criticism by national and international organisations and actors, as well as due to the limited capacity to maintain and run closed facilities on the islands with a large population,[990] this practice was largely abandoned shortly afterwards. As a result, before the COVID-19 pandemic and the subsequent establishment of the new CCACs, islands RICs were mainly operating as open reception centres, similar to mainland camps (with the exception of mainland RICs of Orestiada, Diavata and Malakasa).

In March 2020, following the breakout of the global COVID-19 pandemic, those residing in RICs and camps became subject to disproportionate restrictions of their freedom of movement in the context of measures aimed at restricting the spread of the virus.[991] These restrictions continued being renewed up to 27 March 2023,[992] even though restrictive measures in the context of the pandemic had largely stopped being applied to the rest of the population.[993]

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984 JMD 2945/2020 on the 'Establishment of Temporary Reception Structures for Third-Country Nationals or Stateless Persons who have applied for international protection', Gov. Gazette 1016/B/24-3-2020.

985 JMD 3/5262, 'Establishment of the Open Facility for the hospitality of asylum seekers and persons belonging to vulnerable groups in Elaionas Attica Region', 18 September 2015, Gov. Gazette B2065/18.09.2015; JMD 3.2/6008 'Establishment of the Open Facility for the temporary reception of applicant of international protection', 18 September 2015, Gov. Gazette B' 1940/6.06.2017.

986 JMD 3/14762, 'Establishment of Open Facilities for the Temporary Hospitality of applicant for international protection', Gov. Gazette B' 3720/16.11.2016.

987 Ministerial decision 4512/19.05.2020 of the Minister of Migration and Asylum, Gov. Gazette Government Gazette, Volume of Special Position Employees and Administration Bodies of the Public Sector and the Broader Public Sector Agencies, no.381/23-05-2021.

988 JMD 4712, 4711 and 5099, Gov. Gazette 2043/B/30-5-2020.

989 AIDA, *Country Report Greece: 2016 Update*, March 2017, available at: https://bit.ly/3J8Qw23, p.100 et seq.

990 UNHCR, *Explanatory Memorandum to UNHCR's Submission to the Committee of Ministers of the Council of Europe on developments in the management of asylum and reception in Greece*, May 2017, available at: https://bit.ly/3Qhsk0O, p. 10.

991 Although measures for the general population have largely fluctuated throughout the year, also depending on the epidemiological actualities of each location, residents of RICs and camps have been consistently subject to a horizontal restriction of their movement between 7pm-7am, with representatives of families or groups only allowed exit from the respective facilities in order to cover essential needs, as per consecutive Joint Ministerial Decisions issued since 21 March 2020. Amongst others, see HRW, *Greece Again Extends Covid-19 Lockdown at Refugee Camps*, 12 June 2020, available at: https://bit.ly/3fmYncl.

992 JMD Δ1α/ΓΠ.οικ.15102/10.3.2023 on the "Extension of the Joint Ministerial Decision Δ1α/ΓΠ.οικ.5432/27.1.2023 (B' 389) regarding emergency measures to protect public health from the risk of further spread of the coronavirus COVID-19 in the whole of the Territory until Monday, 27 March 2023 at 06:00", available in Greek at: https://bit.ly/3w9lrl4, in conjunction with JMD Δ1α/ΓΠ.οικ.5432/27.1.2023 and Annex II therein.

993 For more, see AIDA, *Country Report Greece: 2022 Update*, June 2023, available at: https://bit.ly/45vXAir, p. 165.

Following a controversial press briefing on the Government's operational plan for responding to the increased arrival of asylum seekers , on 20 November 2019,[994] it was announced that the island RICs would be transformed into Closed Reception and Identification Centres that would simultaneously function as Pre-Removal Detention Centres and which would have a capacity of at least 18,000 places. The announcements *inter alia* raised serious concerns and were condemned by a wide array of actors, including members of the European Parliament – who addressed an open letter to the Justice and Home Affairs Council – the CoE Commissioner for Human Rights,[995] as well as GCR and other civil society actors,[996] and local communities in Greece, who have on several occasions continued to display their opposition to the creation of new centres on the islands and the containment of asylum applicants there.[997]

Throughout 2025, people residing in the CCACs continued to be subjected to a "geographical restriction", based on which they are under an obligation not to leave the island and to reside in the RIC facility (see Freedom of Movement). They also remain subject to strict entry-exit measures, such as having to undergo security controls (metal detectors and/or physical controls), and to being under an obligation to comply with permitted hours of exit and (re)entry, and with an obligation to stay in the CCAC during the night. Non-compliance with these obligations can *inter alia* lead to the reduction and/or withdrawal of material reception conditions in accordance with Article 61 Asylum Code.[998]

As of 31 December 2025, and regarding the number of persons remaining on the Eastern Aegean Islands, see Types of accommodation.

2. Conditions in reception facilities

Indicators: Conditions in Reception Facilities

1. Are there instances of asylum applicants not having access to reception accommodation because of a shortage of places? ☒ Yes ☐ No
2. What is the average length of stay of asylum applicants in the reception centres? Varies
3. Are unaccompanied children ever accommodated with adults in practice? ☒ Yes ☐ No
4. Are single women and men accommodated separately?
   ☐ Yes ☐ No ☒ Depends/subject to availability of space/capacity

Article 59(1) of the Asylum Code provides that material reception conditions must provide asylum applicants with an adequate standard of living that guarantees their subsistence and protects their physical and mental health, based on respect for human dignity.

994 Greek Government, *Political Press Briefing – the Government's Operational Plan for dealing with the migrant issue*, 20 November 2019, available in Greek at: https://bit.ly/2RO2Kml.

995 Council of Europe, *Commissioner seeks information from the Greek government on its plans to set-up closed reception centres on the Aegean islands*, 3 December 2019, available at: https://bit.ly/38X2GX4.

996 For instance, see GCR, *The Greek Authorities announcements on the refugee issue are in contrast to national and international law*, 21 November 2019, available in Greek at: https://bit.ly/489ITCn; The Guardian, *Aid groups condemn Greece over 'prison' camps for migrants*, 25 November 2019, available at: https://bit.ly/2S4YXzW.

997 For instance, Coordinating Committee of the Elected Officials - Residents Of Chios, *We will not allow the islands to become prisons for souls*, *902.gr*, 5 July 2023, available in Greek at: https://tinyurl.com/yzts4rwe; Ethnos, *Lesvos: Residents' reactions to the new migrant structure*, 8 February 2022, available in Greek at: https://bit.ly/3xS67jw; Ekathimerini, *More protests against new island centres on the way*, 10 January 2020, available at: https://bit.ly/31fwkEp; Efsyn, *The papers say one thing and N. Mitarakis says another*, 26 April 2021, available in Greek at: https://bit.ly/3t2kiuc and GCR, SCI, Greece, *Advocacy update: March-April 2021*, available at: https://bit.ly/2SNIsw2, pp. 4-5.

998 Articles 6 and 9 of Decision 553695/2023 of the General Secretary for Reception of Asylum Seeker of the Ministry of Migration and Asylum regarding the General Regulation for the Operation of Closed Controlled Facilities, 31 December 2023. As per Article 9 of the same decision, the allowed hours of exit and (re)entry, which in practice largely mirror those imposed under previous measures aimed at combating spread of the coronavirus, are specified by a Decision of the Director of the RIS. Yet up to the time of writing it hasn't been possible to find said Decision.

On 27 September 2023, after many years, the launch of a complaints mechanism operating under the responsibility of the fundamental rights officer (FRO) of the MoMA was announced.[999] As per the relevant announcement and guidance published by the MoMA, the mechanism is accessible to any third-country national who considers they have been "directly affected by state actions or omissions and […] that one or more of his/her fundamental rights have been violated due to those actions or omissions, during access to territory and/or reception and/or asylum procedures in Greece".[1000] Complaints need to be submitted in writing and by name, and can either be filled online, in a relevant section established on the MoMA's website, or sent by email or post to the MoMA's FRO.

Though in principle a positive development, the requirement for complainants to submit a complaint in writing, which can currently only be done either in Greek or English,[1001] and by name, seems to *a priori* hinder applicant's potential for accessing this mechanism on their own, either on account of language barriers or due to potential fear of disclosing their name in a document that may attribute fundamental rights violations to actions or omissions of the Greek administration while their asylum applications are still pending. Therefore, the effectiveness of this mechanism remains to be seen.

As far as GCR is aware, during 2025 and up to September, the complaints mechanism under the MoMA FRO received a total of 84 new complaints, 75% of which (total of 63) were deemed inadmissible on account of lacking essential formal elements or not meeting the admissibility requirements, particularly related to the FRO's mandate. The remainder (21) were referred to services of the Ministry or the National Transparency Authority (NTA) or were pending at the end of September. The majority of admissible complaints concerned substandard and/or lack of special reception conditions, including the prolonged *de facto* detention of a minor applicant pending registration of their asylum claim.[1002]

A total of 58 doctors were deployed throughout the RIS camps, compared to 54 at the end of 2024. Doctors and other medical staff profiles are deployed in camps under the EU-funded "Hippocrates" programme. This number corresponds to one doctor per 390 people, given the total number of 22,622 residents. The rate of doctors to residents is significantly lower in the largest RIS camps that hosted over 1,000 people. At least five camps had no doctor at all at the end of 2025. This includes Leros, Filippiada, Veria, Kyllini and Pyrgos. 168 interpreters were deployed in RIS camps at the end of 2025, exclusively through emergency provision of staff by the European Union Agency for Asylum (EUAA)[1003]

2.1. Conditions in RICs and temporary accommodation facilities on the mainland

Living conditions in the mainland camps vary depending on the facilities, as different types of accommodation and services are offered at each site. Therefore, although camps are never suitable for long-term accommodation, compliance with the standards of the recast Reception Conditions Directive should be assessed against the situation prevailing in each camp.

Nevertheless, living conditions continued to be cause for concern throughout 2025, characterised by critical gaps in essential provisions and services, such as interpretation, and isolation. An August 2025 parliamentary response by the Ministry of Migration and Asylum, referring to data up to 30 June 2025, revealed that out of 12,863 camp residents, 11,959 were active asylum seekers entitled to reception conditions. None, however, were receiving the monthly financial allowance foreseen in the context of material reception provisions following the programme's complete halt in March 2025,[1004] resulting in most asylum seekers being unable to cover basic living expenses, including medicine and transportation.[1005]

999 MoMA, *Launch of the Complaints Mechanism*, 27 September 2023, available in Greek at: https://tinyurl.com/8wyzzk2r.

1000 MoMA, *Complaint Form, general guidance*, available at: https://tinyurl.com/3nhnsumz, p.1.

1001 Ibid.

1002 Information received in the context of GCR's participation in the Greek Monitoring Committee for Migration and Home Affair Funds.

1003 RSA, Asylum procedure and reception statistics in Greece in 2025, 26 March 2026 https://tinyurl.com/392ftj58

1004 RSA, *Reception & refugee camps in Greece in the first half of 2025*, 11 September 2025, available at: https://tinyurl.com/yp6ar5fu.

1005 As per information *inter alia* received during the 9 July 2025 National Protection Working Group.

This is despite the programme being covered under Greece's AMIF programme in the current (2021-2027) funding cycle.

The lack of financial support is compounded by acute material deprivation, as there is no systematic provision of essential non-food items (NFIs) across the camps, such as winter clothing, adequate footwear, or feminine hygiene products. Food provided in the facilities is frequently reported as inedible or unsafe. Furthermore, individuals who are granted international protection are immediately cut off from food and water provision. However, because integration programmes such as Helios+ are not fully operational, they are effectively forced to remain in the camps to avoid homelessness, residing in a state of complete destitution.

Furthermore, staffing shortages persist in medical and psychosocial services on the mainland, with the ratio standing at one doctor per 242 residents at the end of June 2025. Despite a relative improvement compared to 2024, this highlights ongoing deficiencies, with specific mainland camps, such as Filippiada, Veria, Kyllini, and Pyrgos, having no doctor at all.[1006] The Greek Ombudsperson, in his 2024 Report,[1007] reiterated concerns about the remote location of most mainland facilities, which hinders access to goods, services, and fosters a strong sense of isolation from local communities.

This isolation was further compounded by persisting challenges in transportation and interpretation services in 2025, directly impacting applicants' ability to access healthcare. The April 2025 follow-up report *"People continue to suffer in Greece's mainland refugee camps*", published by Mobile Info Team and Refugee Legal Support,[1008] found a worsening situation compared to the previous year and lack of suitable reception conditions for vulnerable groups, such as persons with disabilities. The report highlights that the MoMA still does not organise regular transportation from the camps to urban centers. Consequently, residents remain unable to reach essential services, including critical hospital appointments or necessary interviews at the Asylum Service, as they must find their own way despite having limited or no financial means. Furthermore, the absence of interpretation continues to be a severe issue; for instance, the Hippocrates programme lacks its own interpreters, forcing reliance on camp interpreters who are often absent or overstretched. The suspension of interpretation services nationwide by METAdrasi in July 2025, due to unpaid state debts, further exacerbated these communication issues, leaving many asylum seekers entirely unable to navigate bureaucratic processes, access vital information, or adequately communicate medical needs.

Following peaceful sit-in protests by camp residents in Kavala and Koutsochero in November 2024, protests on account of unsuitable conditions were held by residents of Malakasa and Oinofyta in January 2025 and February 2026 respectively.[1009] Residents have *inter alia* complained of unusable facilities, including broken toilets, lack of hot water, and cockroach infestations that they are left to manage on their own, with parents flaging that unhygienic conditions poses a serious and immediate risk to the health of their children.

Conditions prevailing in Malakasa RIC have also remained an issue of concern, with residents reportedly living in containers mired with serious and dangerous damage, water leaks, insects and rodents, without mattresses, blankets or cleaning and hygiene kits. Of particular concern is the prolonged *de facto* detention of unaccompanied children in highly unsuitable and overcrowded conditions in so-called "safe areas" in the RIC. In April 2025, the Athens Administrative Court of First Instance ruled that the prolonged detention of two minors in the Malakasa Camp constituted an unlawful and arbitrary detention.[1010]

1006 RSA, *Reception & refugee camps in Greece in the first half of 2025*, 11 September 2025, available at: https://tinyurl.com/yp6ar5fu.

1007 Greek Ombudsperson, "The Challenge of Migratory Flows and Refugee Protection - Reception Conditions and Procedures", 26 April 2024, available at: https://tinyurl.com/3s9yfxue.

1008 MIT & RLS, *Follow Up Report: People continue to suffer in Greece's mainland refugee camps*, 3 April 2025, available at: https://tinyurl.com/5f9rmcyx.

1009 *Ibid.*, p.9 and News24/7, "We Need Help": Refugees Denounce Appaling Conditions In The Oinofyt Facility", 21 February 2026, available in Greek at: https://tinyurl.com/4mz4xvww.

1010 GCR, *COMMUNICATION of the GREEK COUNCIL FOR REFUGEES to the COMMITTEE OF MINISTERS of the COUNCIL OF EUROPE (Rule 9.2.) with regard to the execution of M.S.S. (Application No. 30696/09)*

As noted in an open letter by 32 Refugee Education Coordinators (RECs) working in the camps in May 2023:

> '[W]here either the model of "Closed Controlled Centers" (CAACs), such as in Samos, Leros and Kos, or the "Reception and Identification Centres" (RICs), such as in Diavata, Malakasa or Fylakio, Evros, is already applied, or even where the so-called 'controlled' living model is promoted, such as in the various 'Controlled Facilities for Temporary Accommodation of Asylum Applicants' (particularly) in the mainland, extremely damaging conditions are created for the well-being of both the refugee children themselves and their families in general. These conditions create, first of all, anxiety for the psychosocial and learning development of the children we support and, secondly, discomfort, giving us the feeling that we are now working in an 'open prison' environment.'[1011]

As further noted in their letter,[1012] this model of reception, which as stressed by the RECs *inter alia* amounts to applicants' accommodation *"*in particularly remote areas and their enclosure by three-meter-high concrete walls […]; the creation of more and more internal, separate, clusters-cages for the different functions, which are shielded with double fencing and scaled wire mesh and guarded by private security companies; [and] the rapid understaffing of social and health services in terms of scientific staff, interpreters/translators, etc. and the parallel increase in security staff*"*, also *inter alia*:

- Creates insurmountable practical obstacles in children's and young persons' access to formal education, due to the distance between their place of residence from urban centers where public schools operate,
- Drastically limits possibilities to maintain communication with schoolmates and more broadly people of a similar age, given social integration activities that take place in the context of education become impossible, due to their isolation and the parallel inability of non-residents to access [the camps],
- prevents refugee parents and guardians from communicating with their children's teachers and with the parents and guardians of children in the local communities, thus nullifying one of the fundamental functions of the educational community,
- creates a suffocating living environment for children and their families, as well as for all those living in spatial isolation, which creates a series of intense psychopathological consequences and reproduces social stigma.

As underlined by the Greek Ombudsperson's in his 2024 report,[1013] "*most of these facilities are located outside urban areas, often in remote locations […]. This creates clear challenges in terms of access to goods and services, and foster a strong sense of isolation of residents from local communities".* The Ombudsperson further noted that:

- *'Several facilities, including Schisto, Serres, Lagadikia, and Malakasa, are surrounded by high concrete fences, while in places like Diavata RIC and Lagadikia, the barriers are topped with barbed wire. Additionally, CCTV systems have been installed at the gates and around the perimeters of these facilities. In the Diavata RIC, cameras are also installed in public areas. Facilities such as Fylakio RIC, Malakasa, Chios, and the Samos CCAC centre are encircled by double fencing, ending in NATO-type barbed wire. In some facilities, barbed wire fences are used to separate accommodation cells from administrative and technical support buildings, as seen in Lagadikia and Serres.'*
- *'All temporary accommodation structures, including the two RICs in mainland, are surrounded by high concrete fences.'*

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and H.A. and others (Application No. 4892/18) GROUP of cases, April 2025, available at: https://tinyurl.com/yzdmexdk, paras. 52-58.

1011 The letter was *inter alia* published by EfSyn. See EfSyn, *RECs: Educational integration of refugee children does not fit in closed centres*, 11 May 2023, available in Greek at: https://tinyurl.com/4mes767c.

1012 *Ibid.*

1013 Greek Ombudsperson, "The Challenge of Migratory Flows and Refugee Protection - Reception Conditions and Procedures", 26 April 2024, available at: https://tinyurl.com/3s9yfxue, 25 and 41.

- *'Lastly, all facilities, whether already operational or still under construction, have large turnstile doors for the entry and exit of residents and employees. These are accompanied by magnetic gates, x-ray machines, and a two-factor access control system (ID and fingerprint) for personal belongings, residents, and employees. The Ombudsman staff found that at the Samos CCAC and Schisto centre, residents and workers pass through a magnetic gate, their personal belongings are scanned by x-ray, and they then pass through turnstile gates. They are further checked by electronic reading of a special card they carry (a blue card for workers, a red card for residents). This check is mandatory for all individuals upon entry and exit.'*
- *'The appearance, particularly of the RIC and CCAC is more akin to a detention centre than to a reception and accommodation area for newly arrived residents',* reflecting similar concerns previously expressed by the EU Ombudsperson.[1014]

As mentioned in Save the Children & GCR's report on children's life in mainland camps, "*many of these camps fall short of the reception standards defined by the European Union Agency for Asylum, which indicate that facilities should be within a reasonable walking distance of relevant services, ideally no more than 3 km to public services and 2 km to healthcare facilities and schools, with safe walking infrastructure (Indicator 1.2(b))*."[1015]

The *"persisting challenges, particularly concerning the remote location [of camps] which hampers accessibility of vital services, such as health care and psychological support, as well as access to employment opportunities and interaction with local communities – essential for integration"* were also flagged in February 2024 by the UN High Commissioner for Refugees, Filippo Grandi, during a two-day visit to Greece.[1016]

2.2. Conditions on the Eastern Aegean islands

The situation on the islands has been widely documented and has remained alarming throughout the years, with increased arrivals in the second half of 2023 marking a return to conditions of overcrowding observed in previous years and an accentuation of ongoing challenges.

Between January and December 2025, a total of 15,822 persons were transferred to the mainland from the CCACs of **Lesvos** (1,227), **Samos** (4,632), **Chios** (3,092), **Kos** (2,930), **Leros** (3,548) or from **other islands** (393).[1017] As a result of these efforts, by year's end none of the island facilities displayed conditions of overcrowding, with the CCAC of Lesvos operating at close to 30% of its nominal capacity, the CCAC of Samos at 49%, the CCAC of Kos at 39%, the CCAC of Leros at 82%, and the CCAC of Chios at 70%.[1018] Yet, despite a seemingly manageable situation on the ground, prevalent conditions in the island CCACs remained alarming, particularly for UAMs.

Beyond physical shelter shortages during periods of increased arrivals, which forced people, including vulnerable cases, such as single mothers, to sleep on the floor in communal areas with unknown adults, the CCACs continued to operate as highly securitised, prison-like environments, defined by conditions of confinement, excessive surveillance, and significant recurring shortages of basic necessities.

1014 EU Ombudsperson, *Decision in strategic inquiry OI/3/2022/MHZ on how the European Commission ensures respect for fundamental rights in EU-funded migration management facilities in Greece*, 7 June 2023, available here.

1015 GCR and SCI, *"It Does Not Feel Like Real Life": Children's Everyday Life in Greek Refugee Camps*, December 2024, p. 17, available here.

1016 UNHCR, *UN High Commissioner for Refugees wraps up visit to Greece: welcomes progress on integration and urges continued efforts*, 22 February 2024, available at: https://tinyurl.com/bdepjsbh.

1017 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://migration.gov.gr/statistika/, Table 2.

1018 National Coordination Centre for border Control, Immigration and Asylum, *National Situational Picture regarding the Islands at Eastern Aegean Sea (31/12/2025),* 1 January 2026, available at: https://migration.gov.gr/en/statistika/.

As in previous years,[1019] these substandard conditions led to a number of interventions by the ECtHR in 2025, building upon a continuum of communicated cases from previous years that highlight systemic violations in the island facilities.[1020] Among these:

- In February 2025, the ECtHR granted *interim measures* to four unaccompanied children facing a four-month-long *de facto* detention and degrading conditions in the Samos CCAC in the case of *O.A. and others v. Greece* (Application Application no 2570/25). The court "*acknowledge[ed]", as noted by* Human Rights Legal Support (HRLP), the organisation supporting them, *"that the 4 minors are at imminent risk of irreparable harm, and ordered the Greek government to provide them with adequate food, water, clothing and medical care, to ensure their protection from ill-treatment and ensure their speedy relocation to a shelter for minors*".[1021]
- In May 2025, the ECtHR granted interim measures in cases concerning 46 UAMs who remained in conditions of *de facto* detention in the "safe zone" of the Samos CCAC, for an average period of 142 days, in deplorable hygiene conditions and without appropriate clothing, bedding and sleeping accommodation.[1022]
- Similarly, in June 2025, the ECtHR granted interim measures for 13 UAMs detained in the "safe zone" of the CCAC of Leros, ordering the authorities to urgently provide clothing, hygiene items, medical care, and to relocate the children to safe and appropriate accommodation.[1023]
- In July 2025, interim measures were granted for 9 UAMs remaining detained in the Kos CCAC "safe area", some of them having remained in *de facto* detention for almost 5 months.[1024]

Following these interventions, by 31 December 2025, the number of UAMs remaining in unsuitable island CCACs and mainland RICs was significantly decreased, with a total of 143 UAMs reported as still residing in said facilities by year's end, as reported by the General Secretariat for Vulnerable Persons & Institutional Protection.[1025] It is, however, crucial to note that the number reported refers to UAMs already registered by the authorities and not to those whose registration is still pending[1026] or who might have been registered as adults.

Beyond overcrowding, testimonies refer to conditions of confinement and excessive surveillance. At the same time, there are significant recurring shortages, particularly of medical and psychosocial staff, interpretation services, and of basic necessities (food, bedding, hot water, milk intended for children, medication) and decent accommodation. Indicatively, in the same report, RSA highlights how during 2023 new arrivals in the Samos CCAC were forced to sleep on the floor, without mattresses, in a room originally intended to serve as a restaurant, due to the lack of actual accommodation places. Additionally, those

1019 See previous AIDA reports on Greece, available at: https://asylumineurope.org/reports/country/greece/.

1020 See, *inter alia*, M.K. and Others against Greece (Application no. 42416/23) communicated on 25 February 2025 regarding Kos CCAC, Z.H. and S.T.H. against Greece (Application no. 34712/23) communicated on 21 March 2025 and W.B. and Others against Greece (Application no. 36142/23) communicated on 21 March 2025 regardng Samos CCAC, M.A. against Greece (Application no. 38043/21) communicated on 2 June 2025 regarding Lesvos CCAC.

1021 HRLP, "Samos CCAC "Safe" Zone : ECtHR Grants Interim Measures", 5 February 2025, available at: https://tinyurl.com/457uuf6y.

1022 HLRP, "Interim measures granted for 46 unaccompanied children", 21 May 2025, available at: https://tinyurl.com/6kjyjjzm.

1023 Equal Rights Beyond Borders, "European Court of Human Rights orders Greece to urgently provide essential aid and transfer 13 unaccompanied children to safe accommodation", 25 June 2025, available at: https://tinyurl.com/ykd6czvw.

1024 Equal Rights Beyond Borders, "European Court of Human Rights Issues New Decision to Ensure the Urgent Protection of De Facto Detained Unaccompanied Minors", 4 July 2025, available at: https://tinyurl.com/4y67u3tp.

1025 General Secretariat for Vulnerable Persons & Institutional Protection, *Situation Update: Unaccompanied Minors (UAM) in Greece*, 1 December 2025, available at: https://tinyurl.com/4ddcbk46.

1026 *Inter alia*, see AIRE Centre and GCR, Communication from NGOs (AIRE Centre and Greek Council for Refugees) (24/11/2025) concerning the cases of O.R., A.I. and Others, T.S. and M.S., T.A. and Others, N.N. and Others and W.S. v. Greece (Applications No. 24650/19, 11588/20, 15008/19, 15293/20, 59319/19, 65275/19) (Rahimi group) and reply from the authorities (26/11/2025), 26 November 2025, available at: https://tinyurl.com/4rywhr6f, para. 34.

residing in the public areas are subjects of constant surveillance, as the CCTV System inside the restaurant operates unceasingly on a 24/7 basis, violating the individual's privacy.[1027]

As *inter alia* noted by the CPT in 2024[1028]:

- *'The […] centres are usually located away from the main urban areas on the islands and are characterised by their imposing security measures. The CCACs, as observed in Kos and Samos, are surrounded by a double security fence topped with rolls of barbed wire, and feature control systems such as turnstiles, magnetic gates, x-ray scanners and two-factor access control (identity and fingerprint) at the entrance. Each accommodation section of the CCAC is also surrounded by a security fence topped with barbed wire and a turnstile identity control system. Private security companies control access to the centre and are responsible for carrying out checks and body searches on all persons wishing to enter or leave the centres. In addition, a CCTV monitoring system has been installed throughout the CCACs, using "smart" software to ensure early warning about any incidents, with images streamed to the Hellenic Police and the Control Centre at the Ministry for Migration and Asylum in Athens.'*
- *'The CPT considers that the use of barbed wire on the multiple perimeter security fences surrounding each section of the CCACs, including those accommodating families, women, children and persons with special needs and vulnerabilities, is excessive and unnecessary, and should be removed.'*
- *'The CCACs have the potential to offer better living conditions for migrants and asylum seekers for periods of up to a few months. However, they face significant shortcomings in legal assistance, healthcare provision, vulnerability assessment and interpretation services, and the basic reception and protection needs of applicants for international protection are often not met. Further, the excessive security and barbed wire fencing make the CCACs unsuitable for accommodating children and persons in a vulnerable situation.'*

The Greek National Commission for Human Rights (GNCHR), following a field visit in February 2024 in Samos CCAC, noted the incompatibility of prevailing conditions with the standards foreseen by EU law. Issues identified included overcrowding, single women and single parent families with minor children sleeping on the floor in mixed accommodation with unrelated men; limited access to water and the lack of doctors in the CCAC.[1029]

Meanwhile, as in previous years, during 2024 infrastructure-related problems continued to persist in the **Samos** CCAC. As reported by RSA in December 2024, there is still a '*severe shortage of running and drinking water, despite the systems reported by the Ministry of Migration and Asylum regarding water supply and conservation. […] Since there is no connection to a central water system, water is collected and distributed via tanker trucks connected to the facility's main supply points.*' Moreover, according to the same report: '*[t]he conditions of the containers was particularly concerning. Many were filthy, infested with bedbugs and cockroaches, while most beds lacked mattresses. Blankets were seemingly shared among residents, while there were broken plumbing fixtures overflowing with sewage, and blackened, dirty sanitary facilities (toilets, sinks, and showers). This situation was evident even in sectors housing families and vulnerable populations, who reportedly live in better conditions*'.[1030]

As regards **Lesvos**, per a 2024 report by the NGO Fenix Humanitarian Legal Aid: *"[…] more and more people are being housed in exposed areas of the camp, and in so-called Refugee Housing Units (RHUs), effectively plastic houses, which provide little relief from weather conditions. […] people living in the camp do not have adequate blankets to be sheltered from the cold. The Greek authorities have run out of*

1027 RSA, *What is happening today in the refugee structures on the Aegean islands*, May 2023, available at: https://bit.ly/40ZUNus.

1028 CPT, *Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 November to 1 December 2023*, 12 July 2024, available at: https://tinyurl.com/e265xv58, paras. 104-106. Also see GCR, Submission to the UN Human Rights Committee, Greece's State Party Report, 142nd Session, 14 October-7 November 2024, September 2024, pp. 10-14, available at: https://tinyurl.com/js28d9s8.

1029 GNCHR, Επιτόπια επίσκεψη ΕΕΔΑ στη Σάμο: Μη σύμφωνες με τα βασικά πρότυπα οι συνθήκες υποδοχής στην ΚΕΔ Σάμου, 9 April 2024, available in Greek at: https://tinyurl.com/mtuuhcar.

1030 RSA, *Samos*, 10 December 2024, available at https://rsaegean.org/el/samos-2024/.

blankets and stopped providing them, meaning that people who newly arrive receive either no blankets at all or just a flimsy summer blanket."[1031]

As further reported by RSA in December 2024, in **Lesvos**, living conditions inside the CCAC are characterised, among others, by a lack of hot water, shortages of clothing and blankets, poor-quality food and shortages in medical and psychological support. Regarding the latter, the report refers to the response of the Reception and Identification Service of 11 November 2024, according to which for 3,333 residents "*there is only one general practitioner, one gynaecologist, two midwives, six nurses, one laboratory technician, two psychologists, and one social worker in the CCAC. Newly arrived individuals undergo a basic medical check-up, while no psychosocial evaluation is conducted.*"[1032]

Dire conditions were also reported in the **Kos** CCAC by RSA in December 2024, a primary concern being the severe degradation of the facility's infrastructure, characterised by significant structural defects, inadequate maintenance, and critical failures in sewage and biological treatment systems, often resulting in instances of raw sewage inundation. Further, the provision of food and potable water was reported as insufficient in both quality and quantity, with residents reporting adverse health effects, including dermatological issues, attributable to unsanitary living conditions and a critical lack of essential hygiene products.[1033]

Ongoing challenges with regards to medical services were also reported. Based on GCR's presence in the field in **Kos**, there is a total and chronic lack of adequate medical services, which also impacts locals. There is no capacity to actually screen vulnerabilities or provide them with the health care they need. Unaccompanied and separated children face additional barriers when they reach the CCAC. Until a guardian is appointed, these children have no one to provide them with clothes, shoes or a cell phone to call home and talk to their family. Unaccompanied children also have to spend about two to three weeks in a fenced area called a '*safe area'* until they are transferred to a shelter for unaccompanied children. There is nothing to do in the safe area, no activities, recreational or otherwise. It is a container surrounded by barbed wire[1034].[1035]

During 2024, similar dire conditions were also reported in the **Leros** CCAC and the facility's "safe area." Shortages of medical personnel and deficiencies in necessities persisted, mirroring the situation at the CCAC. Persistence of water shortages were also reported due to "*the island's acute water scarcity and maintenance issues with the desalination plant that supplies the facility*"[1036] and inadequate medical personnel, which *"[…] comprises only six nurses, one midwife, one psychologist, and one social worker. Medical screening is carried out by the RIS medical unit, involving nurses and periodic visits by doctors to the island. This arrangement means that medical assessments for newly arrived individuals are essentially unavailable, making it impossible to identify potential vulnerabilities. Furthermore, due to the lack of personnel, accessing medical assistance for residents is extremely challenging"*, as noted by RSA.[1037]

Similar dire conditions were also reported in the **Chios** CCAC during 2024. There has not been a permanent doctor at the CCAC since 2021. According to the Reception and Identification Service's response to RSA (as of November 11, 2024), "*the facility employs six nurses, two midwives, three social workers, and two psychologists. Nurses handle medical documentation and forward it to a doctor who signs the medical records. Primary healthcare services are unavailable in the afternoons and on*

1031 FENIX, *A Blanket Violation of Rights: The Lack of Winterisation of the Mavrovouni C.C.A.C*, 27 November 2024, available here.
1032 RSA, *Lesvos*, 10 December 2024, available at: https://rsaegean.org/el/lesvos-2024/.
1033 RSA, *Kos*, 10 December 2024, available at: https://rsaegean.org/el/kos-2024/.
1034 GCR, *Refugee and migrant children arrivals in Greece quadruple this year*, press release, 17 July 2024, available here.
1035 In the context of their right of reply, submitted on 10 September 2025, the Greek General Secretariat for Vulnerable Persons and Institutional Protection noted that clothes, shoes and communication are provided by the child protection actor operating in the safe area, complementing any distributions made by RIS, and that activities are provided by the staff of the child protection actor as well.
1036 RSA, *Leros*, 10 December 2024, available at: https://rsaegean.org/en/leros-2024/.
1037 RSA, *Leros*, 10 December 2024, available at: https://rsaegean.org/en/leros-2024/.

weekends, so even minor emergencies must be referred to the understaffed Chios hospital by police or emergency medical services. Psychosocial evaluations are nearly impossible due to the severe shortage of interpreters, who must focus on urgent needs (e.g. interpretation for the custody of minors)."[1038]

No significant developments addressing the above mentioned issues have been reported during 2025.

Additionally, over the last year, there has been a significant increase of arrivals in South-western Greece (*i.e.*, Crete island, Gavdos island, etc), where no Reception and Identification Centers or any other form of migration/accommodation infrastructure exist. The authorities have proven unable to effectively manage the situation, leaving people for days or even weeks in miserable conditions and bypassing the reception and identification procedures provided by law or even arbitrarily submitting people to automatic detention.[1039]

In July 2025, following the Greek government's decision to suspend access to asylum for those arriving to Greece from Northern Africa, in blatant disregard for international, EU and national law,[1040] newly arrived applicants to (primarily) Crete and Gavdos started being transferred to PRDCs, with no access to reception. As per GCR's observations in **Amygdaleza** PRDC on 24 July 2025, newcomers subject to this measure had not received any information on the procedures to be followed, nor on the reasons for their detention. Since the decisions to suspend access to asylum as mentioned in the relevant chapter had a limited duration, no other incedents as such was reported.

2.3. Destitution

Destitution and homelessness still remain matters of concern in 2025. As stated by UNHCR in February 2020, *'[h]ousing options and services to cater for the present population are scarce countrywide*'.[1041] Though the population of concern has since been significantly reduced, following the termination of ESTIA in December 2022, this remained valid in 2022, 2023 and 2024, amidst the sharp increase in arrivals.

Following the challenges reported in 2023,[1042] the situation of destitution persisted in **Rhodes** during 2024 and 2025 as well. As reported in October,[1043] hundreds of refugees and migrants continued staying and sleeping in makeshift shelters and on the streets, waiting for their registration and transfer to suitable reception places. To the date of writing this report there is no adequate state-run infrastructure to support the occasional population.

Meanwhile, following increased arrivals to the **Crete** since 2023, severe material deprivation was further accentuated for newcomers during 2024 and 2025. Issues identified included the *ad hoc* use of improper facilities lacking even beds; limited provision of clothing and shoes and the use unwashed blankets, which often do not suffice to cover the actual needs.[1044] A similar situation has developed in **Gavdos**, which likewise lacks any type of reception facility.[1045]

Regarding the Greek **mainland**, challenges throughout 2025 in accessing asylum, on account of the shortcomings of the MoMA's newly established online registration system, aside from exposing applicants

1038 RSA, *Chios*, 10 December 2024, available here.
1039 GCR Submission to the UN Human Rights Committee, Greece's State Party Report, 142nd Session, 14 October 7 November 2024, September 2024.
1040 See Joint NGO statement, The unlawful suspension of access to asylum in Greece must be immediately withdrawn, 16 July 2025, available at: https://tinyurl.com/2v83d4zk.
1041 UNHCR, *Factsheet, Greece: 1-29 February 2020*, 29 February 2020, available at: https://tinyurl.com/h7xz7584.
1042 See previous AIDA report on Greece, available at: https://asylumineurope.org/reports/country/greece/.
1043 NEWS 24/7, Ρόδος: Εκατοντάδες πρόσφυγες και μετανάστες κοιμούνται σε δρόμους και πάρκα, 24 October 2024, available here.
1044 NeaKriti, *Chania: the migrant accommodation points at full – 187 persons in an open parking of the Port Authority*, 10 March 2024, available in Greek at: https://tinyurl.com/39x8dfk9. For the facility in Chania see here; For the facility in Heraklion see here.
1045 The Guardian, 'Pushed to the limit': the tiny Greek island in people smugglers' sights, 27 March 2024, available here; see also H Naftemporiki, *Μεταναστευτικό: Συναγερμός για τις εντεινόμενες ροές σε Γαύδο και νότια Κρήτη – Κυβέρνηση: Θα κάνουμε ό,τι απαιτείται*, 14 March 2024, available here.

to the risk of arbitrary detention, also significantly increased the risk of extreme material deprivation for those waiting for their asylum claims to be registered, during which time they lack access to reception conditions.[1046]

2.4. Racist violence

From 2022 to 2025, the Racist Violence Recording Network (RVRN), coordinated by UNHCR and the Greek National Commission for Human Rights, recorded hundreds of incidents of racist violence, a multitude of which concerned migrants, refugees and asylum applicants on account of their ethnic origin, religion or color.[1047]

As noted by RVRN,[1048] based on the Network's findings, the main patterns that were identified in 2022 were "*the existence of racism in everyday life, the occurrence of incidents of organised racist violence, albeit to a limited extent, and the targeting of human rights defenders within Greek territory, especially those operating at the borders*", while the Network also recorded incidents in which the perpetrators either wore uniforms or were civil servants. While noting a decrease, compared to previous years,[1049] on the number of incidents of extreme racist violence perpetrated by organised groups, the RVRN also reported an ongoing pattern of under-reporting of racist violence incidents, flagging, in line with its findings of previous years, that *"a significant number of victims do not report [such incidents] out of fear of secondary victimisation or re-victimisation"*.[1050] As noted by RVRN,[1051] amongst the factors contributing to this pattern of under-reporting and fear from the victims' side, while *"fueling the feeling of impunity"* on the side of perpetrators, was also the significant number of recorded incidents where the perpetrators were identified, by the victims, as *"representatives of the state and indeed [from state bodies] with the competence to protect"*.

With regards 2024 and 2025, the RVRN's relevant report had not yet been issued by the time of writing.

In July 2025, the RVRN raised its concerns regarding the increasingly hostile discourse (political and public) regarding people on the move in Greece. These concerns included the use, by political leaders, political parties and public authorities, of derogatory terms including "invasion", "clandestine" and "population replacement" in order to describe the incearse in arrivals, thereby portraying migrants and refugees as a societal threat, thereby contributing to a rise in racist violence.[1052]

According to a recent RSA report on Kos, incidents of racist violence were reported by Kos CCAC's residents. "*The presence of police is particularly noticeable in Kos town, with frequent reports of arbitrary detainment and body searches of CCAC residents, even incidents of racist violence. Discriminatory treatment at the hospital has also been reported, along with an incident of hostile behaviour toward an organisation's members, including damage to their vehicle*."[1053]

Furthermore, on 26 June 2024, the first meeting of the National Council against Racism and Intolerance took place under the coordination of the Ministry of Social Cohesion; a positive development that coincides

1046 Also see MIT & RLS, *Protection Unavailable: Dysfunctional Practices and Restrictions on the Right to Asylum*, November 2023, available at: https://tinyurl.com/53xzvpes, particularly pp. 26 *et seq*; Joint CSO Statement, *Shutdown of the Greek Asylum Service: Database Leaves People Unable To Claim Asylum And in Limbo*, 21 June 2023, available at: https://tinyurl.com/338z4d59.

1047 RVRN, *Annual Report 2022*, April 2023, available in Greek at: https://tinyurl.com/27bdrxje, p.5; RVRN, *Annual Report 2023*, April 2024, available in Greek here, p.5-9.

1049 On the reported situation in previous years, *inter alia*, see AIDA, *Country Report Greece: 2022 Update*, *op.cit.*, pp. 181-183 and previous relevant reports, available at: https://bit.ly/3OFfA4i.

1050 *Ibid.* p.6.

1051 *Ibid.* p.25.

1052 RVRN, 'Concern over the worsening climate against refugees and migrants in political and public discourse', 14 July 2025, available here.

1053 RSA, *Kos*, 10 December 2024, available here.

with the development of a new action plan against racism, given that the previous one, which started in 2020, ended in 2023.[1054] Their last meeting was held on 20 February 2025.[1055]

C. Employment and education

1. Access to the labour market

Indicators: Access to the Labour Market

1. Does the law allow for access to the labour market for asylum applicants? ☒ Yes ☐ No
   - ❖ If yes, when do asylum applicants have access the labour market?
     60 days from the lodging of the asylum application
2. Does the law allow access to employment only following a labour market test? ☐ Yes ☒ No
3. Does the law only allow asylum applicants to work in specific sectors? ☐ Yes ☒ No
   - ❖ If yes, specify which sectors:
4. Does the law limit asylum applicants' employment to a maximum working time? ☐ Yes ☒ No
   - ❖ If yes, specify the number of days per year
5. Are there restrictions to accessing employment in practice? ☒ Yes ☐ No

Legislative framework

Access to the labour market is the means for applicants and beneficiaries of international protection to integrate into the host society, regain their autonomy and self-esteem and feel empowered.

Article 57 of the Asylum Code, as amended by L. 5078/2023 (Article 192), provides that applicants have a right to access the labour market within sixty (60) days of the lodging of their application and the receipt of the relevant legal documents, as long as no first instance decision has been taken by the Asylum Service, and the delay cannot be attributed to the applicant.[1056]

This amendment, minimising waiting time to access Greek labour market from 6 months to 2 months, comes at a time of significant shortages in Greece's labour market and was part of new legislation that also introduced the possibility of undocumented third country nationals to regularise their status, *inter alia* subject to being able to present a job offer. The amendment has been welcomed by UN Agencies as a step forward, with the potential for bringing positive results for both third country nationals and locals. As noted by the Representative of UNHCR in Greece:[1057]

> These measures are a step in the right direction. They respond in a pragmatic manner to workforce needs in Greece's productive sectors that remain unfulfilled and promptly puts asylum-applicants on the path to self-reliance and inclusion, which in the end will yield significant socio-economic returns for all […] The amendment is a positive example of political will to dismantle barriers that render people invisible and marginalised, contributing to the broader prosperity of the Greek economy and society.

As long as they hold a valid asylum applicant card, Article 57(2) Asylum Code provides them access to paid employment or the provision of services or work throughout the period of validity of the card. Applicants are also under an obligation to inform the competent reception authority of any professional activity they engage in (commencement of a profession, contract of employment), and submit relevant

1054 Ministry for Social Cohesion & Family, 26 June 2024, available in Greek here.
1055 Press Release, The National Council against Racism and Intolerance 20/02/2025. (available in greek) https://tinyurl.com/4zr5c6z2
1056 Article 57(1) Asylum Code, as amended by Article 192 L. 5078/2023.
1057 UNHCR & IOM, *UNHCR and IOM welcome new amendment facilitating access to labour for migrants and asylum-seekers*, 19 December 2023, available at: https://tinyurl.com/39m8xwtk.

documentation. Failure to comply with this obligation can lead to the reduction or withdrawal of material reception conditions in accordance with Article 61 Asylum Code.[1058] Lastly, the right is automatically withdrawn upon issuance of a negative decision which is not subject to an automatically suspensive effect, and applicants lack the right to stay on the Greek territory.[1059]

All the above are interlinked with access of the asylum applicants and beneficiaries of international protection to public social insurance coverage. A legislative change in late 2023 introduced a – in many cases unsurmountable - challenge for asylum applicants in Greece. By virtue of Joint Ministerial Decision no. Φ80320/109864/14.12.2023, the activation of the social security number (AMKA) for adult beneficiaries of international protection, requires, as proof of residence, a certificate of employment, an employment contract or a commencement of work, uploaded in the ERGANI system,[1060] in addition to the already existing obligation to prove one's residence by a lease contract or a solemn declaration of a third person hosting the asylum seeker.

The above regulation raises concerns regarding the treatment of beneficiaries of international protection and the safeguarding of their social rights that have been collectively addressed by CSOs in Greece to the competent Ministries.[1061] In so far as it establishes a differential approach *vis-à-vis* beneficiaries, compared to nationals –which is also in breach of Articles 29 and 30 Asylum Code– it also introduces an additional layer to be considered under relevant infringement proceedings triggered by the European Commission in January 2023[1062], whose outcome remains yet unknown.

Obstacles in practice

Data collected through an ongoing survey conducted under the coordination of UNHCR, between February 2022 and March 2024,[1063] helps provide some further contextualisation to the challenges faced by asylum seekers in order to effectively access and remain in the Greek labour market. Namely, based on a total of 107 surveys carried out during the reference period with the participation of households in the asylum procedure or pending registration (fully registered, pre-registered and unregistered while willing to apply for asylum), the vast majority of respondents (80%) were either not working (63%), in most cases during the 12-month period preceding their participation to the survey, or were only able to find occasional work (17%). Moreover, of those working on a regular (20%) or occasional (17%) basis, the majority (56%) were doing so without any type of legal contract, indicating significant levels of labour exploitation. Lack of knowledge of the language, lack of documentation and the inability to find legal employment were noted as the main three challenges with respect to finding work in Greece, followed by the lack of knowledge on how to find employment and the lack of day care for the children, which to GCR's experience particularly affects single parent households with a female head. Discrimination/racism was also noted as a hindering factor in 5 out of 107 cases, while in only 2 cases did respondents state they did not wish to find work in Greece at the time.

A December 2023 study commissioned by UNHCR, as part of which more than 3,700 applicants and beneficiaries of international protection were surveyed between May-July 2022, seems to further

1058 Article 57(4) Asylum Code.
1059 Article 57(3) Asylum Code.
1060 Joint Ministerial Decision no. Φ80320/109864/14.12.2023 of the Ministers of National Economy and Finance, Foreign Affairs, National Defense, Interior, Health, Labour and Social Security, Citizen Protection, Immigration and Asylum, Maritime and Island Policy and Digital Governance regarding the conditions and the procedure for the issuance, activation, deactivation and inactivation of the Social Security Number (AMKA), for the activation of the AMKA for adult beneficiaries of international protection, Article 6 par. 5b, available in Greek here.
1061 A letter sent on 15 July 2024 by NGOs participating at the Legal Aid Working Group is in GCR's files and available upon request
1062 GovWatch EU Commissioner Johansson: Greece violates EU law on refugees On 26 January 2023, Commissioner Johansson sent two letters to the Greek government launching infringement proceedings against Greece for non-compliance with EU refugee rights legislation. https://tinyurl.com/45byjecv
1063 See UNHCR, *Inter-Agency Protection Monitoring for Refugees in Greece: Key findings*, available at: https://tinyurl.com/3z6t3y9f. For the data presented in this paragraph filters have been used, in order to only include the data arising from the surveys carried out with households that were clearly still in the asylum procedure or were waiting for their application to be registered.

corroborate this data. Namely, as per the study's findings,[1064] of the total participants of the survey, 64% were not working in the 4 weeks preceding their participation to the survey, even though more than half (52%) were actively looking for work. Of the rest of those not working, slightly more than 1 in 10 (11%) stated they had been doing unpaid work, 9% that they were unable to work on account of sickness or disability and close to 1 in 4 (24%) were at the time not looking for a job. The study also identified a gender-based gap vis-a-vis access to employment, with women being affected to a significantly higher degree than men (women unemployment stood at 82%, as opposed to 54% for men). Interestingly, no significant difference vis-à-vis employment was found based on respondents' legal status, with unemployment affecting to near similar extents applicants (66%) and beneficiaries (62%) of international protection. By contrast, the correlation between the type of accommodation and employment was much more pronounced, with applicants and beneficiaries who were self-accommodated displaying significantly higher degrees of access to employment (68%) compared to those residing in the former ESTIA scheme or supported through the Helios project (16%) and even more so compared to those residing in camps (10%). This seems to re-affirm persisting challenges in accessing the labour market for applicants residing in mainland camps, on account of the secluded nature of their accommodation and prolonged displacement, reported in previous years.[1065]

High levels of exploitation/undocumented labour were also found by the study, with only 36% of working applicants (and 48% of beneficiaries), being able to do so with a formal contract, while in all cases of those working, wages were identified as being much lower than the Greek national minimum wage, even though weekly working hours were in 41% of cases similar to average working hours for Greek nationals and in 22% of cases more (60-hour working weeks). A third of participants (31% in the case of men and 33% in the case of women) also reported feeling discriminated against in the labour market, while a very high percentage of all participants (68%) reported having to resort to negative coping mechanisms, such as skipping meals, on account of economic hardships.[1066]

In another research conducted by GCR, IRC, and Diotima between November in spring 2022 with more than 180 respondents, lack of Greek and/or English courses, the lack of a social network and connection with the Greek labour market, insufficient information on the relevant procedures, obstacles in recognising their qualifications and skills, prolonged displacement, secluded accommodation, or restriction of movement imposed, delays in access to the asylum system on mainland Greece, and racism and discrimination, were among the main issues reported.[1067] The same pattern prevails in more recent research,[1068] as significant challenges, including labour rights violations, vulnerabilities linked to precarious insecure legal statuses, and systemic barriers to formal employment are still present, with 30% of respondents engaged in undeclared work, predominantly in sectors like construction and domestic work.

Based on the same survey, whose findings are corroborated by the UNHCR Inter agency Protection Monitoring Tool in Greece,[1069] the main obstacle in finding employment for both applicants and beneficiaries of international protection was correlated with the lack of opportunities to skill up competences and learn Greek. According to the social service of GCR there is a significant gap in Greek language programs for applicants and beneficiaries of international protection, which is covered, as far as possible, free of charge by non-governmental organisations. Adding to this, there are no practically

1064 Casalis M. et.al., *Home for Good? Obstacles and Opportunities for Refugees and Asylum Seekers in Greece*, December 2023, available at https://tinyurl.com/ycyacy57, pp. 24-26.

1065 AIDA, *Country Report: Greece, 2021 Update*, May 2022, available at: https://bit.ly/3MRVkLf, p. 185 and AIDA, *Country Report: Greece, 2022 Update*, June 2023, available at: https://bit.ly/3PUOVk9, p. 184.

1066 Casalis M. et.al., *Home for Good? Obstacles and Opportunities for Refugees and Asylum Seekers in Greece*, December 2023, available at https://tinyurl.com/ycyacy57, pp. 28-32.

1067 GCR, IRC, Diotima, *Do the human right thing: Seeking a new life, seeking employment*, March 2022, available at: https://bit.ly/42eyDWf. Data derived from 183 participants from September 2021 to February 2022.

1068 SolidarityNow, Generation 2.0., *Revealing the Unseen Migrant Workers,* March 2025, available here. Data derived from 228 respondents from Athens and Thessaloniki.

1069 *Ibid*.and UNHCR's monitoring tool, available here, with results filtered from 1/1/2024 to 31/12/2024 and status "asylum seekers".

accessible workshops or on-the-job trainings by the Greek Public Employment Service (DYPA[1070]), which further limits applicants' prospects of acquiring employment in Greece.

The sole exception has been the HELIOS programme (see the relevant section on Content of International Protection - Housing),[1071] which however focuses on beneficiaries of international protection, providing integration courses, including 280 hours of the Greek language. Also, according to the data provided by UNHCR, the primary problem in accessing the labour market identified by the respondents-asylum applicants (61, *i.e.*, 76%) is Greek language competence.[1072]

When it comes to opportunities for vocational training, both Articles 17(1) L 4540/2018 and Article 58 (1) Asylum Code provide that applicants can access vocational training programmes under the same conditions and prerequisites as foreseen for Greek nationals. However, the law does not take into consideration the significantly different circumstances faced by asylum applicants, and in particular, the fact that they may not be in a position to provide the necessary documentation (*e.g.*, certificate of completion of primary school).[1073] Article 58 (2) Asylum Code provides that the conditions for assessing the skills of applicants who do not have the necessary documentation will be set by a Joint Ministerial Decision of the Ministers of Labour and Social Affairs, Education and Religious Affairs and Migration and Asylum. As far as GCR is aware such a decision had not been issued by the end of 2025.

As in previous years,[1074] asylum applicants have also continued facing obstacles in opening bank accounts in 2025. For context, based on data collected through the abovementioned ongoing survey conducted under the coordination of UNHCR, as part of which 107 asylum applicant households (fully registered, pre-registered and unregistered while willing to apply for asylum) were reached between February 2022 and March 2024, 62% of respondents did not have a bank account, with main causes relating to procedural challenges, including, in 10 out of 107 cases, their request being declined, though in 16 out of 107 cases respondents stated they did not wish or need a bank account.[1075] On the other hand, based on the same survey, issuance of a VAT verification number (AFM) seems to have been somewhat streamlined in recent years, with 87% of applicants stating they had been able to obtain said number, even though 35% of respondents reported that they required support in order to be able to issue it.

2. Access to education

Indicators: Access to Education

1. Does the law provide for access to education for asylum-seeking children? ☒ Yes ☐ No
2. Are children able to access education in practice? ☐ Yes ☐ No ☒ Not always

According to Article 55 of the Asylum Code, asylum-seeking children are required to attend primary and secondary public school under similar conditions as Greek nationals. Children from the age of four are also required to attend pre-primary school. Compulsory education includes pre-primary, primary and lower secondary education. Pre-primary (Nipiagogio) lasts two years, primary education (Dimotiko) lasts six years and lower secondary education (Gymnasio) lasts three years.[1076] The majority of children continue

1070 In previous AIDA reports on Greece the same service was referred to as OAED, as this service was called until 2022 when it changed with L 4921/2022 (OGG 75 A' 18-04-2022) to DYPA.

1071 See Content of international protection.

1072 See UNHCR, *Inter-Agency Protection Monitoring for Refugees in Greece: Key findings*, available at: https://bit.ly/43dZsuK.

1073 GCR, *Observations on the Draft Law transposing the Reception Directive*, 31 October 2016, available in Greek at: https://bit.ly/42sh0Cb.

1074 For more, *inter alia* see AIDA, *Country Report Greece: 2022 Update*, available at: https://bit.ly/3PUOVk9, pp. 185-186.

1075 See UNHCR, *Inter-Agency Protection Monitoring for Refugees in Greece: Key findings*, available at: https://tinyurl.com/3z6t3y9f. For the data presented in this paragraph filters have been used, in order to only include the data arising from the surveys carried out with households that were clearly still in the asylum procedure or were waiting for their application to be registered.

1076 Article 88 of L 4871/2021, which modified Article 2 of L 1566/1985.

to upper secondary (Lyceum) that last three years.[1077] Children applicants of international protection are obliged to attend school and competent authorities are obliged to provide the necessary and adequate means to support and facilitate the relevant procedure. Before the age of 4, children can also attend infant centres (vrefonipiakos stathmos from 6 months old) and child centres (paidikos stathmos – from 2 1/2 years old) run by private entities and the municipalities.[1078]

The Asylum Code does not mention education as a right but as an obligation. Registering children at school is possible even in case of incomplete documentation, as long as no removal measure against minors or their parents is actually enforced. Access to secondary education shall not be withheld for the sole reason that the child has reached the age of maturity. Registration is to take place no longer than 3 months from the identification of the child, while non-compliance on behalf of the applicants, on account of a potential *"unwillingness to be included in the education system"* is subject to the reduction of material reception conditions and to the imposition of the administrative sanctions foreseen for Greek citizens to the adult members of the minor's family.[1079]

Joint Ministerial Decision139654/ΓΔ4 (Β' 2985/30.08.2017) regulates a programme of afternoon preparatory classes (Reception School Facilities for Refugee Education – DYEP classes / *Δομές Υποδοχής και Εκπαίδευσης Προσφύγων* - ΔΥΕΠ) for all school-aged children aged 4 to 15.[1080] The programme is implemented in public schools neighbouring camps or places of residence. The organisation, operation, coordination and training program of DYEP classes is supervised by the Refugee Education Management, Coordination and Monitoring Team, as defined by the Secretary General of the Ministry of Education, in cooperation with the competent Directorates of the Ministry of Education, the competent Regional Directorates of Education and the competent Directorates of Primary and Secondary Education.[1081]

The location and operationalisation of the afternoon preparatory classes is subject to the yearly issuance of a Decision by the Deputy Minister of Education. Such decisions have been respectively issued for each school year up to the current school year 2024-2025 and 2025-2026 [1082]

Children aged between 6-15 years, living in dispersed urban settings (such as squats, apartments, hotels, and reception centres for asylum applicants and unaccompanied children), may go to schools near their place of residence, to enrol in the morning classes alongside Greek children, at schools that will be identified by the Ministry. This is done with the aim of ensuring a balanced distribution of children across selected schools, as well as across preparatory classes for migrant and refugee children where Greek is taught as a second language.[1083]

Although the refugee education programme implemented by the Ministry of Education is highly welcome, the school attendance rate should be reinforced, while special action should be taken in order for children remaining on the islands and in remote camps to be guaranteed access to education. Language is also a barrier for refugee and asylum-seeking children to integrate into school. The creation of reception classes is foreseen by law, but in practice, these classes do not always start on time due to understaffing or to their insufficient number, leading children who do not understand Greek to be practically excluded from the educational system, because they encounter great difficulties to understand the subjects taught. In a Save the Children report published in January 2024, children in Greece stated: "*We go every day.*

1077 This upper secondary education cycle consists of the general or vocational upper secondary lycea (GEL/EPAL), see more at Eyridice, available here.
1078 UNHCR, *Help Greece - Access to Education*, available at: https://tinyurl.com/yc8rjwrc.
1079 Article 55(2) of L 4939/2022.
1080 Joint Ministerial Decision139654/ΓΔ4 (Β' 2985/30.08.2017), available in Greek here.
1081 Article 1 par. 4 of JMD 139654/ΓΔ4 (Β' 2985/30.08.2017).
1082 For the current school year, see Ministerial Decision Φ1/66634/ΚΓ/Δ1/2024 and Φ1/74878/ΚΓ/ΓΔ4/2025 available in Greek here and https://tinyurl.com/hwthzurv
1083 Refugee Info Greece, *School program for kids 6 to 15*, last updated on 28 March 2024, available at: https://bit.ly/3xUbn6o.

But we do not learn because we do not understand a thing. There is no Greek lesson for the moment." "*We stay separate from other children, because we do not yet speak the language*."[1084]

According to UNICEF's Annual Report on Greece for 2023, it was estimated that by October 2023, there were 25,000 refugee and migrant children in Greece, including 7,000 children from Ukraine,[1085] while by the end of 2024 the number of unaccompanied and separated children in the country was 2,414.[1086]

Based on the latest available uinformation, during the 2024-2025 school year, a total of 17,195 third country national children were enrolled to the publis system of education, of which 15,538 were reported as active, highlighting a potential drop-out rate of close ot 10%. The majority of those enrolled were from Egypt (19%), Ukraine (13%), India (13%), Syria (12%) and Afghanistan (10%), with the public shoocl system accommodating more than 70 different natinoalities. The majority of those enrolled were attending primary school (669), followed by secondary education (419) and technical education (283). For the coordination of the education of refugee students, 120 Refugee Education Coordinators (RECs) were appointed.[1087]

Findings of a GCR and Save the Children joint report show that levels of access to education for asylum-seeking-children depend on their location and reception structure,[1088] as discrepancies in reception conditions at the facilities is a rule, e.g., many camps are in remote areas with poor transport connections. GCR represented the case of children accommodated in Sindiki facility (CAFTAAS) in Northern Greece who were not attending school – even if enrolled – from the beginning of the school year 2023-2024 due to lack of transportation. GCR made an intervention towards the competent authorities and the Ombudsperson for the Rights of the Child and only at the beginning of March 2024 was the issue of transportation finally resolved.

Regarding unaccompanied children specifically, a study on school attendance conducted by Foster Educators[1089] during the 2023-2024 school year, found that almost all unaccompanied children were, in fact, not attending school, even if they were enrolled. More specifically, this study collected data from 2.283 children, residing in 39 accommodation shelters and shows huge dropout rates: 12 out of 13 unaccompanied children are out of school. According to the results of this survey, most unaccompanied children are formally enrolled in schools, but the vast majority of those enrolled in secondary school do not actually attend school or drop out. The highest rate of early school leaving is recorded in lower secondary education ("gymnasium") that is part of the compulsory education in Greece. According to the same findings, very few unaccompanied children reach the end of the school year with adequate attendance and few absences. In primary schools there is less mobility and school drop-outs and better school integration.[1090]

Factors such as the mobility or short stay of children in the accommodation structures, the refusal of schools to enrol children because of their arrival in the accommodation facility at the end of the school year (after March), the limited school capacity when the maximum number of students is enrolled and the lack of reception classes (*i.e.*, supportive classes -running in parallel with the regular classes- with the aim to help children who lack the necessary knowledge of Greek to better integrate the regular classes), when the deadline for their creation has passed or when the prescribed minimum number of 7 students is not met, are some of the obstacles children face when it comes to educational integration.[1091]

1084 Save the Children, *Hope and Harm: Children's Experiences of Seeking Safety in Europe*, January 2024, available at: https://tinyurl.com/r2d2whe2, 21.

1085 UNICEF, *Country Office Annual Report 2023 - Greece*, available at: https://bit.ly/4baeZiL, 2.

1086 Ministry of Migration and Asylum, see more here.

1087 Information provided by the Independent Department for the Coordination and Monitoring of Refugee Education of the Ministry of Education on 28 January 2026.

1088 GCR and Save the Children, "*It does not feel like real life": children's everyday life in Greek refugee camps*, December 2024, available here, pp 24-25.

1089 Foster Educators*, School attendance of unaccompanied refugee minors during the 2023-24 school year*, October 2024, available in Greek here.

1090 *Ibid.*

1091 *Ibid.*

Moreover, according to the study of the Foster Educators, schools' inability to create an efficient and attractive integration environment for refugee and migrant children, the administrative weaknesses of the accommodation structures, the deficits in personnel, material resources and educational know-how of both schools and accommodation structures and mobility are the main reasons for dropout.[1092] In particular, regarding mobility of children and their families from one accommodation place to another (i.e. due to administrative procedures regarding their asylum or due to camps' closure), a dramatic increase (almost doubled) was observed compared to last year, mainly in the mobility of unaccompanied children.[1093]

Three years of schooling is one of the perquisites of a special 10-year residence permit given to ex-UAMs –who have reached adulthood. According to the new provision of Article 161 para 1c΄ of L 5038/1.4.2023 (Migration Code):[1094] "*Third country nationals residing in the country are granted a ten-year residence permit, which grants the right to full access to the labor market, provided that: […] c) are adult third country nationals or stateless persons who entered Greece as unaccompanied minors and have successfully completed at least three (3) classes of secondary education in a Greek school in Greece before reaching the age of twenty-three*". Only evidence of successful completion -and therefore promotion- to the next class are accepted, and not simple attestations of attendance (Circular no 17314 of 12 January 2024).

Although in law, this has been a long-expected regulation addressing a serious protection gap for asylum seeking youngsters,[1095] three years of schooling before the age of twenty-three is problematic. In particular, as mentioned above, inadequate staffing, reception classes that start months after the beginning of the school year, lack of tailored vocational education options are some of the factors that hinder the harmonious integration of UAMs in school and lead to their early dropout. As long as a transitory residence permit, covering the legality of stay for children turning 18 is not institutionalised, the new provision of the Migration Code (Article 161 para 1c΄ of L 5038/1.4.2023) for the grant of a 10-year residence permit will not be applicable and will remain void.

GCR has also observed – mainly through its intercultural centre PYXIDA – that attendance seemed to have decreased during the school year 2022-2023, mainly due to the closure of ESTIA accommodation program, which led to the removal of families and their children from the center of Athens and their confinement in camps away from the city. As a result, children had to start from zero in remote areas under harsh living conditions and with very limited possibilities of accessing school. In their letter to the authorities in May 2023, 32 Refugee Education Coordinators condemned the very poor living conditions of asylum applicants in the accommodation structures in Greece and in the new –prison-like- Closed Controlled Access Centres (CCACs), which are an obstacle to children's access to public education due to the distance of the structures from schools, thus the drastic limitation of the communication of the children with their peers outside the structure, the impossibility for them to participate in social activities and the suffocating situation for the development and inclusion of children.[1096]

Regarding adequate staffing and timely scheduling of reception classes, it seems that the same problems remain, meaning the significant delays and insufficient number of teachers recruited in staffing reception and DYEP classes. In particular, according to the above-mentioned study of Foster Educators, the majority of the supportive reception classes -mainly for Greek language- started in November 2022, with

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1092 *Ibid.* pp. 38-39.

1093 Foster Educators, *School attendance of unaccompanied refugee minors during the 2022-23 school year,* December 2023, available in Greek at: https://tinyurl.com/2k5xepn2, pp. 26, 51-52.

1094 L 5038/2023 enters into force the 31 March 2024, except for –among others- paragraph 1c of Article 161, which enters into force on 1st April 2023 (according to Article 179 para 2c). For the application of said provision of Article 1c of the Migration Code and the required documents relative is Article 1 para Z4 of JMD 30825/2014, as amended by JMD 378422/16.8.2023. In reality, the application of the provision for the 10-year residence permit was not functional at least until the beginning of 2024 due to different obstacles (administrative deficiencies of the online system of MoMA, issuance of explanatory circulars). It remains to be seen how this new provision will be applied in practice.

1095 See joint Press Release of 14 NGOs, members of Child Rights Advocacy Network (CRAN), December 2022, available in Greek here.

1096 Alfavita, *Εκπαίδευση προσφυγόπουλων: SOS από Συντονιστές εκπαίδευσης για κλειστές δομές – 'ανοικτές φυλακές'*, 15 May 2023, available at: https://bit.ly/4aR2vgh.

schools even starting reception classes in February, March or even April 2023, with a number of them stopping very early (February or March) due to teacher transfers or placements.[1097]

Moreover, regarding the inclusiveness of education, UNICEF's project *All Children in Education (ACE)* came to an end in June 2024, leaving a gap for school-aged children in the reception facilities. This project aimed to facilitate the integration of refugee and migrant children in formal education through non-formal education services, such as interpretation services in schools, Greek language courses, psychosocial support for students and teachers' empowerment. At the time of writing (January 2025) there is no state-run project to holistically facilitate educational integration of child applicants, caring also for their families. According to field qualitative research of GCR and Save the Children, most of the interviewees (children, caregivers and experts) shared that extracurricular activities are indispensable "breathers" for children in a camp setting.[1098]

Regarding adult education and training, after the age of 18, asylum applicants and refugees may attend several educational programs run by state or private agencies, NGOs and other organisations, such as Second Chance schools (for adults who have not completed mandatory education) and centres for Lifelong Learning operate in municipalities. Adult asylum applicants who have graduated from secondary education may participate in examinations to enter Universities or Higher Technological Institution or register in the Institutes of Vocational Training (SAEK/ΣΑΕΚ in Greek).[1099]

Yet, a significant obstacle hindering asylum seekers in their efforts to continue their studies or upskill to match employment needs is the practical difficulty or actual impossibility to prove and recognise existing education and training qualifications. Due to the circumstances forcing them to leave their homes, many do not have their original diplomas of study or other relevant certification,[1100] while in GCR's experience, they cannot even issue copies of them in Greece, despite the European Qualification Passport for Refugees (EQPR), which could be used to recognise studies from third countries outside the EU.

D. Health care

Indicators: Health Care

1. Is access to emergency healthcare for asylum applicants guaranteed in national legislation?
   ☒ Yes ☐ No
2. Do asylum applicants have adequate access to health care in practice?
   ☐ Yes ☒ Limited ☐ No
3. Is specialised treatment for victims of torture or traumatised asylum applicants available in practice?
   ☐ Yes ☐ Limited ☒ No
4. If material conditions are reduced or withdrawn, are asylum applicants still given access to health care?
   ☐ Yes ☒ Limited ☐ No

L. 4368/2016, which provides free access to public health services and pharmaceutical treatment for persons without social insurance and vulnerable social groups[1101] is also applicable for asylum applicants and members of their families.[1102] However, in spite of the favourable legal framework, actual access to

1097 FOSTER EDUCATORS, *School attendance of unaccompanied refugee minors during the 2022-23 school year (in greek -Η σχολική φοίτηση των ασυνόδευτων ανήλικων προσφύγων κατά το σχολικό έτος 2022-23)*, December 2023, p. 46, available in Greek at: here.

1098 See GCR and Save the Children, "*It does not feel like real life": children's everyday life in Greek refugee camps*, December 2024, available here, p.27.

1099 UNHCR, *Help Greece - Access to Education*, available at: https://tinyurl.com/yc8rjwrc.

1100 For instance, as per the aforementioned ongoing survey carried out under the auspices of UNHCR between February 2022 and March 2024, 44% of applicants (registered or pending registration) who had an undergraduate or higher degree of education, did not have original copies with them. UNHCR, *Inter-Agency Protection Monitoring for Refugees in Greece: Key findings*, available at: https://tinyurl.com/3z6t3y9f.

1101 Article 33 L 4368/2016, as amended with Article 38 par. 1 of L. 4865/2021.

1102 Article 59 (2) Asylum Code referring to Article 33 L. 4368/16.

health care services has been consistently hindered in practice by significant shortages of resources[1103] and capacity for both foreigners and the local population, as the public health sector is under extreme pressure and lacks the capacity to cover all the needs for health care services.

Moreover, Article 55 IPA, subsequently replaced by Article 59 (2) Asylum Code, introduced a new Foreigner's Temporary Insurance and Health Coverage Number (*Προσωρινός Αριθμός Ασφάλισης και Υγειονομικής Περίθαλψης Αλλοδαπού*, PAAYPA) replacing the AMKA for asylum seekers.[1104]

Article 59 (2) provides that PAAYPA is to be issued to asylum applicants together with their asylum applicant's card.[1105] With this number, asylum applicants are entitled free of charge to access the necessary health, pharmaceutical and hospital care, including the necessary psychiatric care where appropriate. The PAAYPA is deactivated if the applicant loses the right to remain on the territory.[1106]

An October 2022 Joint Ministerial Decision (JMD) regarding access of international protection applicants to health care services, medical and pharmaceutical care, social security, the labour market, provides further clarifications on the acquisition of a PAAYPA number.[1107] For every applicant for international protection, a PAAYPA number is issued. This number is unique and corresponds to the number of the applicant's international protection card.[1108] The competent service for the procedure of PAAYPA issuance is the Asylum Service. The latter proceeds with the issuance of the PAAYPA when registering the application for international protection and writes the PAAYPA number on the international protection applicant's card.[1109] PAAYPA holders benefit from primary and secondary health care upon presentation of their international protection applicant card.[1110] The PAAYPA number remains active as long as there is an active international protection applicant's card and is renewed automatically with the renewal of the applicant's card. The validity of PAAYPA is equivalent to the duration of the applicant's card, except for pregnant women, whose number remains valid for one year.[1111] For UAM applicants for international protection, PAAYPA remains active even after the issuance or service of a decision rejecting their asylum application and its validity is extended until the execution of a return decision or until the UAM reaches adulthood.[1112]

Following these developments, and despite initial delays in the operationalisation of the new system, issuance of the PAAYPA seems to have been increasingly streamlined since early 2021,[1113] at least to the extent that GCR is aware. Notwithstanding, challenges do seem to persist as, indicatively, out of 61 registered asylum applicant households surveyed between 1 January 2023 and 31 December 2023 as part of an ongoing monitoring activity carried out under UNHCR in Greece, 5% of respondents still lacked a PAAYPA number.[1114]

As explained above (see Access to the Labour Market), a recent legislative development automatically excludes from access to public healthcare beneficiaries of international protection (when one becomes a recognised refugee a PAAYPA needs to be converted to AMKA) who are not yet working or are not able to work because of their health condition or age (e.g. the elderly). Also, the possession of an active AMKA is necessary for access to the benefits of the Agency for Welfare Benefits and Social Solidarity (OPEKA).

1103 For the impact of the ten years of financial crisis and the austerity measures on the Greek public Health System, see Amnesty International, *Greece: resuscitation required – the Greek health system after a decade of austerity,* April 2020, available at: https://bit.ly/3cAKeG0.

1104 See Content of international protection.

1105 Article 59 (2) Asylum Code.

1106 Article 59 (2) Asylum Code.

1107 Ministerial Decision 605869 (B' 5392/18.10.2022).

1108 Article 1(3) of Ministerial Decision 605869/2022.

1109 Article 2(1) of Ministerial Decision 605869/2022.

1110 Article 3 of Ministerial Decision 605869/2022.

1111 Article 6(1), (2) of Ministerial Decision 605869/2022.

1112 Article 6(6) of Ministerial Decision 605869/2022.

1113 For more, see AIDA, *Country Report Greece: 2022 Update*, June 2023, *op.cit*, pp. 191-193 and previous relevant reports.

1114 UNHCR, Inter-Agency Protection Monitoring for Refugees in Greece: Key findings, available at: https://tinyurl.com/3z6t3y9f, relevant section 2 on documentation. For the data in this paragraph, filters have been used to only include registered asylum applicant households surveyed during 2023 alone.

Furthermore, as the issuance of PAAYPA requires the full registration of an asylum application, delays in accessing asylum, particularly in mainland Greece, also lead to *de facto* delays with respect to applicants' acquisition of this document and in turn delays in their actual ability to access healthcare. Based on GCR's observations, after the deployment of EUAA personnel in **Kos**.

Yet, even for those with an active PAYPA number, the isolated nature of accommodation (*i.e.*, camps in remote areas) in the Greek reception system hinders applicants' effective access to healthcare, including psychosocial support.[1115] This challenge was also noted by the UN High Commissioner for Refugees, Filippo Grandi, during a two-day visit to Greece in early 2024.[1116]

In 2024, asylum seekers in Greece faced serious challenges in accessing medical care, given that on the one hand there was not adequate nor full-time medical staff available in all facilities nor available interpretation for most of the year. Well documented issues[1117] of "on and off" healthcare service provision with PHILOS II (project implemented by EODY) persisted until July, when officially IPPOKRATIS project started with MoMA's implementing partner being IOM.[1118] In July 2024, IPPOKRATIS started with the former EODY as a transition personnel and by September 1st 2024, it was implemented by a private sector entity (Omilos Iatrikou Athinon) and Doctors without Borders NGO.

According to MoMA's Minister's answer to the Greek parliament, this programme concerns the provision of medical and psychosocial services, including prevention, health education, diagnosis and treatment to third-country nationals who live in RICs, CCACs, CAFTAAS and includes: (a) the treatment of urgent cases - screening, (b) the identification of vulnerable persons, and (c) the provision of a comprehensive approach to the provision of health care services c) taking a medical history - registration, d) clinical physical examination, e) referral to a medical service, f) identification of vulnerable groups (e) referral to further care (secondary/tertiary) and also, the provision of psychosocial care to residents within the facilities by specialised staff. This programme has been included in the new multiannual programme of the Asylum, Migration and Integration Fund (AMIF) 2021-2027.[1119]

IPPOKRATIS project is designed to offer both medical and psychosocial support services together with child protection case management, although in its initial stage of implementation it was challenged by the lack of interpretation services and the difficulty in staffing medical services (especially doctors) in the islands of Dodecanese.[1120]

More specifically, challenges in accessing healthcare due to the lack of interpreters and cultural mediators in public healthcare facilities (mainly hospitals and health centers) also persisted in 2024. The language barrier was also flagged as by far the primary obstacle to accessing healthcare by asylum applicants (registered or pending registration) surveyed as part of an ongoing monitoring activity carried out between February 2022-March 2024, under the coordination of UNCHR in Greece. This was followed by challenges in acquiring necessary documentation (i.e., social security number).[1121] Especially in 2024, though, this lack of interpretation services from May till the end of 2024 and thus the obstruction communication between asylum seekers and medical staff was at a point that in many cases resulted per se in people being excluded from effective medical care, exposing them to serious risks and significantly

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1115 MSF, *Greece: The impact of living in limbo on asylum seekers' mental health*, 17 June 2024, available here.

1116 UNHCR, *UN High Commissioner for Refugees wraps up visit to Greece: welcomes progress on integration and urges continued efforts*, 22 February 2024, available at: https://tinyurl.com/bdepjsbh.

1117 See Greek Ombudsperson, *The Challenge of Migratory Flows and Refugee Protection*, April 2024, available here; and European Commission, *Letter to civil society organisations*, Ares(2024)613054, 26 January 2024 (available upon request), replying to the Joint CSOs Letter "Human Rights, But Not for All: Open Letter on Access to Food and Medical Care in Lesvos Closed Controlled Access Center", available here. It is noted that in the Commission's view chronic gaps of PHILOS II are identified "*mostly due to the absence of doctors*".

1118 See MoMA's announcement here.

1119 Answer to parliamentary question provided on 09 August 2024, available in Greek here.

1120 Information shared at a special meeting of IOM and Child Rights Advocacy Network (CRAN) Members in November 2024.

1121 UNHCR, *Inter-Agency Protection Monitoring for Refugees in Greece: Key findings*, available at: https://tinyurl.com/3z6t3y9f, relevant section on health.

impacting their physical and mental health.[1122] As already mentioned, interpretation services during 2025 continued to be extremely limited as well as the number of available doctors depending on the region of the accommodation facility. Therefore, the obstacles in accessing health care persisted throughout 2025 as well.

As per GCR's observations in the field,[1123] in Lesvos CCAC the situation was dire when transitioning from PHILOS II to IPPOKRATIS medical care project. In the middle of June 2024, organisations reported that there were no doctors for registrations and screenings, referrals to the hospital could not be made, and no vulnerability assessments were taking place.[1124] Until the end of August 2024 there was a "bridge" project with severe limitations, such as the working shift and interpretation supported by RIS.[1125]

Regarding mental health support in particular, access to medical care was even more restricted, as interpretation is pivotal in treating such cases. Even after IPPOKRATIS commenced, referrals to public hospitals were not implemented if an interpreter was not physically available for the case.[1126] "*Almost all of them talk about suicidal thoughts, lack of support, and sleeping problems*" shared an MSF psychologist when talking of his recent experience on the field and further added on unaccompanied children that reach adulthood: "*Once they are no longer minors, they are sent to camps, where there is little to no follow-up*"[1127] highlighting the gaps in mental health without sufficient support.

E. Special reception needs for vulnerable groups

Indicators: Special Reception Needs

1. Is there an assessment of special reception needs of vulnerable persons in practice?
   ☐ Yes ☒ In some cases ☐ No

The law provides that, when applying the provisions on reception conditions, the competent authorities shall take into account the specific situation of vulnerable persons such as minors, unaccompanied or not, direct relatives of victims of shipwrecks (parents and siblings), disabled people, elderly people, pregnant women, single parents with minor children, persons with serious illnesses, persons with a cognitive or mental disability and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, victims of female genital mutilation and victims of human trafficking.[1128]

Since the entry into force of the IPA on 1 January 2020 and subsequent law 4939/2022 which replaced Articles 1-112 and 114 of the IPA, the assessment of the vulnerability of persons entering irregularly into the territory takes place within the framework of the Reception and Identification Procedure and is no longer connected to the assessment of the asylum application.[1129] Under the reception and identification procedure, upon arrival, the Head of the RIC or of the Closed Control Centre shall refer persons belonging to vulnerable groups to the competent social support and protection institution.'[1130]

However, shortcomings in the identification of vulnerabilities (see Identification), together with a critical lack of suitable reception places for vulnerable applicants on the islands (see Types of Accommodation) prevents vulnerable persons from enjoying special reception conditions. A report published by MSF highlights alarming levels of mental health problems among asylum applicants on the Greek islands,

1122 See more on this: Voices from the Camps: Living Conditions and Access to Services in Refugee Camps on the Greek Mainland, Mobile Info Team, 2024, available here and GCR and Save the Children joint report *"It does not feel like real life": Children's everyday life in Greek refugee camps*, available here, 19 and "*Refugee camps in mainland Greece",* Refugee Support Aegean, 2024, available here, 13.
1123 GCR maintains a permanent presence on the island.
1124 Lesvos Legal Aid Sub Working Group minutes of 18 June 2024 are available upon request
1125 Only one shift from 07:00 to 15:00, information shared among Lesvos Legan Aid Sub Working Group, 23 July 2024, minutes available upon request.
1126 Information shared at an IOM and CRAN special meeting in November 2024.
1127 MSF, *A mental health crisis among refugees and migrants in Greece*, 10 October 2024, available here.
1128 Article 62 (1) Asylum Code in combination with Article 1 i) and λγ) of the same law.
1129 Article 62 (2) Asylum Code, citing Article 41 of the same law.
1130 Article 40 Asylum Code.

including self-harming and suicidal acts among children. According to MSF, the indefinite detention, sense of limbo and systematic violence further traumatised people seeking protection[1131]. Also, according to an MSF announcement on the provision of health care on Lesvos island, there are still significant gaps in asylum applicants 's access to health services due to delays in the registration process, with the example of "a patient with a chronic heart problem and a history of heart attack, who lost his medication during the trip, (and who) was not registered at the camp for about 4 weeks and did not have access to the necessary support […]"".[1132]

Moreover, in a recent joint statement of twenty civil society organisations on the living conditions and vulnerability assessment in Samos CCAC: "*Any person who resides in the CCAC and especially those who are de facto detained, have insufficient and inconsistent access to medical care. Additionally, due to the absence of healthcare and individual vulnerability assessments, asylum applicants with communicable diseases risk remain undetected or unable to seek medical treatment for several weeks after arrival which causes a serious risk of contagion*".[1133]

Testimonies of asylum applicants accommodated in Samos CCAC – gathered in a report of NGO *I Have Rights* highlight the inhuman living conditions in the structure:[1134]

> 'Our container is not locked, it is not safe. I don't feel safe in this environment. They can always enter the containers when they want. no privacy. Of course it's bad, especially we ladies need privacy. of course it stresses you, but there is nowhere you can go and complain.'[1135]

> 'Sometimes I use some sleeping tablets. MSF [Médecins Sans Frontières] gave them to me and I use them, but otherwise I cannot sleep because of the camp stress. If there was no MSF in the camp for us, some people would die there. Because the camp doctor makes no effort. You tell them you are feeling bad, they simply tell you to go out. The workers in the camp are very, very wicked. Sometimes I feel like harming myself because of the stress of being in the camp.'[1136]

The ESTIA scheme on Samos, which had offered safe apartments to vulnerable applicants in the past, including victims of sexual and gender-based violence, was discontinued. Due to a lack of alternative accommodation, even sexually abused persons stayed in tents in a separate section of Vathy camp, where the alleged perpetrators also stayed. On Lesvos, following the closure of the Kara Tepe site, a model facility offering dignified accommodation in prefabricated containers, vulnerable persons were transferred to tents in Mavrovouni camp. Owing to the reduced numbers of alternatives to camps on both islands, there are significant difficulties in finding dignified accommodation even for persons with serious health issues, as reported by MSF.[1137] In Chios CCAC (Vial camp), no separate accommodation is foreseen for vulnerable persons, and rub halls with single room and no beds (only mattresses on the floor) are used for the accommodation of monoparental families, together with single men and nuclear families.[1138]

1131 MSF, *Constructing Crisis at Europe's Borders: The EU plan to intensify its dangerous hotspot approach on Greek islands*, June 2021, available at: https://bit.ly/3WfEpY5.

1132 MSF, *Ελλάδα: Εν μέσω αυξημένων αφίξεων, οι Γιατροί Χωρίς Σύνορα καταγράφουν σημαντικά κενά στην πρόσβαση των αιτούντων άσυλο σε υπηρεσίες υγείας στη Λέσβο*, 1 September 2023, available in Greek at: https://tinyurl.com/44hwvunn.

1133 Joint Statement of 20 civil society organisations, *NOT AGAIN IN 2024 – Call for upholdinghuman rightsin the Samos Closed Controlled Access Centre*, 31 January 2024, p. 1-4, available at: https://tinyurl.com/3dxhybnk; for more information regarding health and vulnerabilities witnessed on Samos and Lesvos arrivals see: MSF, *In plain sight – The Human Cost of Migration Policies and Violent Practices at Greek Sea Borders*, 2 November 2023, pp. 12-13, available at: https://tinyurl.com/m63dcr7d.

1134 I Have Rights, *They are killing minds – Life in the Samos Closed Controlled Access Centre*, 20 June 2023, available at: https://tinyurl.com/565hmbzb.

1135 *Ibid*., p. 5.

1136 *Ibid*., p. 10.

1137 MSF, *Constructing Crisis at Europe's Borders: The EU plan to intensify its dangerous hotspot approach on Greek islands*, June 2021, available at: https://bit.ly/3tVzwFg; FRA, *Migration: Key fundamental rights concerns - Bulletin 2 – 2021*, September 2021, available at: https://bit.ly/3LopAcY.

1138 Information shared by Chios UNCHR Field Office during GCR mission (January 2024).

In its judgement in the case of *A.D. v. Greece* (Application no. 55363/19), published on 4 April 2023, the ECtHR "*for the first time condemned the living conditions of a pregnant woman in Samos hotspot as unanimously found that Greece had violated Article 3 of the ECHR by forcing the applicant to live in unbearable conditions".*[1139] The case was supported by Refugee Law Clinic Berlin (Germany), I Have Rights (Samos) and PRO ASYL.

Reception of unaccompanied children

Following the establishment of the Special Secretary for the Protection of Unaccompanied Minors (SSPUM) under the MoMA in February 2020,[1140] the SSPUM has become the competent authority for the protection of UAM, including for their accommodation. In June 2023, the SSPUM was abolished and its responsibilities (under Article 39 of P.D. 106/2020) were transferred to the new General Secretariat for Vulnerable Persons and Institutional Protection (GSVPIP) established with Article 6(1) of P.D. 77/2023 (A' 130/ 27.6.2023) and falling under the competency of the Deputy Minister of Migration and Asylum.[1141] The newly established General Secretariat is also competent for the National Referral Mechanism, according to Article 66ΛΓ of L. 4939/2022 added with Article 39 of L. 4960/2022.

As of 1 January 2025, there were at least 2,408 unaccompanied and separated children in Greece and a total of 1,775 dedicated accommodation places in shelters and Semi-Independent Living (SILs) facilities, plus 155 places in urgent accommodation facilities.[1142] The latter are located in a total of 4 Emergency Accommodation Structures operating under the responsibility of the International Organisation of Migration (IOM), all of them located in the mainland (3 in Attika region and 1 in Central Macedonia).[1143] From the abovementioned estimated population, 1,434 unaccompanied children were residing in Shelters, 215 in Semi Independent Living facilities (SILs) and 129 in urgent accommodation facilities. At the same time, there were a total of 448 unaccompanied minors residing in Reception and Identification Centers and Closed Controlled Access Centers of islands, while other 182 unaccompanied minors were Controlled Accommodation Facilities for Asylum Seekers, having not accept yet the proper reception treatment.

The National Emergency Response Mechanism (NERM), initially designed by the Special Secretariat for the Protection of Unaccompanied Minors (now the General Secretariat for Vulnerable Citizens and Institutional Protection) and the UNHCR in 2020, was implemented in Greece in 2021 and institutionalised in 2022. Its primary goal is to identify and provide immediate housing in emergency accommodation structures for unaccompanied minors (UAMs) living in homelessness or precarious conditions.

NERM is dedicated to the protection and integration of unaccompanied minors in Greece and has recently expanded its services to vulnerable adults. The goal of NERM is to identify promptly children in immediate need of protection and shelter, transfer them to appropriate accommodation and provide them with the necessary services.

1139 I have Rights, Press Release, *Young mother successfully sues the Greek Government for the treatment she suffered as a pregnant woman in the 'hotspot' on Samos*, available at: https://bit.ly/3Wdfpkc; see also judgements of the ECtHR published on 23 November 2023 on cases *M.L. v. Greece* (Application no 8386/20) and *M.B. v. Greece* (Application no 8389/20) where the Court found again a violation of Article 3 of the ECHR on account of the conditions in the Samos hotspot, which amounted to inhumane and degrading treatment. These cases were also supported by Refugee Law Clinic Berlin (Germany), I Have Rights (Samos) and PRO ASYL Foundation: I Have Rights, Press Release, *The European Court of Human Rights again condemns the living conditions of asylum seekers on Samos*, 11 January 2024, available at: https://tinyurl.com/s8ce44mk.

1140 Article 1(3) P.D.18/2020, Gov. Gazette 34/A/19-2-2020.

1141 MoMA, *General Secretariat for Vulnerable Persons & Institutional Protection*, available at:

1142 MoMA / General Secretariat for Vulnerable Persons & Institutional Protection, *Situation Update: Unaccompanied Children (UAC) in Greece*, 1 January 2025, p. 1, available in Greek at: https://tinyurl.com/2s3nmkvh

1143 *Ibid.*, p. 2.

NERM is supported by UNHCR (expert support), EUAA, IOM and the European Commission Its operation on the ground is carried out through NGOs Arsis, METAdrasi and the Network for Children's Rights.[1144] The Mechanism also includes a 24/7 telephone hotline for identifying and tracing children in need, which is available in six languages. The hotline provides guidance to children, citizens, local and public authorities on steps and actions to be taken from the point of identification of an unaccompanied child until their timey inclusion in emergency accommodation.[1145]

The total number of referrals of unaccompanied children received by the SGVP in 2025 was reported at 4,440, while the number of those resolved, either through placement in a dedicated shelter or cancelation after verification stood at 4,846.[1146] At the same time, the number of accommodation in spaces, specifically designated for unaccompanied minors remained stable, reaching a total of 1,900 places by the end 2025.[1147] Of those, almost 91.8% (1,745) were long-term accommodation (including SILs), while the rest (155) were temporary/emergency accommodation under the relevant mechanism established by the MoMA in April 2021.[1148]

Nevertheless, challenges remained regarding the proper identification of UAM upon arrival, and consequently, cases where UAM have been accommodated alongside the adult population continued to be observed in 2024, at least on the islands, currently [1149] For the situation of UAMs see also the chapter on Guarantees for Vulnerable Groups.

The lack of appropriate care, including accommodation for unaccompanied children, in Greece has been repeatedly raised by human rights bodies.[1150]

Moreover, in the case of *T.K. v. Greece* (Application no. 16112/20) of 18 January 2024 represented by Refugee Law Clinic Berlin (Germany) and supported by I Have Rights (Samos), the ECtHR held that there has been a violation of Articles 3 and 8 of the ECHR in the case of an unaccompanied child on Samos, whose wrong registration as an adult and the failure to correct his age violated his right to respect for private and family life (Article 8 ECHR). Moreover, according to the Court, the living conditions of the applicant amounted to inhumane and degrading treatment, in violation of Article 3 of the ECHR.[1151]

On 3 October 2024, the ECtHR convicted Greece for violation of Articles 3 (prohibition of inhuman and degrading treatment) , 5(1) (right to liberty and security) and 5(4) (right to apply to a court) of the European Convention on Human Rights (ECHR), for the violations suffered in 2019 by two unaccompanied minor

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1144 Interreg Europe, *National Emergency Response Mechanism (NERM) in Greece,* 16 November 2023, available at: https://tinyurl.com/2ryp53cs; see also, European Crime Prevention Network (EUCPN), *National Emergency Response Mechanism*¸available at: https://tinyurl.com/mvv8ntvp.

1145 See European Commission: Greece: National Emergency Response Mechanism | European Website on Integration,available at: https://tinyurl.com/bd8aa8ys, see also, UNHCR, *Greece launches national tracing and protection mechanism for unaccompanied children in precarious conditions*, 6 April 2021, available at: https://bit.ly/3uBRICI.

1146 SG for Vulnerable Persons & Institutional Protection, *Status updated: Unaccompanied Minors (UM) in Greece*, 1 December 2025, available in Greek at: https://tinyurl.com/mus9dfbz.

1147 *Ibid*.

1148 Data provided by the General Secretariat for Vulnerable Persons & Institutional Protection on 1 January 2025.

1149 GCR & Oxfam, *Lesbos Bulletin: Update on Lesbos and the Aegean Islands, by the Greek Council for Refugees & Oxfam*, March 2022, available at: https://bit.ly/3YEXp0H, p. 5.

1150 -Indicatively see: UNHCR, *Lone children face insecurity on the Greek islands*, 14 October 2019, available at: https://bit.ly/36XQ6pf. In 2019, in the context of his visit to the Lesvos, the UN High Commissioner for Refugees stated he was 'very worried about children, especially children travelling alone…[who] are the most exposed to violence and exploitation", while Human Rights Watch inter alia noted that "the lack of prompt transfers [from the islands] put vulnerable people, including people with invisible disabilities and children, at higher risk of abuse and violation of their rights", UN Committee on the Rights of the Child, Concluding observations on the combined fourth to sixth reports of Greece, 28 June 2022, available at: https://bit.ly/3xTHfYR, and UN Human Rights Office, Council of Europe, New complaint registered concerning Greece, 21 December 2018, available at: https://bit.ly/2SG0FpF European Committee of Social Rights, Decision on admissibility and on immediate measures in the case International Commission of Jurists (ICJ) and European Council for Refugees and Exiles (ECRE) v. Greece, Complaint No. 173/2018, 23 May 2019, available at: https://bit.ly/39clrGj.,

1151 I Have Rights, *European Court of Human Rights Condemns Greece's Treatment of an Unaccompanied Child on Samos*, 18 January 2024, available at: https://bit.ly/44dJNNg.

sisters from Afghanistan, who were found, despite their apparent vulnerability as minor girls, homeless and subsequently detained in an adult women's cell under "protective custody" at the Pre-removal Detention Centre of Taurus.[1152] The unaccompanied minors were represented before the ECtHR by the Legal Unit of the Greek Council for Refugees (GCR). In their application, the minors complained, inter alia, of inhuman and degrading living conditions, their confinement and their placement in 'protective custody' in a detention centre resulting in their de facto detention, and their inability to challenge this decision. The Court, *inter alia*, stressed that the Greek authorities had failed to take prompt action to accommodate them emphasising that the large number of pending applications for accommodation for unaccompanied minors does not relieve the authorities of their positive obligations to protect them. Furthermore, specifically with regard to the placement of minors in "protective custody", the Court accepted the minors' arguments that this constituted an unlawful deprivation of their liberty and that there was no legal remedy available to the applicants to challenge the decision being an oral order of Prosecutorial Authorities. The Court further found a violation of Article 3 of the ECHR regarding the conditions to which the minors were exposed during their confinement at the Tavros Pre-removal detention centre.

Types of accommodation for unaccompanied children

During 2024 the accommodation capacity in total was 1,930 out of which 1,775 places in Accommodation Facilities (Accommodation Centers/SIL apartments) and 155 places in Emergency Accommodation Facilities.[1153]

According to the data published by the General Secretariat for Vulnerable Persons & Institutional Protection regarding the period 1 January to 1 December 2024, the total number of placement's requests of UAMs that NERM received was 2005 while the Secretariat received a total of 5,716. During the same period Secreteriat processed 5,333 referrals which resulted in placement or a cancel of the referral. According to the same information 151 minors were placed in emergency accommodation facilities, 209 in SIL Apartments, 1372 in long term accommodation places, 176 in controlled accommodation facilities for asylum seekers and 506 in R.I.C/ C.C.A.C, a total of 2414. Of them, 89% were boys and 11% girls. 15% were below the age of 15 years old. Regarding nationality, 45% were from Egypt, 16% Somalia, 16% Syria, 10% Afghanistan, 3% Pakistan and a 9% other various nationalities.[1154]

Regarding 2025, according to the data published by the General Secretariat for Vulnerable Persons & Institutional Protection regarding the period 1 January to 1 December 2025, the total number of placement's requests of UAMs that NERM received was 1,354 while the Secretariat received a total of 4,440. During the same period the Secreteriat processed 4,846 referrals which resulted in placement or a cancel of the referral. According to the same information 87 minors were placed in emergency accommodation facilities, 205 in SIL Apartments, 1,243 in long-term accommodation places, 38 in controlled accommodation facilities for asylum seekers and 143 in R.I.C/ C.C.A.C, a total of 1.716. Of them 92% were boys and 8% girls. 13.1% were below the age of 15 years old. Regarding nationality, 53% were from Egypt, 12% Afghanistan, 8% Somalia, 8% Syria, 6% Sudan, and a 13 % other various nationalities. [1155]

During 2025 the accommodation capacity in total was 1,900 out of which 145 places in Accommodation Facilities (Accommodation Centers/SIL apartments) and 155 places in Emergency Accommodation Facilities.

Evidently there remains a large number of UAMs that have to remain in R.I.C, CCAC and in other unsuitable sheltering arrangements, with this trend expected to continue, following the MoMA's reported plans to scale back the protection framework for UAM.

1152 ECtHR case of T.S. and M.S. v. Greece, judgement of 3 October 2024, application no 15008/19.

1153 General Secretariat for Vulnerable Persons & Institutional Protection, Situation Update: Unaccompanied Minors (UAM) in Greece January 2024 – December 2024 https://tinyurl.com/2jsz7b3e

1154 Ibid

1155 General Secretariat for Vulnerable Persons & Institutional Protection, Situation Update: Unaccompanied Minors (UAM) in Greece January 2025 – December 2025 https://tinyurl.com/39tb9kh3

Namely, in a joint statement issued on 21 May 2026, twelve civil society organisations-members of the Child Rights Advocacy Network (CRAN), expressed serious concern over the systematic defunding and operational rollbacks targeting the domestic protection infrastructure for unaccompanied and separated refugee children in Greece. The coalition detailed immediate structural threats to specialized reception networks, noting that the Ministry of Migration and Asylum is actively shutting down vital Emergency Accommodation Facilities, alongside the planned phased termination of Supervised Apartments for Semi-Independent Living (SILs). Furthermore, chronic state funding delays and the non-renewal of essential operational contracts have forced key implementing partners to suspend auxiliary child protection actions within the National Emergency Response Mechanism (E.M.E.A.) in Athens. The signatory organisations argue that downscaling these networks flagrantly violates international obligations under the UN Convention on the Rights of the Child –specifically the best interests of the child (Article 3), non-discrimination (Article 2), and General Comment No. 6 regarding standard of living requirements– and they urge the Greek government to ensure immediate, unhindered funding, emphasising that child protection is a permanent state duty that cannot be treated as a temporary mechanism dependent on border arrival fluctuations.[1156]

Shelters for unaccompanied children: long-term accommodation facilities for unaccompanied children (shelters) are managed primarily by civil society entities and charities.

Supported Independent Living (SIL): "Supported Independent Living for unaccompanied minors" is an alternative housing arrangement for unaccompanied children aged 16 to 18 launched in 2018. The programme includes housing and a series of services (education, health etc.) and aims to enable the smooth coming of age and integration to Greek society.[1157]

Emergency Accommodation Facilities: Emergency accommodation facilities are temporary accommodation places, for unaccompanied children who are traced living homeless or in precarious living conditions, operating under the National Emergency Response Mechanism (NERM) and run by IOM. The Emergency Accommodation Facilities provide an immediate assessment of the best interest of UAMs and a comprehensive protection, including the provision of psychosocial, legal and medical support and the referral to long-term accommodation shelters[1158].

F. Information for asylum seekers and access to reception centres

1. Provision of information on reception

According to Article 47 (1) Asylum Code, the competent authorities shall inform the applicant, within 15 days after the lodging of the application for international protection, of their rights and the obligations with which they must comply relating to reception conditions, by providing an informative leaflet in a language that the applicant understands. This material must provide information on the existing reception conditions, including health care, as well as on the organisations that provide assistance to asylum applicants.[1159] If the applicant does not understand any of the languages in which the information material is published or if the applicant is illiterate, the information must be provided orally, with the assistance of an interpreter.[1160]

A number of actors are providing information to newly-arrived persons on the islands and the mainland. However, as also mentioned in Provision of Information on the Procedure, access to comprehensive information remains a matter of concern, especially in the context of asylum, due to the expanded set of obligations and penalties that can be imposed on applicants pursuant to the Asylum Code.

1156 CRAN, Joint Statement by the Child Rights Advocacy Network, 21 May 2026, available in Greek at: https://tinyurl.com/ms92bd23.
1157 Metadrasi, *Supported Independent Living for unaccompanied minors*, available at: https://bit.ly/2tPEljv.
1158 MoMA / Special Secretariat for the Protection of UAMs, *National Emergency Response Mechanism. A safety net for unaccompanied children identified in precarious living conditions*, November 2022, available at: https://tinyurl.com/2msh79hc.
1159 Article 47 (2) Asylum Code.
1160 Article 47 (3) Asylum Code.

In any event, information on reception should take into account the actual available reception capacity, the availability and accessibility of referral pathways to reception facilities and other services and the legal obligations imposed on the applicants, *i.e.*, restrictions on movement imposed in the context of the rules governing the CCACs and broader reception facilities, and the obligation to remain on a given island for those subject to EU-Türkiye statement.

2. Access to reception centres by third parties

Indicators: Access to Reception Centres

1. Do family members, legal advisers, UNHCR and/or NGOs have access to reception centres?
   ☒ Yes ☐ With limitations ☐ No

According to Article 60 (2)(b) of the Asylum Code, asylum applicants in reception facilities have the right to be in contact with relatives, legal advisors, representatives of UNHCR and other certified organisations. These shall have unlimited access to reception centres and other housing facilities in order to assist applicants. The Director of the Centre may extend access to other persons as well. Limitations to such access may be imposed only on grounds relating to the security of the premises and of the applicants.

With the exception of NGOs that are operational within a site and enrolled in the registry of NGOs of the MoMA, access to temporary accommodation Centres, Reception and Identification Centres and the new Closed-Controlled Centres is subject to prior official authorisation at the central level, while the Director of each facility may define more specifics terms and conditions for each relevant visit (*e.g.*, time of visit). See also Asylum procedure - Access to NGOs and UNHCR.

G. Differential treatment of specific nationalities in reception

During 2022, there was obvious differential treatment by the State towards Ukrainian refugees and asylum applicants and refugees from all other countries; a welcoming policy that created a two-tiered reception system. Immediate access to the labour market and medical care, accommodation and food support; launch of an online pre-registration platform were all completed by the end of March 2022. For all other refugees and asylum applicants and also for Ukrainians who were in Greece before 26 November 2022 the situation has not ameliorated: difficulties in accessing the asylum procedure, problematic reception procedure and provisions of material conditions, and pushback practices remain.[1161] This distinction continued to apply during 2025.

[1161] For the two-tier refugee response, see among others: GCR / OXFAM / Save the Children International, *Greece: A two-tier refugee system*, Bi-monthly bulletin, May 2022, available at: https://bit.ly/3OJOetv. GCR/ OXFAM / Save the Children International, *Greece: Bimonthly bulletin on Refugees and Migrants*, July 2022, available at: https://bit.ly/3qhFfWx, pp. 12-14.

Detention of Asylum Seekers

A. General

Indicators: General Information on Detention[1162]

1. Total number of asylum seekers detained in pre-removal centres in 2025: 3,280
2. Number of asylum seekers in administrative detention at the end of 2025: 593[1163]
3. Number of pre-removal detention centres: 7
4. Total capacity of pre-removal detention centres: 3,496

Law 4939/2022 (Asylum Code), in force since 10 June 2022, foresees extensive provisions on the detention of asylum applicants and significantly less guarantees during the imposition of detention measures against asylum applicants, following previous legislative amendments. In practice, the legal framework threatens to undermine the principle that detention of asylum applicants should only be applied exceptionally and as a measure of last resort.[1164]

Moreover, significant amendments have been introduced by L. 5226/2025, adopted by the Parliament in September 2025 which also affected the detention of persons seeking asylum. L. 5226/2025 is the national legal framework transposing the Return Directive (replacing the previous L. 3907/2011).

Inter alia L. 5226/2025:

- Increased the maximum detention time limits of those under removal procedure up to 24 months, contrary to the EU Return Directive and successively to the maximum detention time limits of asylum seekers procedure up to 24 months. Thus following the amendment introduced by L. 5226/2025 the total detention period of a third country national within the migration context may reach 48 months (24 months while in the asylum procedure + 24 months in view of removal).

- Introduced the criminalisation of "irregular stay" and disproportionally increased penal sanction provided for irregular entry or exit. According to the new law the offences of irregular entry, exit and stay by a term of imprisonment of at least two years. The imprisonment sentence may only be suspended if the person declares their intention to immediately leave the territory. Even where the sentence is suspended, convicted persons continue to be detained in prisons or in pre-removal detention facilities of the Hellenic Police until they depart from Greece. As stated by UNHCR, "*these measures risk penalizing persons in need of international protection or whose international protection needs have not yet been assessed*", contrary to Article 31 of the Geneva Convention.[1165]

Statistics on detention[1166]

In 2025, a total number of 22,520 detention orders have been issued following a removal decision (return/deportation decision), marking a 17.6% increase compared to the previous year (total of 19,148 detention orders). In addition, a total number of 3,280 asylum seekers have been detained in pre-removal detention centers (PRDCs) during the year, a decrease of 36.5% compared to 2024 (5,167).[1167]

1162 Information provided by the Directorate of the Hellenic Police, 6 March 2026
1163 Total number of asylum seekers under administrative detention in pre-removal detection centers on 31 December 2025.
1164 See AIDA Report on Greece, 2024 for a more detailed presentation.
1165 UNHCR Comments on the Draft Law of the Ministry of Migration and Asylum, 29 August 2025, https://www.unhcr.org/gr/en/unhcr-comments-draft-law, see more on the new Legislation voted in September 2025, https://gcr.gr/en/news/item/nea-apo-to-pedio-8/.
1166 Information provided by the Directorate of the Hellenic Police, 16 January 2025.
1167 Information provided by the Directorate of the Hellenic Police, 6 March 2026

During 2025, a total number of 15,183 third country nationals have been detained in PRDCs across the country.

By 31 December 2025, a total number of 1,824 third-country nationals remained in administrative detention in PRDCs,[1168] while another 204 remained in administrative detention in police stations and other police buildings.[1169] In addition, another 558 persons, all of whom had expressed their will to apply for asylum, were administratively detained in the **Special Detention Facility of Sintiki** (Serres),[1170] which was established in part of the Controlled Temporary Reception Centre Sintiki and placed under the competence of the Hellenic Police for the purposes of implementing the Greek Government's decision to suspend access to asylum for persons arriving by sea from North Africa, pursuant to Article 79 L. 5218/2025. Thus, on 31 December 2025 the total number of third country nationals in immigration detention was 2,586 persons.

Out of the total 1,824 persons detained in PRDCs at the end of 2025, 593 (32.5%) were asylum applicants. Moreover, on 31 December 2025, 21.5% of persons detained in PRDCs (393) had been in detention for a period exceeding six (6) months.[1171]

Finally, a number of 431 unaccompanied children have been detained ('hosted' according to the information provided by the Police) in PRDCs during 2025, prior to their placement in a shelter for UAMs.[1172] Following the abolition of 'protective custody' of unaccompanied children in 2020 (L. 4760/2020 entered into force on 11 December 2020) as a rule unaccompanied children are not detained for migration purposes. The number above refers to children who remained for short or very short periods in PRDCs prior their placement in shelters for UAMs.

Administrative detention: 2019-2025							
	2019	2020	2021	2022	2023	2024	2025
Total number of asylum seekers detained in PRDCs	23,348	10,130	6,447	11,857	7,866	5,167	3,280
Total number of persons detained in PRDCs	30,007	14,993	12,020	18,966	19,003	15,994	15,183

Source: Directorate of the Hellenic Police, 8 February 2020, 11 February 2021, 8 March 2022, 2 February 2023, 18 January 2024, 16 January 2025, 6 March 2026.

The breakdown of detained asylum seekers and the total population of detainees per pre-removal centre was as follows during the year:

Breakdown of asylum seekers detained by pre-removal centre in 2024			
Centres	Detention throughout 2025	Detention at the end of 2025	
	Total population	Asylum seekers	Total population
Amygdaleza	4,074	206	634
Tavros (Petrou Ralli)	2,214	41	129
Corinth	936	136	323
Paranesti, Drama	940	101	242

1168 *Ibid.*
1169 RSA, Deportation and immigration detention statistics in Greece in 2025, March 2026, available at: https://tinyurl.com/3meetrzh, p.1.
1170 Information provided by the Directorate of the Hellenic Police, 6 March 2026.
1171 Information provided by the Directorate of the Hellenic Police, 6 March 2026
1172 *Ibid.*

Xanthi	642	92	151
Fylakio, Orestiada	6,209	0	312
Kos	168	17	33
Total	15,183	593	1,824

Source: Directorate of the Hellenic Police 6 March 2026.

Number of pre-removal detention centres (PRDCs): There were seven active pre-removal detention centres in Greece at the end of 2025. These included five centres on the mainland (**Amygdaleza**, **Tavros**, **Corinth**, **Xanthi**, **Paranesti**, **Fylakio**) and one on the islands (**Kos**). The total pre-removal detention capacity stood at 3,496 places.[1173] In addition to the above, since July 2025 a new detention facility has been established and started operated in Sidiki Serres (North Greece), **Special Detention Facility of Sintiki** (Serres), with a capacity of 751 persons as of December 2025. It has been established in part of the Controlled Temporary Reception Centre Sintiki and placed under the competence of the Hellenic Police for the purposes of implementing the Greek Government's decision to suspend access to asylum for persons arriving by sea from North Africa, pursuant to Article 79 L. 5218/2025.[1174] Finally, police stations and other holding facilities were also used for migration detention, despite the fact that, as the ECtHR has found, these facilities are not in line with the guarantees required under Article 3 ECHR, notably given "*the nature of police stations per se, which are places designed to accommodate people for a short time only*".[1175]

Number of forced returns: Although the number of persons detained during the past few years remains high, this has not been mirrored by a corresponding increase in the number of forced returns. With a total number of 22,520 detention orders following a removal decision issued in 2025, the total number of forced returns was 2,464 in 2025 (10.9%).[1176] The comparison between the total number of forced returns implemented and the total number of persons detained, corroborate that immigration detention is not only linked with human rights violations but also fails to effectively contribute to returns. This is further corroborated by the fact that the vast majority of forced returns concern only one nationality (citizens of Albania, 59.6%),[1177] and that voluntary departures, including through the Assisted Voluntary Return and Reintegration (AVRR) scheme run by IOM, constituted the majority (57%) of returns.

B. Legal framework of detention

1. Grounds for detention

Indicators: Grounds for Detention

1. In practice, are most asylum seekers detained
   - ❖ on the territory: ☒ Yes ☐ No
   - ❖ at the border: ☒ Yes ☐ No

2. Are asylum applicants detained during a regular procedure in practice?
   ☒ Frequently ☐ Rarely ☐ Never

3. Are asylum applicants detained during a Dublin procedure in practice?
   ☐ Frequently ☒ Rarely ☐ Never

1173 *Ibid.*

1174 Ministry of Migration and Asylum, Reply in Parliamentary Question, Doc no 237928, 11 December 2025 and Ministry of Citizens Protection, Reply in Parliamentary Question, Doc no 7017/4/27937-γ', 13 December 2025, see https://tinyurl.com/tf65bnhw.

1175 ECtHR, *H.A. and Others v. Greece*, application no. 19951/16, 28 February 2019, available in French at: https://bit.ly/3OI4fAf; *S.Z. v. Greece*, application no. 66702/13, 21 June 2018, available at: https://bit.ly/45tcBBL, para. 40.

1176 Information provided by the Directorate of the Hellenic Police, 6 March 2026.

1177 *Ibid.*

1.1. Asylum detention

According to Article 50 Asylum Code, an asylum applicant shall not be detained on the sole ground of seeking international protection or having entered and/or stayed in the country irregularly.[1178]Article 50(2)(3) Asylum Code also provided that such a detention measure should be applied exceptionally, after an individual assessment and only as a measure of last resort where no alternative measures can be applied. A detention order under the Asylum Code is issued following prior notification by the Head of the Asylum Service (with the exception of detention on public order/national security grounds). However, the final decision on the detention lies with the Police.

Article 50(2) of the Asylum Code foresees the possibility to detain asylum applicants who have already applied for asylum while at liberty. Article 50(3) of the Asylum Code provides that an asylum applicant may remain in detention if they are already detained for the purpose of removal when they make an application for international protection, and subject to a new detention order following an individualised assessment. In this case, the asylum applicant may be kept in detention on the basis of one of the following five grounds:[1179]

(a) in order to determine their identity or nationality;
(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;
(c) when it is ascertained on the basis of objective criteria, including that they 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 affected;
(d) when they constitute a danger for national security or public order;
(e) when there is a serious risk of absconding by the applicant, in order to ensure the enforcement of a transfer decision according to the Dublin III Regulation.

For the establishment of a risk of absconding for the purposes of detaining asylum applicants on grounds (b) and (e), the law refers to the definition of "risk of absconding" in pre-removal detention.[1180] The relevant provision of national law includes a non-exhaustive list[1181] of objective criteria which may be used as a basis for determining the existence of such a risk. Additional criteria as the 'lack of a residence or a known accommodation' have been added with L. 5226/2025.[1182] As underlined by UNHCR, "the broadening of the criteria for determining a "risk of absconding," which may lead to arbitrary detention, in particular when the ground is applied without proper justification".[1183]

1.2. The interpretation of the legal grounds for detention in practice

There is a lack of a comprehensive individualised procedure for each detention case, despite the relevant legal obligation to do so. This is of particular concern with regard to the proper application of the lawful detention grounds provided by national legislation, as the particular circumstances of each case are not duly taken into consideration. Furthermore, the conditions and the legal grounds for the lawful imposition of a detention measure seem to be misinterpreted in some cases. These cases include the following:

1178 Article 50(1) Asylum Code.
1179 Article 50(3) Asylum Code.
1180 Article 18(g) L 3907/2011, cited by Article 50(2-b) and 50(3-b) Asylum Code.
1181 The fact that national legislation includes a non-exhaustive and indicative list of such criteria, thus allowing for other criteria not explicitly defined by law to be used for determining the existence of the "risk of absconding", is not in line with the relevant provision of EU law, according to which said objective criteria 'must be defined by law', see *inter alia* Article 3(7) Directive 2008/115/EC; see CJEU, C 241/21, 6 October 2022, para. 50 and *mutandis mutandis* CJEU, C-528/15, *Al Chodor*, 15 March 2017, para. 47.
1182 Article 4 L. 5226/2025.
1183 UNHCR Comments on the Draft Law of the Ministry of Migration and Asylum, 29 August 2025, https://www.unhcr.org/gr/en/unhcr-comments-draft-law.

- **Excessive use of "risk of absconding" grounds** even in cases not justified by the circumstances of the case and/or the detention is not necessary "in order to determine those elements on which the application for international protection is based which could not be obtained otherwise" as required by law.

- Detention on public order or national security grounds without proper justification, based solely on a prior prosecution for a minor offence even in cases where the competent Criminal Court has decided to suspended the custodial sentences.[1184] Detention on this ground has also been imposed following a criminal Court Decision on irregular stay/entry.

- Detention despite the lack of actual prospect of return. For example at the end of 2025 a number of about 300 Afghans were detained in PRDCs across the country,[1185] while the Hellenic Police officially stated that returns to Afghanistan have been halted since 2021 onwards. [1186] A total of 4,330 detention orders have been issued against Afghan nationals during 2025, following a removal decision.[1187]

- Detention of applicants who have already asked for asylum though the online platform or persons who did not have the opportunity to apply for asylum while at liberty due to the misfunction of the online platform. Accessing the online platform and scheduling an appointment to apply for asylum is pre-requirement in order an asylum application to be fully registered by the Authorities for persons in mainland Greece. Said platform was not in operation for significant periods during 2025.

Moreover, following the three months suspension of asylum in July 2025 for persons arriving by sea from North Africa, pursuant to Article 79 L. 5218/2025,[1188] all newly arrived persons subjected to the suspension have been automatically placed in pre-removal detention without having the possibility to apply for asylum.

1.3. Detention without legal basis or *de facto* detention

Apart from detention of asylum applicants under the Asylum Code and pre-removal detention under L 3386/2005 and L 3907/2011 and L. 5226/2025, detention without legal basis in national law or *de facto* detention measures are being applied for immigration purposes. These cases include the following:

Detention upon entry in RICs or in the 'Closed Controlled Access Centres' (CCAC)

Since mid-2022 persons willing to apply for asylum on the mainland have to present themselves to Malakasa Reception and Identification Centers (RIC) –for South Greece– or Diavata RIC –for North Greece– in order to undergo reception and identification procedures and for the full registration of their asylum application. Similarly, on the islands, newly arrived persons are transferred to Closed Controlled Access Centers (CCAC) for reception and identification and for the registration of their application (see sections on The domestic framework: Reception and Identification Centres & Registration of the asylum application).

In both cases, as prescribed by Article 40 Asylum Code, all persons in mainland RICs or CCAC on the islands are subject to an up to 25-day restriction of their personal liberty within the premises of the RIC/CCAC. This is a measure amounting to *de facto* deprivation of liberty, applied in a generalised and indiscriminate manner. Depending on the registration capacity/workload of the Authorities, prior of the Decision restricting the liberty within the premises of RIC, additional "waiting periods" within the premises of RICs/CCAC are applied which may also amount to *de facto* detention. This means that, in practice, the only option for persons willing to apply for asylum in Greece is to be subjected to a *de facto* detention

1184 Administrative Court of Kavala, Decision AP211/2025, Administrative Court of Rhodes, Decision AP50/2025, excerpts available at: https://gcr.gr/wp-content/uploads/Deltio_nomologias_1_2025_GR.pdf, pp. 57-58.
1185 Information provided by the Directorate of the Hellenic Police, 6 March 2026.
1186 Information provided by the Directorate of the Hellenic Police, 6 March 2026.
1187 Information provided by the Directorate of the Hellenic Police, 6 March 2026.
1188 Ministry of Migration and Asylum, Reply in Parliamentary Question, Doc no 237928, 11 December 2025 and Ministry of Citizens Protection, Reply in Parliamentary Question, Doc no 7017/4/27937-γ', 13 December 2025, see https://tinyurl.com/tf65bnhw.

measure. An infringement letter has been sent to the Greek Authorities by the EU Commission on the ground that this provision leads to blanket and *de facto* detention of asylum applicants, while in accordance with EU law, the detention of asylum applicants can only be imposed exceptionally and under the condition that one of the grounds prescribed in Directive 2013/33/EU is met.[1189] Greek Courts have repeatedly found that said measure amounts to *de facto* detention.[1190]

***De facto* detention in pushback cases**

Allegations of *de facto* detention without following any formal procedure for those subjected to a force informal removal (pushback) at the borders has been long reported and it has been considered as part of the *modus operandi* of such illegal operations.[1191]

In this regard, in the landmark judgement of the European Court of Human Rights in *A.R.E. v Greece*,[1192] supported by GCR, the Court additionally found a violation of Article 5 ECHR due to the informal and arbitrary *de facto* detention of the Applicant prior of the pushback thought out the Evros river. In this case, the Court refers to "*a kind of temporary forced disappearance*".[1193]

2. Alternatives to detention

Indicators: Alternatives to Detention

1. Which alternatives to detention have been laid down in the law?
   - ☒ Reporting duties
   - ☒ Surrendering documents
   - ☒ Financial guarantee
   - ☒ Residence restrictions
   - ☐ Other
2. Are alternatives to detention used in practice? ☐ Yes ☒ No

Articles 50(2) and 50(3) Asylum Code require authorities to examine and apply alternatives to detention before resorting to detention of an asylum applicant. Article 22(3) L 3907/2011 provides a non-exhaustive list of alternatives to detention for both third-country nationals under removal procedures and asylum applicants. Regular reporting to the authorities and an obligation to reside at a specific area are included on this list. The possibility of a financial guarantee as an alternative to detention is also foreseen in the law, provided that a Joint Decision of the Minister of Finance and the Minister of Public Order will be issued with regard to the determination of the amount of such financial guarantee.[1194] This Joint Ministerial Decision is still pending since 2011. In any event, alternatives to detention are systematically neither examined nor applied in practice by competent Police Authorities neither prior the issuance of the initial detention decision nor when issuing a decision prolonging the detention.

3. Detention of vulnerable applicants

Indicators: Detention of Vulnerable Applicants

1. Are unaccompanied asylum-seeking children detained in practice?
   ☒ Frequently ☐ Rarely ☐ Never
   - ❖ If frequently or rarely, are they only detained in border/transit zones? ☒ Yes ☐ No

1189 European Commission, *January Infringements package: key decisions*, 26 January 2023, available at: https://bit.ly/45tH02U.

1190 For example Administrative Court of Athens, Decision AP539/2025 & Administrative Court of Rhodes, Decision AP16/2025

1191 See *inter alia* GNCHR, RECORDING MECHANISM OF INCIDENTS OF INFORMAL FORCED RETURNS, ANNUAL REPORT 2024, pp. 29-32, https://nchr.gr/images/rec_mechanism/Annual_Report_2024.pdf

1192 For more information, see Access to the territory and pushbacks.

1193 *A.R.E. v. GREECE*, application No 15783/21, 07/01/2025, para. 288.

1194 Article 22(3) L 3907/2011.

2. Are asylum seeking children in families detained in practice?
☒ Frequently ☐ Rarely ☐ Never

National legislation provides a number of guarantees with regard to the detention of vulnerable persons, without prohibiting it. According to Article 52 Asylum Code, women should be detained separately from men,[1195] the privacy of families in detention should be duly respected,[1196] and the detention of minors should be a last resort measure and be carried out separately from adults.[1197]

More generally, Greek authorities have the positive obligation to provide special care to applicants belonging to vulnerable groups (see Special Reception Needs). However, in practice, persons belonging to vulnerable groups are detained in particular due to the lack of proper individualised assessment prior to the issuance of a detention order and the lack of proper identification of vulnerabilities while in detention. During 2025 GCR has supported various cases of vulnerable persons (physical/mentally ill, victims of torture etc).

3.1. Detention of unaccompanied children

As mentioned above, following the abolition of 'protective custody' in 2020 (L. 4760/2020) unaccompanied children are not detained in PRDCs and other police establishments.
However, newly arrived unaccompanied children remain -depending on the number of the arrivals, in some cases for prolonged periods restricted in CCAC in the Aegean Islands or Malakasa RIC (Attica area) in *de facto* detention. In practise this measure is a significant backtrack on the protection of unaccompanied children and the abolition of protective custody.

The Commissioner for Human Rights following his visit to Greece in February 2025 referred to "*the situation of unaccompanied children being held for prolonged periods in de facto detention in inadequate and overcrowded facilities* […]", acknowledged that "*changing routes may create new challenges for authorities*", the Commissioner notes that "*such changing circumstances should not result in deprivation of liberty or the placement in conditions not in line with the Convention*".[1198] Equally, and following a GCR intervention, the Greek Ombudsperson has underlined that "*there is a strong concern about whether the conditions of their accommodation meet the required security and protection" and that "the image of the RICs and CCACs, based on the observed security features (double NATO-type barbed wire fences, turnstiles, surveillance systems, etc.), is more like a detention center than a reception and accommodation facility and may have a negative impact on the mental health of the residents, especially the vulnerable persons*".[1199] At the end of 2025 (December 2025, a total of 143 UAMs remained in mainland RICs and island CCACs.[1200]

A number of rulings issued by Greek Administrative Courts during 2025 corroborate that the situation of children in the "safe areas" in CCACs on the islands and Malakasa RIC, in Attica region, amounts to *de facto detention* applied for prolonged periods of time.[1201]

1195 Article 52 (4) Asylum Code.
1196 Article 52 (3) Asylum Code.
1197 Article 52 (2) Asylum Code.
1198 CoE, Commissioner for Human Rights, Memorandum on migration and border control, following the Commissioner's visit to Greece from 3 to 7 February 2025, para. 14.
1199 GCR, News for the Field, December 2024, available here.
1200 General Secretariat for Vulnerable Persons & Institutional Protection, Situation Update: Unaccompanied Minors (UAM) in Greece, 1 December 2025, available at: https://tinyurl.com/4ddcbk46.
1201 For Samos CCAC see HRLP, Court acknowledges de-facto detention, declares it unlawful in groundbreaking decision, 21 February 2025, https://www.humanrightslp.eu/post/court-acknowledges-de-facto-detention-declares-it-unlawful; For Leros CCAC see ERBB, Greek Court Rules Minor's Stay in Leros "Safe Zone" as Unlawful Detention, 12 March 2025, https://equal-rights.org/articles/141; For Malakasa RIC see ERBB, Court Declares Unlawful Detention of Two Minors in Malakasa Camp in Athens, 7 April 2025, https://equal-rights.org/articles/144; For Kos CCAC see ERBB, One more time, the Greek Administrative Court finds that a minor's stay in the so-called "safe zone" of the Closed Controlled Access Centre of Kos constitutes unlawful de facto detention, 6 June 2025, https://equal-rights.org/articles/148 & ERBB, Unlawful Detention of Unaccompanied Minors in the "Safe Area" of the Kos CCAC, October 2025, https://equal-rights.org/articles/165.

In addition, during 2025, the ECtHR has repeatedly granted Interim Measures (Rule 39 of the Rules of the Court) for dozens of cases of UASC, who remained for prolonged periods in *de facto* detention and under significantly substandard and dangerous conditions in the "safe area" of different CCACs.[1202]

Detention following wrong age assessment

On 22 August 2025, Joint Ministerial Decision 147627/2025 (Gov. Gazette 4581/B/22-8-2025) entered into force, introducing several problematic changes in the age assessment procedure that risk undermining the protection of unaccompanied children, including vis-à-vis protection against detention, as highlighted in a Joint CSO letter to the Ministries of Migration and Asylum and of Health.[1203]

The new JMD mandates that all stages of the age-assessment process, including X-rays, be carried out cumulatively and on the same day, while giving primacy to radiological findings for the assessment of a person's age in case of conflicting results.[1204] This is in contrast to the obligation to apply the least intrusive methods first, and to international standards supporting holistic, multidisciplinary assessments rather than an automatic reliance on X-rays. Furthermore, the JMD curtails the deadline for appeals against wrongful age assessment from 15 to 5 days,[1205] and introduces an automatic, even if contestable, presumption of adulthood for anyone who refuses to be subjected to intrusive medical examinations.[1206] It also restricts the presumption of minority solely to persons initially registered as minors,[1207] leaving minors mistakenly registered as adults without appointed guardians and vulnerable to being detained with unrelated adults.[1208]

4. Duration of detention

Indicators: Duration of Detention

1. What is the maximum detention period set in the law (incl. extensions):
   - ❖ Asylum detention: 24 months
   - ❖ Pre-removal detention: 24 months
   - ❖ "Protective custody": None

2. In practice, how long in average are asylum seekers detained? Depending on the circumstances

As mentioned above, L. 5226/2025, adopted by the Parliament in September 2025, increased the maximum detention time limits of those under removal procedure up to 24 months, contrary to the EU Return Directive and successively the maximum detention time limits of asylum seekers procedure up to 24 months. Thus following the amendment introduced by L. 5226/2025 the total detention period of a third country national within the migration context may reach 48 months (24 months while in the asylum procedure + 24 months in view of removal).

Delays in the asylum procedure resulting in prolonged detention

1202 See in details GCR & the AIRE Center, COMMUNICATION In accordance with Rule 9.2 of the Rules of the Committee of Ministers regarding the supervision of the execution of judgments and of terms of friendly settlements by the Advice on Individual Rights in Europe (The AIRE Centre) and the Greek Council for Refugees Concerning the supervision of the cases O.R. v. Greece and related cases, https://tinyurl.com/bdd5u284.

1203 SCI & GCR, *Children on the move in Greece: September-December 2025*, 18 December 2025, available at: https://tinyurl.com/3vxxk75t.

1204 Article 4 JMD 147627/2025.

1205 Article 9 JMD 147627/2025.

1206 Article 4 JMD 147627/2025.

1207 Article 11 JMD 147627/2025.

1208 For more, SCI & GCR, *Children on the move in Greece: September-December 2025*, 18 December 2025, available at: https://tinyurl.com/3vxxk75t.

Due to the lack of interpretation and adequate capacity of the Asylum Service, the registration of the asylum cases or the conduct of the asylum interview may be delayed for significant periods resulting in prolonged detention.

The Asylum Code has laid down an initial 50-day duration for asylum detention, which can be further prolonged by 50-days, up to a maximum of 24 months. Any previous periods spent in pre-removal detention are not taken into account towards this time limit.[1209]

In practice, the time limit of detention is considered to start running from the moment an asylum application is formally lodged with the competent Regional Asylum Office or Asylum Unit rather than the moment the person is detained. As delays are reported systematically in relation to the registration of asylum applications from detention, *i.e.*, from the moment at which the detainee expresses the will to apply for asylum up to the registration of the application (see Registration), the period that asylum applicants spent in detention was *de facto* longer.

Beyond setting out maximum time limits, the law has provided further guarantees with regard to the detention period. Thus, detention 'shall be imposed for the minimum necessary period of time' and 'delays in administrative procedures that cannot be attributed to the applicant shall not justify the prolongation of detention.'[1210] Moreover, the law provides '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'. However, GCR has documented cases where the procedure was not carried out with due diligence and detention was prolonged precisely because of the delays of the administration.

Following changes in legislation and practice, it is evident that detention lasts for prolonged periods, sometimes risking exceeding the maximum time limits. For instance, 21.5% of all third country nationals that were detained in PRDCs on 31 December 2025 had remained detained for more than 6 months, while out of the total applicants who were in administrative detention on the same day, 19.5% had been detained for more than 6 months.[1211]

C. Detention conditions

1. Place of detention

Indicators: Place of Detention

1. Does the law allow for asylum applicants to be detained in prisons for the purpose of the asylum procedure (i.e. not as a result of criminal charges)? ☐ Yes ☒ No

2. If so, are asylum applicants ever detained in practice in prisons for the purpose of the asylum procedure? ☐ Yes ☒ No

1.1. Pre-removal detention centres

According to Article 51(1) Asylum Code, asylum applicants are detained in detention areas as provided in Article 31 L 3907/2011, which refers to pre-removal detention centres established in accordance with the provisions of the Returns Directive. Therefore, asylum applicants are also detained in pre-removal detention centres together with third-country nationals under removal procedures.

Seven pre-removal detention centres were active at the end of 2025. The total nationwide pre-removal detention capacity is 3,496 places. According to information provided to GCR by the Hellenic Police on 6 March 2026, the capacity of the pre-removal detention facilities in 2025 was as follows:

1209 Article 50(5) Asylum Code.
1210 Article 50(5) Asylum Code.
1211 Information provided by the Directorate of the Hellenic Police, 6 March 2026.

Capacity of pre-removal detention centres (2025) [1212]		
Centre	Region	Capacity
Amygdaleza	Attica	1,000
Tavros (Petrou Ralli)	Attica	200
Corinth	Peloponnese	1,344
Paranesti, Drama	Thrace	310
Xanthi	Thrace	210
Fylakio, Orestiada	Thrace	232
Kos	Dodecanese	100
Total	**3,496**	

To the above it is added the Special Detention Facility of Sintiki (Serres) established in mid 2025, with a capacity of 751 detention places. As noted, this was established in part of the Controlled Temporary Reception Centre Sintiki and placed under the competence of the Hellenic Police for the purposes of implementing the Greek Government's decision to suspend access to asylum for persons arriving by sea from North Africa, pursuant to Article 79 L. 5218/2025.[1213]

In addition, another 558 persons, all of whom had expressed their will to apply for asylum, were administratively detained in the **Special Detention Facility of Sintiki** (Serres),[1214] which was established in part of the Controlled Temporary Reception Centre Sintiki and placed under the competence of the Hellenic Police for the purposes of implementing the Greek Government's decision to suspend access to asylum for persons arriving by sea from North Africa, pursuant to Article 79 L. 5218/2025.

1.2. Police stations

Despite public statements from the Greek authorities committing to phase out detention in police stations and other holding facilities, third-country nationals including asylum applicants and unaccompanied children were also detained in police stations and special holding facilities during 2025. As confirmed by the Directorate of the Hellenic Police, on 31 December 2025, a total of 265 third country nationals (TCNs), 15 of whom had expressed their will to apply for asylum, were administratively detained in police stations and other holding facilities under the competence of the Police.[1215]

In October 2025, the ECtHR found *inter alia* a violation of article 3 ECHR in the case of *B.F. v. Greece* (App. No. 59816/13), which concerned an asylum applicant who had remained detained for a period of more than two months at the Kolonos police station; "*a facility*", as noted by the Court, "*which, in terms of its design, lacked amenities required for prolonged periods of detention*".[1216]

As explained in Grounds for Detention, detention is also *de facto* applied in mainland RICs and Closed Control Access Centres of the Aegean Islands.

2. Conditions in detention facilities

Indicators: Conditions in Detention Facilities

1. Do detainees have access to health care in practice? ☐ Yes ☒ Limited ☐ No
   - ❖ If yes, is it limited to emergency health care? ☒ Yes ☐ No

[1212] Information provided by the Directorate of the Hellenic Police, 16 January 2025.
[1213] *Ibid.* & Reply to Parliamentary Question No 1351/21-11-2025, https://tinyurl.com/tf65bnhw.
[1214] Information provided by the Directorate of the Hellenic Police, 6 March 2026.
[1215] Information provided by the Directorate of the Hellenic Police, 6 March 2026.
[1216] ECtHR, CASE OF B.F. v. GREECE *(Application no. 59816/13)*, para. 50.

The law sets out certain special guarantees on detention conditions for asylum applicants. Notably, the authorities must make efforts to ensure that detainees have necessary medical care, and that their right to legal representation is guaranteed.[1217] In any event, according to the law, 'difficulties in ensuring decent living conditions […] shall be taken into account when deciding to detain or to prolong detention.'[1218]

However, as it has been consistently reported by a range of actors, detention conditions for third-country nationals, including asylum applicants, do not meet the basic standards in Greece.

2.1. Conditions in pre-removal centres

2.1.1. Physical conditions and activities

According to the law, detained asylum applicants shall have outdoor access.[1219] Women and men shall be detained separately,[1220] unaccompanied children shall be held separately from adults,[1221] and families shall be held together to ensure family unity.[1222] Moreover, the possibility to engage in leisure activities shall be granted to children.[1223]

GCR regularly visits pre-removal facilities depending on needs and availability of resources. According to GCR findings, as corroborated by national and international bodies, conditions in pre-removal detention centres vary to a great extent and in many cases fail to meet standards[1224].

Overall detention conditions in pre-removal detention centres (PRDCs) remain substandard, despite some good practices, which have been adopted in some PRDCs (such as allowing detainees to use their mobile phones). Major concerns include a carceral, prison-like design, the lack of sufficient hygiene and non-food items, including clothes and shoes, clean mattresses and clean blankets, the lack of recreational activities, and overcrowding persisting in some facilities. Detention conditions remain a matter of significant concern, in particular by taking into consideration that, in many cases, detention is applied for prolonged periods. Let alone that detention in police station is still applied, conditions in PRDCs do not meet basic standards.

The findings of the CPT that PRDFs are "not appropriately adapted for the detention of foreign nationals" due to their canceral design, their "*prison-like conditions*", poor state of maintenance, insufficient provision of hygiene products, clothes, shoes, lack of purposeful or recreative activites, etc. remain valid.[1225] Equally, the precise observations for each PRDC, included in the previous AIDA report, are still valid,[1226] and further corroborated by recent findings.

For example as reported by GCR following a visit at Amigdaleza PRDF in late July 2025 GCR reported inter alia:

- "*Poor maintenance of containers or containers that are completely unsuitable due to damage, toilets without running water, containers without electricity, resulting in the inability to use air conditioning during extreme heat.*

1217 Article 51 (7) Asylum Code.
1218 Article 50(2) and 50(3) Asylum Code.
1219 Article 51(7) Asylum Code.
1220 Article 53(4) Asylum Code.
1221 Article 53(2) Asylum Code.
1222 Articles 53(3) Asylum Code.
1223 Article 53(2) Asylum Code.
1224 See also CPT, *Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT),* 17 July 2024 available here; Equal Rights Beyond borders, *Still Detained and Forgotten*, 28 February 2023, available at: https://tinyurl.com/yhut82f9 and Mobile Info Team, *Prison for Papers*, February 2023, available at: https://tinyurl.com/3tjwazxf.
1225 CPT, Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 November to 1 December 2023, CPT/Inf (2024) 21, 12 July 2024, available at: https://rm.coe.int/1680b0e4e1, pp. 3-4.
1226 AIDA, *Country Report: Greece, 2023 Update*, June 2024, available here.

- *At PROKEKA Amygdaleza, the entire facility consists of containers placed in a courtyard with white gravel, which is divided into wings with high fences, without any shade or trees, resulting in extreme temperatures during heat waves.*
- *There was not enough clothing and underwear to distribute to them, with the result that they do not even have a second pair of underwear/shirt, etc., and it is very difficult, if not impossible, to keep themselves clean. A significant number of them had not even been given shoes/sandals, forcing them to walk barefoot on hot ground, a condition that demonstrates the inability to meet the basic needs of the detainees.*
- *The quantity of food is limited and inadequate. Access to drinking water is either from the taps in the bathrooms or from an external hose located in the courtyard. Bottled or cold water is not provided.*
- *There were reports of limited or no access to a doctor and/or other services. Their access to the outside world was extremely limited or impossible.*
- *They had no access to the internet due to technical problems, and many of the detainees, as reported, had not had their mobile phone chargers returned, making it impossible for them to use their phones. The lack of communication exacerbates feelings of anxiety and distress*."[1227]

In November 2025, GCR submitted a complaint to the Greek Ombudsman regarding the detention conditions in Sidiki Special Detention Facility. Inadequate access to food, unsanitary conditions, delayed or inadequate medical care, overcrowded containers, incidents of excessive police measures, psychological pressure and intimidation are reported with regards the conditions prevailing at this facility.[1228]

2.2. Healthcare in detention

The law states that the authorities shall make efforts to guarantee access to health care for detained asylum applicants.[1229] Since 2017, the responsibility for the provision of medical services in pre-removal detention centres was transferred to the Ministry of Health, and in particular the Health Unit SA (*Ανώνυμη Εταιρεία Μονάδων Υγείας*, AEMY), a public limited company under the supervision of the Ministry of Health.[1230]

However, substantial medical staff shortages have been observed in PRDCs already since previous years. The CPT has long urged the Greek authorities to improve the provision of healthcare services in all immigration detention facilities where persons are held for periods of more than a day or two.[1231] The general lack of medical screening upon arrival and of access to healthcare has been compounded by the severe shortage of resources, including staffing resources, and the complete lack of integrated management of healthcare services; combined with the lack of hygiene and appalling detention conditions, the Committee considered that they presented a public health risk.

Official statistics demonstrate that the situation has not improved in 2025 and that PRDCs continue to face a substantial medical staff shortage. At the end of 2025, there were only 8 doctors, in total, in the mainland PRDCs (2 in **Amygdaleza**, 1 in **Korinthos**, 1 in **Fylakio** and 2 in **Drama**, 1 in **Tavros** and 1 in Xanthi). Moreover, in **Kos** PRDC, where persons are *inter alia* detained in order to be subject to readmission within the framework of the EU-Türkiye Statement, there was no doctor.[1232]

Specifically, at the end of 2025, the number of AEMY staff present in each PRDC was as follows:

1227 GCR, No right to asylum and living in appalling conditions: GCR visit to Pre-departure Detention Center in Amygdaleza for those recently arrived in Gavdos from Libya, 30 July 2025, https://tinyurl.com/yem747nn.

1228 GCR, Complaint to the Ombudsman with regards the detention conditions in Sidiki, 14 November 2025, https://tinyurl.com/jspm565h, and See RSA, Suspension of Asylum in Greece Detention, Uncertainty, and Rights Violations, 13 November 2025, available at: https://tinyurl.com/5n8pvfsa.

1229 Article 52(1) Asylum Code.

1230 Article 47(1) IPA.

1231 For more information on the CPT's recommendations to Greece, see, *The CPT and Greece,* available at: https://tinyurl.com/yc7fwrhf.

1232 Information provided by the Directorate of the Hellenic Police, 16 January 2025.

Category	Amygdaleza	Tavros	Corinth	Paranesti	Xanthi	Kos	Fylakio
Doctors	2	1	1	2	1	0	1
Psychiatrists	0	0	0	0	0	0	0
Nurses	4	2	2	2	2	0	2
Interpreters	4	2	1	1	1	0	1
Psychologists	2	1	0	1	1	0	1
Social workers	1	1	2	1	1	0	1
Health visitors	2	1	1	1	1	0	0
Administrators	1	1	1	1	1	0	0

Source: Information provided by the Directorate of the Hellenic Police, 6 March 2026.

2.3. Conditions in police stations and other facilities

Police stations are by nature 'totally unsuitable' for detaining persons for longer than 24 hours.[1233] However, they are constantly used for prolonged migration detention. As mentioned above and according to official data, there were 265 persons in administrative detention at the end of 2025 in police stations and other holding facilities under the competence of the Police, of whom 15 were asylum applicants.[1234] According to GCR findings, detainees in police stations live in substandard conditions as a rule, with no outdoor access, poor sanitary conditions, lack of sufficient natural light, no provision of clothing or sanitary products, insufficient food, no interpretation services and no medical services; the provision of medical services by AEMY concerns only pre-removal detention centres and does not cover persons detained in police stations.

The ECtHR has consistently held that prolonged detention in police stations *per se* is not in line with guarantees provided under Article 3 ECHR and has found over the years a violation of said provision by the Greek Authorities in a number of cases of persons detained in police stations.[1235]

3. Access to detention facilities

Indicators: Access to Detention Facilities

1. Is access to detention centres allowed to:
   - ❖ Lawyers: ☒ Yes ☐ Limited ☐ No
   - ❖ NGOs: ☒ Yes ☐ Limited ☐ No
   - ❖ UNHCR: ☒ Yes ☐ Limited ☐ No
   - ❖ Family members: ☐ Yes ☒ Limited ☐ No

According to the law, UNHCR and organisations working on its behalf have access to detainees.[1236] Family members, lawyers and NGOs also have the right to visit and communicate with detained asylum applicants. Their access may be restricted for objective reasons of safety or public order or the sound management of detention facilities, as long as it is not rendered impossible or unduly difficult.[1237] Access of lawyers and NGOs to CCACs and mainland RICs is significantly restricted.

1233 CPT, *Report to the Greek Government on the visit to Greece from 13 to 18 April and 19 to 25 July 2016*, CPT/Inf (2017) 25, 26 September 2017, available at: https://bit.ly/2g4Y9bU,p. 6.

1234 Information provided by the Directorate of the Hellenic Police, 18 January 2024.

1235 ECtHR, *Ahmade v. Greece*, Application No 50520/09, Judgment of 25 September 2012; ECtHR, *S.Z. v. Greece*, Application No 66702/13, 21 June 2018, available at: https://bit.ly/45tcBBL, para 40; ECtHR, *H.A. and others v. Greece*, Application No 19951/16, Judgment of 28 February 2019; ECtHR, *Sh.D. and Others v. Greece, Austria, Croatia, Hungary, North Macedonia, Serbia and Slovenia*, Application no. 14165/16.

1236 Article 51(4) Asylum Code.

1237 Article 51(5) Asylum Code.

In practice, NGOs' capacity to access detainees is limited due to constraints in human and financial resources. Family members' access is restricted due to limited visiting hours and the remote location of some detention facilities.

Another major practical barrier to asylum applicants' communication with NGOs is that they do not have access to free phone calls. Therefore, access to NGOs, amongst others, is limited if they do not have the financial means to buy a telephone card. While some detention centres (**Amygdaleza**, **Corinth**, **Xanthi**, **Paranesti**, **Kos**) have adopted the good practice of allowing people to use their mobile phones, others, such as **Tavros** and all police stations, prohibit the use of mobile phones.

D. Procedural safeguards

1. Judicial review of the detention order

Indicators: Judicial Review of Detention		
1. Is there an automatic review of the lawfulness of detention?	☒ Yes	☐ No
2. If yes, at what interval is the detention order reviewed?	Not specified	

1.1. Automatic judicial review

The Asylum Code provides for an *ex officio* judicial control of the detention decision of asylum applicants. The procedure is largely based on the procedure already in place for the automatic judicial review of the decisions extending the detention of third-country nationals in view of return under L 3907/2011.[1238]

Article 50(5) Asylum Code reads as follows:

> 'In case of prolongation of detention, the order for the prolongation of detention shall be transmitted to the President of the Administrative Court of First Instance, or the judge appointed thereby, who is territorially competent for the applicant's place of detention and who decides on the legality of the detention measure and issues immediately his decision, in a brief record.'

Statistics on the outcome of *ex officio* judicial scrutiny confirm that the procedure is highly problematic and illustrates the rudimentary and ineffective way in which this judicial review takes place.

During 2025, out of the total 3,028 decisions of the administrative courts issued within the framework of the *ex officio* judicial review, only 0.8% (30 decisions) rejected the prolongation of detention.[1239]

1.2. Objections against detention

Apart from the automatic judicial review procedure, asylum applicants may challenge detention through "objections against detention" before the Administrative Court,[1240] which is the only legal remedy provided by national legislation to this end. Objections against detention are not examined by a court composition but solely by the President of the Administrative Court, whose decision is non-appealable.

In practice, the ability for detained persons to challenge their detention is severely restricted due to ongoing 'gaps in the provision of interpretation and legal aid, resulting in the lack of access to judicial remedies against the detention decisions'.

1238 Article 30(3) L 3907/2011.
1239 Per a March 2026 reply of the Ministry of Justice to a parliamentary question. See RSA, Deportation and immigration detention statistics in Greece in 2025, 31 March 2026, available at: https://tinyurl.com/3meetrzh, p.7.
1240 Article 50(6) Asylum Code, citing Article 76(3)-(4) L 3386/2005.

Firstly, and as a rule, persons in administrative detention are not informed on the grounds of their detention and of the possibility to lodge Objections against them. Detention orders and other relevant documents are communicated to detainees in Greek and are not translated or explained in a language they understand. Moreover, even in case where detainees are actually provided with an "information brochure" in their language, said "information brochure" fails to ensure the provision of information in a simple and accessible manner. Namely, this is the same document which the European Court of Human Rights has already deemed as not capable of providing information in a simple and accessible language, so as for detainees to be reasonably expected to understand the factual and legal grounds of their detention and avail themselves of the legal remedies provided by Greek Law.[1241]

Secondly, Greece has still not set up a free legal assistance scheme for review of detention orders before Administrative Courts and in practice detainees cannot effectively lodge Objections against their detention.

Official statistical data corroborate that the vast majority of detainees do not have access to a remedy against detention.[1242]

Year	Total number of detention orders issued (return/deportation and asylum procedure)	Total number of Objection against detention submitted before Administrative Courts	%
2025	25,497	3,878	15.%

The findings by the CPT corroborate that the lack of information remains a structural and longstanding issue that has not been remedied by Greece's amendments of immigration legislation over the past decade neither addressed through any change in practice. In its 2024 report, following the visit of the delegation in November 2023, the Committee noted the long-term nature of the issues related to information provision in the context of immigration detention:

> 'As was the case in 2018 and 2020, the Committee must once again conclude that there remains an acute lack of interpretation services in all the establishments visited during the 2023 visit. Further, access to information in a language and form that detained foreign nationals understand also remains insufficient […] most detained foreign nationals stated once again that they had signed documents in the Greek language without knowing their content and without having benefitted from the assistance of a qualified interpreter. Indeed, nearly all official documents, including detention and deportation orders, were only available in the Greek language and were usually not translated for the persons concerned […] most detained foreign nationals complained that they were not sufficiently informed of their rights and their situation in a language they could understand. Many persons indicated that they had not received a copy of the information leaflet in a language that they could understand.'[1243]

Moreover, the CPT has highlighted concerns regarding access to legal aid in 2020 and again in 2024, including the "*often theoretical and illusory*" access to a lawyer and the inadequate provision of legal advice which reduced the detainee's ability to use "objections against detention".[1244] This remains the case up until the date of writing of this report.

1241 *J.R. and other v. Greece*, op.cit., paras. 123-124; O.S.A and other v. Greece, op.cit, para. 54 and *Kaak and other v. Greece*, op. cit. para. 123.

1242 RSA, Deportation and immigration detention statistics in Greece in 2025, 31 March 2026, available at: https://tinyurl.com/3meetrzh.

1243 CPT, *Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 November to 1 December 2023*, CPT/Inf (2024) 21, 12 July 2024, paras. 32-33 and 36, available here.

1244 Committee for the Prevention of Torture, Report to the Greek Government on the visit to Greece carried out by the CPT from 13 to 17 March 2020, CPT/Inf (2020) 35, 19 November 2020, para. 22; Committee for the Prevention of Torture, CPT/Inf (2024) 21, *op.cit*., para. 41.

Over the years the ECtHR has found that the objections remedy is not accessible in practice,[1245] that detention order are only written in Greek and include general and vague references regarding the legal avenues available to the applicants to challenge their detention and that applicants do not appear to have access to lawyers.[1246]

Moreover, the ECtHR has found on various occasions the objections procedure to be an ineffective remedy, contrary to Article 5(4) ECHR,[1247] as the lawfulness of detention, including detention conditions, was not examined. In order to bring national law in line with ECHR standards, legislation was amended in 2010. Notwithstanding, the ECtHR subsequently found in a number of cases that the lawfulness of applicants' detention had not been examined in a manner equivalent to the standards required by Article 5(4) ECHR,[1248] and "the applicant did not have the benefit of an examination of the lawfulness of his detention to an extent sufficient to reflect the possibilities offered by the amended version" of the law.[1249]

In the ECtHR judgment of 15 October 2024 in H.T. v Germany and Greece, supported by GCR, the Court found again a violation of Article 5(4) ECHR due to the lack of effective examination of the detention by the domestic court following the "objections against detention" submitted by the applicant.[1250] Lack of effective remedies against detention was also found in the ECtHR's Decision in the case of B.F. v. Greece (App. No. 59816/13), which became final in January 2026. This case law of the ECtHR illustrates that the amendment of the national legislation cannot itself guarantee an effective legal remedy in order to challenge immigration detention, including the detention of asylum applicants.[1251]

Effectiveness of the judicial review in Objection against detention

Based on the cases supported by GCR, it seems that the objections procedure may be marred by a lack of legal security and predictability, which is aggravated by the fact that no appeal stage is provided in order to harmonise and/or correct the decisions of the Administrative Courts. GCR has supported a number of cases where the relevant Administrative Courts' decisions were contradictory, even though the facts were substantially the same. A more detailed analysis of the case law of the Greek Court and the effectiveness of the remedy against detention can be found in the Joint GCR/ECRE Submission before the Committee of Ministers of the Council of Europe with regards the execution of the MD v. Greece group of cases.[1252] These findings are valid up until the date of writing this report.

1245 ECtHR, *J.R. and Others v. Greece*, Application No 22696/16, Judgment of 25 January 2018, available in Greek at: https://bit.ly/3MAFjYN, para 99.

1246 ECtHR, O.S.A. v. Greece, Application No 39065/16, Judgment of 21 March 2019, available in Greek at: https://bit.ly/3WwhOEU; ECHR, Kaak v. Greece, Application No 34215/16, Judgment of 3 October 2019, available in Greek at: https://bit.ly/43bEmgD.

1247 See *e.g.*, ECtHR, *Rahimi v. Greece* Application No 8687/08, Judgment of 5 April 2011, available in Greek at: https://bit.ly/3IDXE69; *R.U. v. Greece* Application No 2237/08, Judgment of 7 June 2011, available at: https://bit.ly/3MA2QsP; *C.D. v. Greece*, Application No 33468/10, Judgment of 19 March 2014, available at: https://bit.ly/3RH72us.

1248 ECtHR, *R.T. v. Greece*, Application no 5124/11, Judgment of 11 February 2016, available in Greek at: https://bit.ly/3qdUKhU; *Mahammad and others v. Greece*, Application No 48352/12, 15 January 2015, available in Greek at: https://bit.ly/437MYVF; *MD v. Greece*, Application No 60622/11, Judgment of 13 November 2014, available in Greek at: https://bit.ly/3OF4Xyd; *Housein v. Greece*, Application No 71825/11, Judgment of 24 October 2013, available in Greek at: https://bit.ly/3OFLj5d. In this last case, the Court found a violation of Article 3 combined with Article 13, due to lack of an effective remedy in the Greek context in order to control detention conditions.

1249 ECtHR, *S.Z. v. Greece*, Application No 66702/13, Judgment of 21 June 2018, available at: https://bit.ly/45tcBBL, para 72.

1250 ECtHR, H.T. v Germany and Greece, application no. 13337/19, 15 October 2024, paras. 104-109.

1251 For the time being there are also two pending case before the Court where an issue under the Article 5(4) ECHR has been raised, see ECtHR, M.S.J.J. v. Greece, application no. 51975/17, communicated on 5 February 2024; K.A. and others v. Greece, App. no. 43784/20, communicated on 27 November 2023.

1252 GCR/ECRE, *Communication in accordance with Rule 9.2. of the Rules of the Committee of Ministers regarding the supervision of the execution of judgments and of terms of friendly settlements by the Greek Council for Refugees (GCR) & the European Council on Refugees and Exiles (ECRE) - GROUP OF CASES OF MD V. GREECE, Application No. 60622/11*, available here.

The Decisions of the Athens Administrative Court on Objections against detention submitted by Sudanese refugees detained during the 3 months suspension of access to asylum in PRDFs is an illustrative example of lack of effectiveness of the national remedy against detention. These persons were detained based on a return Decision despite having expressed their will for asylum, Interim Measures and temporary protection against removal has been provided by the ECtHR and domestic Courts and additionally complained for their detention conditions. The Court rejected the remedy without properly examining the allegation of the Applicant that their removal was not feasible, that the detention has been ordered on a wrong legal basis and dismissed the allegations on detention conditions by not accepting the videos and photos submitted an evidence to be examined by the Court.[1253]

2. Legal assistance for review of detention

Indicators: Legal Assistance for Review of Detention

1. Does the law provide for access to free legal assistance for the review of detention?
   ☒ Yes ☐ No
2. Do asylum seekers have effective access to free legal assistance in practice?
   ☐ Yes ☒ No

Article 50(7) Asylum Code provides that '*detainees who are applicants for international protection shall be entitled to free legal assistance and representation to challenge the detention order*...'

In practice, no free legal aid system has been set up to challenge their detention and, as mentioned above, the majority of persons in administrative detention do not have effectively access to a lawyer and to the remedy against detention.

Free legal assistance for detained asylum seekers provided by NGOs cannot sufficiently address the needs and in any event cannot exempt the Greek authorities from their obligation to provide free legal assistance and representation to asylum seekers in detention, as foreseen by the recast Reception Conditions Directive.[1254] This continued to be the case in 2025, where very few NGOs, including GCR, were providing free legal assistance to detainees with limited resources. No free legal aid is provided in order for a detainee to challenge their detention decision before Courts, contrary to national and EU law. In any event the capacity of NGOs to provide legal assistance to persons in pre-removal/asylum detention has been significantly affected by funding cuts over the year.

In general, lawyers can contact their clients and visit them in pre-removal detention centers. Meetings are taking place in privacy but there have been cases where they happened with the presence of a police officer. Moreover, lawyers can be accompanied by interpreters while visiting a pre-removal detention center.

The CPT findings from 2018 confirm that '*the information provided was insufficient – particularly concerning their (legal) situation […] there was an almost total lack of available interpretation services in all the establishments visited […] access to a lawyer often remained theoretical and illusory for those who did not have the financial means to pay for the services of a lawyer […] As a result, detainees' ability to raise objections against their detention or deportation decisions or to lodge an appeal against their deportation was conditional on them being able to access a lawyer*'.[1255] The CPT has highlighted concerns regarding access to legal aid in 2020 and again in 2024, including the "*often theoretical and illusory*" access to a lawyer and the inadequate provision of legal advice which reduced the detainee's ability to use "objections against detention.[1256]

1253 *Inter alia* Administrative Court of Athens, Decision No AP1784/2025.

1254 Article 9(6) recast Reception Conditions Directive.

1255 CPT, *Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 19 April 2018*, CPT/Inf (2019) 4, 19 February 2019, available at: https://bit.ly/3MxmQMF, paras 78-80.

1256 Committee for the Prevention of Torture, Report to the Greek Government on the visit to Greece carried out by the CPT from 13 to 17 March 2020, CPT/Inf (2020) 35, 19 November 2020, para. 22; Committee for the Prevention of Torture, CPT/Inf (2024) 21, op.cit., para. 41.

E. Differential treatment of specific nationalities in detention

Differential treatment in detention arose both during and after the implementation of the measure foreseen under Article 79 L. 5218/2025 (suspension of access to asylum), with some applicants being exempted from the blanket administrative detention accompanying the specific measure on the basis of vulnerabilities and/or of belonging to nationalities with high-recognition rates (Eritrea, Sudan), while those belonging to nationalities with low recognition rates (Egypt) remained in detention even after the measures expiry.[1257]

[1257] For more, RSA, *Suspension of Asylum in Greece Detention, Uncertainty, and Rights Violations*, 13 November 2025, available at: https://tinyurl.com/5n8pvfsa.

Content of International Protection

A. Status and residence

1. Residence permit

Indicators: Residence Permit

1. What is the duration of residence permits granted to beneficiaries of protection?

❖ Refugee status	3 years, renewable for a period of 3 year
❖ Subsidiary protection	1 year, renewable for a period of 2 years
❖ Humanitarian protection	No longer available through the asylum procedure (available solely pursuant to Article 134 L. 5038/2023, in force from 31 March 2024)

Individuals recognised as refugees are granted a three-year residence permit *("ADET")*, which can be renewed after a decision of the Head of the Regional Asylum Office.[1258] Beneficiaries of subsidiary protection, however, obtain a one-year residence permit, which is renewable for a period of two years.[1259]

Residence permits are usually delivered at least two to three months after the communication of the decision granting international protection and the submission of the required documents, which as per Article 6(1) of JMD 513542/2022 (Gazette B' 4763) are:

a) an ID photo,
b) a valid asylum applicant card and
c) a solemn declaration of Article 8 L. 1599/1986 stating the beneficiary's address of residence.

Notwithstanding these, in GCR's experience beneficiaries are also requested to submit a copy of the positive decision granting them international protection and of the decision granting them an ADET to the Aliens Police Directorate ('*Διεύθυνση Αλλοδαπών*') or the competent passport office. The asylum office responsible for issuing and delivering the ADET is determined on the basis of the residence address provided by the beneficiary[1260].

The Asylum Service does not notify the beneficiaries individually, through e-mail or any other means of communication, of the issuance of their residence permit.[1261] Rather, the Asylum Service uploads lists containing beneficiaries' case numbers on the MoMA's website, when their ADET is ready for collection. These lists include specific dates and hours for the collection of the ADET.[1262] As a result, beneficiaries have to regularly consult these lists online, until they find an entry corresponding to their individual case number.[1263] If they miss their appointment, they have to request for their case number to be re-entered in the lists.

1258 Article 23(1) Asylum Code.
1259 *Ibid.*
1260 Circular No. 68883/31.01.2023, "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».
1261 Contrary to what is applicable for immigrants, who can be informed individually for the issuance of their residence permit through here. Such platform does not exist for the individual information of beneficiaries of international protection regarding the issuance of their residence permits.
1262 Ministry of Migration, *Initial Residence permits that are ready*, available at: https://bit.ly/3QiENRL.
1263 RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece: Access to documents and socio-economic rights*, March 2024, available at: https://bit.ly/3Vy9DYJ.pdf, p. 13.

Until the issuance of their residence permits, beneficiaries keep their asylum applicant card and are considered as asylum applicants by ERGANI (*ΕΡΓΑΝΗ*) –the Information System of the Ministry of Employment.[1264] In practice, this means that pending the receipt of their ADET, beneficiaries do not enjoy full access to the labour market, as per their rights, but instead face the same limited access/restrictions faced by applicants of international protection (i.e. no possibility to engage in independent economic activity, and, if status recognition takes place in less than two months from the lodging of their asylum application, no access to the labour market until the two months have lapsed).[1265]

After delivery of the residence permit (*Α.Δ.Ε.Τ*), the Asylum Service notifies the Electronic Governance of Social Security S.A. (*ΗΔΙΚΑ Α.Ε.*) to deactivate the Provisional Foreigner's Insurance and Health Care Number for asylum applicants (*ΠΑΑΥΠΑ*). Along with the delivery of the residence permit, the Asylum Service is obliged to inform beneficiaries of international protection that they are henceforth eligible to acquire a social security number (*ΑΜΚΑ*) and that they must take the legally required steps to issue it within one (1) month.[1266] In practice, due to delays linked with the electronic system of *ΗΔΙΚΑ*, beneficiaries have no access to health care for many months until their AMKA number is activated.

Renewals

An application for renewal needs to be submitted no later than 30 calendar days before the expiry of the residence permit. The mere delay in an application for renewal, without any justification/reason, cannot lead to its rejection.[1267] However, in case of delayed submission without due reasons, a EUR 100 fine is foreseen.[1268] The authority responsible for imposing the fine is determined by Joint Ministerial Decision of the Ministers of Migration and Asylum, and of Finance.[1269] In practice, this fine has never been imposed.

Since 2017, the application for renewal, together with a digital photo of the beneficiary, is submitted via email to the Asylum Service (Asylum Unit of International Protection Beneficiaries -*Αυτοτελές Κλιμάκιο Ασύλου Δικαιούχων Διεθνούς Προστασίας*) and the latter's decision is notified to the applicant also via email. Bearing in mind that legal aid is not provided at this stage, technologically illiterate beneficiaries face obvious obstacles to apply for the renewal of their permit.

As in previous years, long waiting periods for the renewal of ADETs have continued being an issue of concern in 2025 as well, with average waiting times being officially reported at 4 months.[1270] However, based GCR's caseload experience, 4 months tends to be the minimum waiting period for an ADET renewal, with delays of even a year still reported in 2025.[1271] To GCR's knowledge, these delays are due to the high number of applications and the severe understaffing of the competent Asylum Unit of International Protection Beneficiaries (*Αυτοτελές Κλιμάκιο Ασύλου Δικαιούχων Διεθνούς Προστασίας*). Indicatively, as noted in a 16 February 2024 (prot. no. 58515) letter of the Director of the Asylum Service

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1264 See website of the Ministry of Employment: https://bit.ly/3KZj7oE.

1265 Article 192 L. 5078/2023 (Gov. Gazette A 211/20.12.2023), amending Article 57(1) Asylum Code.

1266 Articles 10 & 11, JMD Φ80320/109864/14.12.2023, Gov. Gazette B 7280/22.12.2023.

1267 Article 23(1) Asylum Code, JMD 513551/2022, Gov. Gazette B΄ 4763/12.09.2022

1268 Article 23(1)(7) Asylum Code. As *inter alia* noted in a 2023 Circular of the MoMA: "*Delayed application for renewal of ADET without reason*" 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 suffice. Reasons shall be given which in fact justify exceeding 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"*. 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, available at: https://tinyurl.com/mtbt72ux, p.4. Also see RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights,* March 2024, available at: https://bit.ly/3Vy9DYJ, p. 8. See also RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights,* March 2023, available at: https://bit.ly/45y1CY1, pp. 6-7.

1269 Article 17 L. 4825/2021. JMD 513551/05.09.2022, Gov. Gazette B΄ 4763/12.09.2022.

1270 Hellenic Republic, National Registry of Administrative Procedures: Renewal of Uniform Format Residence Permits (ADET), in Greek: https://tinyurl.com/yhkrzbx7 [last updated on 9 April 2025].

1271 Also see RSA, *Recognised Refugees 2025*, March 2025, available at: https://tinyurl.com/3emyk5w3, p.14.

in response to the intervention of 16 NGOs of the national Legal Aid Working Group,[1272] only 8 employees were then in charge of processing the total volume of renewal applications (including decisions on renewal) throughout Greece.[1273]

During the renewal procedure, the Asylum Service conducts criminal record checks, which may lead to the withdrawal of protection status, as well as an assessment of whether the grounds on which international protection was granted continue to apply. Pending the renewal process, beneficiaries are provided with an attestation of application status (*βεβαίωση κατάστασης αιτήματος*)[1274] which is valid for three or six months, depending on the RAO or AAU that is competent for issuing it. This attestation provides beneficiaries with access to less rights (e.g. no access to the labour market, social welfare or to public healthcare, with the exception of emergencies) than the attestation of Article 11(10) L. 5038/2023[1275] issued for migrants. In fact, beneficiaries of international protection holding these attestations are only protected from detention and have no access to their rights pending the renewal of their residence permit.

As far as GCR is aware, a main reason for this is that public services, such as the Public Employment Service (*Δημόσια Υπηρεσία Απασχόλησης*/ΔΥΠΑ, formerly OAED), are reluctant to accept these attestations, since they lack security features and a photograph of the beneficiary. Given a photograph of each beneficiary is available in their file, which is held by the Asylum Service, this issue could be at least partially and easily resolved by obtaining the beneficiary's photograph, either from the attached file of the electronically submitted application for renewal, or from the administrative file kept by the Asylum Service, which includes their "facial image". Such a procedure has not been implemented to date.[1276]

Furthermore, a day after the residence permit expires, beneficiaries' Social Security Number (AMKA) is deactivated.[1277] This creates an additional bureaucratic layer and delays, as, in order to re-activate it, beneficiaries need to submit the attestation of application status, along with other documents required under JMD Φ80320/109864/14.12.2023.[1278] Yet the attestation can only be issued after the application for renewal has been first uploaded by the competent Asylum Unit for Beneficiaries of International Protection to the electronic system of "ALKYONI" (*ΑΛΚΥΟΝΗ*). In GCR's experience, this can take even up to a month from the time beneficiaries have submitted their application for renewal. That being said GCR is aware that in 2025, in certain cases, the applications were uploaded within a maximum of 15 days. This is in spite of Article 12 of the Code of Administrative Procedure (L. 2690/1999), which requires public authorities to record any document received on the same day.

The Ombudsperson has flagged this obligation to the Asylum Service in the specific context of ADET renewal applications.[1279] In response, the administration has provided the Ombudsperson with

1272 Intervention by 16 civil society organizations of the national Legal Working Group to the Minister and Vice Minister of the Ministry of Migration and Asylum, *Renewal of identification documents of beneficiaries of international protection*, prot. no. β/117/15.02.2024. Said intervention raised the following issues: (a) Long delays in the processing of applications for renewal of ADETs and travel documents by the Asylum Service, (b) Non-acceptance of the Asylum Service's "Certificates of beneficiaries of international protection", (c) Obstacles in the communication of beneficiaries and legal representatives with the Asylum Unit of International Protection Beneficiaries, (d) Ineffective means and procedures for the service of the issued ADETs and travel documents by the Asylum Service.

1273 Letter of Director of the Asylum Service, *Renewal of identity documents of beneficiaries of international protection*, prot. no. 58515/16.02.2024.

1274 Article 13 JMD 513542/2022, Gov. Gazette B΄ 4763/12.09.2022.

1275 L. 5038/2023 "Immigration Code", Gazette 81/A/01-04-2023.

1276 On 16 February 2024, in response to the aforementioned intervention of the Legal Aid Working Group, the Director of the Asylum Service noted that the legislation would be amended so that renewal applications would be processed electronically, through a platform, from where certificates of pending renewal would also be issued. This legal framework would also define specific requirements for the certificate, that would make it possible to verify the validity of the data and the authenticity of the document, in line with the standards of the Immigration Code. Such certificates would also include provisions for their general acceptance by third parties. Yet the adoption of relevant legislation is pending.

1277 Article 7 JMD Φ80320/109864/14.12.2023, Gov. Gazette B 7280/22.12.2023.

1278 Article 8 in conjunction with Articles 5 and 6 of JMD Φ80320/109864/14.12.2023, Gov. Gazette B 7280/22.12.2023.

1279 RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights,* March 2024, available at: https://bit.ly/3Vy9DYJ, p. 9.

assurances on immediate uploading of ADET renewal applications on the "Alkyoni" database.[1280] However, in practice, and despite the letter of the Director of the Asylum Service explicitly stating that renewal applications are given a protocol number within 5 days from their submission via e-mail, this is not the case.[1281] It is noted that the applicant beneficiary of international protection is not informed of the upload of their application in the system, so as to be able to submit a request for the issuance of attestation of application status. Nor are they informed of the protocol number assigned to their application, which they only become aware of upon receipt of the certificate, where it is indicated.

In April 2023, there was a positive legal amendment of Greece's Migration Code (L. 5038/2023). According to Article 9 (ι), in conjunction with Article 11(10) L. 5038/2023, a certificate similar to the one issued for immigrants who apply for the renewal of a residence permit must be issued to beneficiaries of international protection pending the issuance of their renewed residence permits. This provision has not yet been implemented in practice and beneficiaries of international protection still face the same obstacles in accessing their rights.

It is worth noting that beneficiaries are never served their official renewal decision. They are simply notified by the Asylum Service via email that the renewal of their residence permit has been accepted. This notification also outlines the procedure that they ought to follow to submit the required documentation before the competent Alien's Directorate for the issuance of their renewed residence permit. In practice, after the notification email is sent, beneficiaries need to follow the exact same procedure they followed for the initial issuance of their residence permit. For the delivery of their renewed residence permits, the Asylum Service does not notify the beneficiaries individually. It uploads on its website a list of case numbers for which the renewed ADET are ready for collection on an indicated day. Therefore, beneficiaries have to regularly consult the lists online, until they can find an entry corresponding to their individual case number. However, the lists of the renewed residence permits are announced on the same segment of the website of the Ministry as the residence permits that are issued for the first time. This creates an enormous confusion to beneficiaries considering that the residence permit guidelines of the Asylum Service advise them to consult the list of the renewed residence permits. Only the RAO of Chios uploads the lists of the renewed ADET on the specific platform created for this purpose, contrary to practice followed by other RAOs / AAUs.[1282]

Returnees from other countries who may have been granted status several years before the establishment of certain RAOs and AAUs face many obstacles upon their return to Greece. In particular, returnees arriving at the Athens International Airport do not receive clear and accurate information on the authorities they should approach in order to obtain or renew their documents and to access their legal rights.[1283] In addition, they face long delays in the issuance of decisions on the renewal of residence permits, as specific checks are carried out, *inter alia*, on any possible criminal convictions in the country from which they have been sent back.

As per data published by the MoMA,[1284] a total of 148,036 applications for renewal were submitted throughout 2025, the majority of which (74.4%) were still pending at the end of the year. However, due to a lack of a relevant breakdown in the data, it is impossible to assess the percentage of these that specifically concerned beneficiaries of international protection.

For beneficiaries of international protection who applied for international protection before 7 June 2013 ("old procedure"), the competent authority for the renewal procedure is the Headquarters of the Hellenic Police (*Αρχηγείο Ελληνικής Αστυνομίας*). Specifically, the renewal procedure is conducted through the

1280 RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights,* March 2023, available at: https://bit.ly/45y1CY1, p. 7.

1281 Letter of Director of the Asylum Service, *Renewal of identity documents of beneficiaries of international protection*, prot. no. 58515/16.02.2024. The original letter is available at GCR.

1282 MoMA, *Initial Residence Permits that are Ready*, available at: https://bit.ly/3QiENRL. The separate page for renewed residence permits is available at: https://bit.ly/4aOprgn.

1283 Also see RSA and Stiftung Pro Asyl, *Recognised refugees in Greece 2025,* March 2025, available at: https://tinyurl.com/3emyk5w3, p. 36 *et seq*.

1284 MoMA*, Statistics: Consolidated Reports – Overview, December 2025 – Legal Migration | Appendix B*, available in Greek at: https://migration.gov.gr/statistika/, Table 4a.

Aliens Police Directorates (*Διεύθυνσεις Αλλοδαπών*) based on beneficiaries' place of residence. Contrary to the electronic procedure followed by the Asylum Service, this procedure requires the drafting of a legal document for the renewal application. Based on available Country of Origin Information (COI), the renewal application must demonstrate that reasons of persecution / serious harm still exist. During the renewal stage, even for the procedure before the Headquarters of the Hellenic Police, GCR observed that, in the years 2025–2026, following the submission of a renewal application, the Headquarters of the Hellenic Police notifies applicants who are beneficiaries of international protection with a document requesting that, either through an interview or by way of written submissions, they present within 20 days the reasons why they continue to face persecution in their country of origin. This practice effectively initiates a re-examination procedure on the merits, which in several cases—particularly concerning beneficiaries of subsidiary protection, including individuals originating from countries facing an extremely dangerous security situation, such as Afghanistan—leads to the non-renewal of residence permits.

Throughout 2025, a total of 450 applications for renewal were submitted before the Headquarters of the Hellenic Police, 57.3% of which concerned refugee status holders (258), and the rest beneficiaries of subsidiary protection (192). Of these, 227 applications were accepted, 5 were rejected, while the majority (51.5%) were still pending at the end of the year,[1285] highlighting ongoing challenges in the timely renewal of ADETs under the "old procedure" as well. Though waiting times for renewal continued to be reported at less than 6 months in most pending cases under this procedure, close to a third were reported as pending for more than 6 months or even a year.[1286]

Pending the renewal decision, a large number of beneficiaries have no access to the labour market, to social security, social welfare and sometimes healthcare for several months. As a consequence, they also face an increased risk of destitution and homelessness. The attestation of application status (*βεβαίωση κατάθεσης αίτησης ανανέωσης άδειας διαμονής*) issued by the Aliens Directorates underwent a complete change in format in 2025. In contrast to the attestation previously provided by the Asylum Service, it now includes a photograph and an expiration date of six months (with a fixed validity date), and it contains an explicit reference to Article 31 of Law 5226/2025, stating that the holder resides legally in the country and enjoys all rights attached to the residence permit for which renewal has been requested. This, in principle, should allow the document to be accepted by other Greek public authorities. However, the attestation does not bear a unique identification number, and therefore cannot be processed through the ERGANI system, preventing access to the labour market and to social benefits. Moreover, although beneficiaries receive their renewed residence permits on the same day they are notified of a positive renewal decision, these permits are often not accepted by public services, as they are handwritten, issued in booklet form, and remain unfamiliar to the majority of administrative authorities.

As of December 2025, a total of 96,438 active residence permits for beneficiaries of international protection were reported by the MoMA,[1287] the majority of which concerned nationals of Aghanistan (35.8%), Syria (20.2%), Palestine (11.5%), Iraq (8.1%) and Eritrea (4%). This represents 10.3% of the total number of active residence permits reported up to December 2025 (936,522) in Greece, the majority of which concerned other categories of legally residing third country nationals (56.2%), as well as expatriates (ομογενείς) and EU citizens (29.5%).

At the same time, 7,640 renewal applications were still pending before the Asylum Service at the end of 2025.[1288]

2. Civil registration

[1285] Information provided by the Headquarters of the Hellenic Police on 28 February 2026.
[1286] RSA, *Recognised refugee statistics in Greece in 2025*, March 2026, available at: https://tinyurl.com/435psr2v, p.3.
[1287] MoMA, *Statistics: Consolidated Reports – Overview, December 2025 – Legal Migration | Appendix B*, available in Greek at: https://migration.gov.gr/statistika/, Tables 1 and 18.
[1288] RSA, *Recognised refugee statistics in Greece in 2025*, March 2026, available at: https://tinyurl.com/435psr2v, p.3.

According to Article 20(1) L. 344/1976, the birth of a child must be declared within 10 days to the Registry Office of the municipality where the child is born.[1289] In case of late declaration, the person liable for the declaration of the relevant civil status event has to submit, along with an application, a fee of thirty (30) euros if the declaration was made after the lapse of the ten-day deadline provided for in Article 20(1) L. 344/1976 and sixty (60) euros if the declaration is made after the lapse of ninety (90) days from the date on which the event occurred.[1290]

As for the birth registration, beneficiaries of international protection have reported to GCR that if they do not or cannot obtain a certified marriage certificate from their country of origin, the child is declared without a father's name. Though the Asylum Service issues family status verifications, these state that the family status of the beneficiaries is in accordance to their declaration. This results in many such verifications not being accepted by public services (e.g., EFKA, Tax Authorities, KEP (Citizens' Service Center), since they are perceived as solemn declarations and not as official certificates. In what regards beneficiaries subject to the 'old procedure', the Headquarters of the Hellenic Police does not issue, as a matter of practice, family status verifications, in breach of Article 25 Asylum Code.

In 2025, GCR observed that the Headquarters of the Hellenic Police continued not to issue family status verifications. However, it did issue file progress verifications/certificates (*βεβαιώσεις πορείας φακέλου),* in which, if family members were included in the same file as the refugee, they were explicitly listed by name together with the phrase "the following persons are being regularised alongside him/her" ("*πλησίον του/της τακτοποιούνται*…"). Since this document was not formally titled a "family status certificate," or "family status verification" it was frequently not accepted by Greek public authorities.

A further challenge is that according to Greek Legislation, the father's first name or grandfather's first name cannot be used as the child's surname, as per applicable practice in many of the beneficiaries' countries of origin. This is a very common mistake made by many mothers and interferes with the name-giving (*ονοματοδοσία*) of the child, especially when the child's father is not residing in Greece. In these cases, it is hard to prove that the child's father, as declared in the child's birth certificate, is the same person signing the authorisation held by the mother for the name-giving. Since name-giving is one of the essential rights of a legal guardian, this leads to a situation whereby a Court must first decide upon removing the parental responsibility of the parent not present/residing in Greece, before the parent residing in Greece can proceed with the name-giving. This is a lengthy and uncertain legal procedure, since the Greek Civil Code establishes strict grounds for the termination of parental responsibility.[1291]

Pursuant to Ministerial Decision 9169 ΕΞ 2022-10.3.2022, the name-giving (*ονοματοδοσία*) can be done electronically through the Greek government's official website.[1292] However, in order to access this website (gov.gr), beneficiaries need to verify their phone number through e-banking. The system theoretically also allows the usage of taxisnet codes (taxation/fiscal electronic codes used for the submission of tax declaration). Yet in practice, after a couple of steps, if the beneficiary's phone number has not been verified through e-banking, the system shuts down. This means that a large number of beneficiaries are *de facto* unable to access this new electronic name-giving system as they do not have e-banking.

A marriage must be declared within 40 days at the Registry Office of the municipality where it took place.[1293] In case of late declaration, alongside an application, beneficiaries need to pay a thirty (30) euro fee if the declaration is made after the 40-days deadline has lapsed, and a sixty (60) euro fee if the declaration is made after the lapse of ninety (90) days from the date on which the event occurred.[1294] In order to get legally married in Greece, the parties must provide a birth certificate and a certificate of celibacy from their countries of origin.[1295] For recognised refugees, due to the disruption of ties with their

1289 Article 20 L. 344/1976 on Civil Registration Acts, Gov.Gazette A 143/11.6.1976.
1290 Article 49(1) L. 344/1976.
1291 Article 1532 Greek Civil Code.
1292 Ministerial Decision 9169 ΕΞ 2022-10.3.2022, Gov. Gazette B' 1210/16.03.2022.
1293 Article 29(1) L 344/1976.
1294 Article 49(1) L. 344/1976.
1295 Article 1(3) P.D. 391/1982.

country of origin, the Ministry of Interior has issued general orders to the municipalities to substitute the abovementioned documents with an affidavit of the interested party.[1296] However, asylum applicants and beneficiaries of subsidiary protection are still required to present such documentation, which is extremely difficult to obtain, and face obstacles which undermine the effective enjoyment of the right to marriage and the right to family life. In some cases, this forces them to obtain a court order to officiate their wedding ceremony.[1297]

As for civil partnership, as far as GCR is aware the Registry Office of Athens requires from beneficiaries of international protection to provide interpretation services by their own means, in order to be able to register the notarial act of the civil partnership. In these cases, personal data of interpreters appears on the civil partnership certificates, despite the fact that they do not constitute elements of the present act.[1298]

Civil registration affects the enjoyment of certain rights by beneficiaries of international protection. For instance, a birth certificate or a marriage / civil partnership certificate are required to prove family ties in order to be recognised as a family member of a beneficiary of international protection and to be granted a similar residence permit according to Articles 22(2) and 23(3) Asylum Code (see Status and Rights of Family Members).

In practice, the main difficulties faced by beneficiaries with regard to civil registration are the language barrier and the absence of interpreters at the Registration Offices of the municipalities. This gap often leads to errors in birth or marriage certificates, which are difficult to correct and require a court order to do so.

3. Long-term residence

Indicators: Long-Term Residence

1. Number of long-term residence permits issued to beneficiaries in 2025: Not available*

*(this is with the exception of data provided by the Residence Permit Divisions of the Municipalities of Arta and of Ioannina, per the replies of which a total of 3 long-term residence permits were granted to beneficiaries of international protection in 2025, of which 2 concerned beneficiaires of subsidiary protection and 1 a refugee status holder).[1299]

According to Article 144 para. 1 L. 5038/2023 (Immigration Code), which entered into force on 31 March 2024,[1300] third-country nationals are eligible for long-term residence if they have resided in Greece lawfully for five consecutive years before the application is filed. For beneficiaries of international protection, the calculation of the five-year residence period includes half of the period between the lodging of the asylum application and status recognition, or the full period if the asylum procedure exceeded 18 months.[1301] Periods of absence are not taken into account for the determination of the five-year period, provided that they do not exceed six consecutive months and 10 months in total, within the five-year period.[1302] A €150 fee is also required.[1303]

To be granted long-term resident status, beneficiaries of international protection must also fulfil the following conditions:[1304]

- Have sufficient income to cover their needs and the needs of their family, which is earned without recourse to the country's social assistance system. This income cannot be lower than the annual

1296 See *e.g.*, Ministry of Interior, General Orders to municipalities 4127/13.7.81, 4953/6.10.81 and 137/15.11.82.
1297 Single Member Court of First instance of Athens 6459/2009, 3581/2010, Single-member Court of First Instance of Kos 390/2013 and Athens Magistrates' Court 91/2017.
1298 Article 9 & 31A L. 344/1976.
1299 Information provided by Residence Permit Divisions of the Municipalities of Arta and of Ioannina on 2 and 12 February 2026 respectively.
1300 Article 179 L. 5038/2023 (Immigration Code).
1301 Article 144(2), subparagraph b L. 5038/2023.
1302 Article 144(3) L. 5038/2023.
1303 Ministry of Migration and Asylum, *Long Term Residence Permits (Law 5038/2023),* available in Greek here.
1304 Article 144(1) L. 5038/2023.

income of an employee on minimum wage, pursuant to national laws, increased by 10% for all the sponsored family members, also taking into account any amounts from regular unemployment benefits. The contributions of family members are also taken into account for the calculation of the income;

- ❖ Have full health insurance, granting all the benefits provided for the equivalent category of insured Greek nationals, which also covers their family members;
- ❖ Fulfil conditions indicating their integration into Greek society, such as "good knowledge of the Greek language, knowledge of elements of the Greek history and Greek civilisation"[1305] or legal residence in Greece for twelve (12) years.[1306]

The submission of application for the initial issuance of long-term residence permits and for the renewal of long-term residence permits can only be made electronically, through the special website of the Ministry of Migration and Asylum.[1307]

Upon receipt of the long-term residence permit, the beneficiary of international protection shall return the residence permit of a beneficiary of international protection, which shall be forwarded to the Asylum Service and shall automatically cease to be valid.[1308]

According to the guidelines of the Directorate of Legal Support, Asylum and Reception of the Ministry of Migration and Asylum issued on 16 December 2024, the competent Office cancels the residence permit (ADET), which is placed in the beneficiary's file. The beneficiary of international protection who holds a long-term residence permit shall not be entitled either to hold an international protection residence permit or to apply for its renewal. In the event that the Asylum Service is informed that a beneficiary of international protection is in possession of two residence permits, it shall ask them to hand over the international protection residence permit immediately, which is subsequently cancelled.[1309]

In accordance with Article 148(1)(g) L. 5038/2023 a long-term resident shall not be entitled to retain the long-term resident status if the application for renewal of international protection status is withdrawn or rejected on the grounds of Articles 13(3) Article 18(3) L. 4939/2022.

However, *contra legem*, according to the above-mentioned guidelines, applications for the renewal of an international protection residence permits submitted by holders of a long-term residence permits, according to Article 23 of Law 4939/22, is not examined on the merits. Instead, it is placed on the beneficiaries' files and a written confirmation reply is given to them. Furthermore, if the beneficiaries of international protection have applied for the initial issuance or renewal of a long-term residence permit and is in possession of a certificate of filing of the application, they shall not be entitled to hold at the same time, an international protection residence permit or to apply for its renewal.[1310]

In case of revocation or loss of the long-term resident status of a beneficiary of international protection, the Asylum Service is informed in order to reissue the international protection residence permit.[1311]

According to the aforementioned guidelines, in the event that the beneficiaries lose their long-term resident status, then, if they retain their international protection status, they shall be entitled to be granted an international protection residence permit again. In this case, the factual delay in submitting an

1305 Article 145(2)(a) L. 5038/2023.
1306 Article 145(2)(c) L. 5038/2023.
1307 Ministry of Migration and Asylum, *Apply on-line to renew your residence permit,* available at: https://bit.ly/3JzsSvp.
1308 Article 145(3) L. 5038/2023.
1309 Ministry of Migration and Asylum, Directorate of Legal Support, Asylum and Reception, *Guidelines on the application of the legislative framework in the case of acquisition of long-term resident status by a beneficiary of international protection status*, prot. no. 301174, 16.December 2024, p. 3, available in greek here.
1310 Ministry of Migration and Asylum, Directorate of Legal Support, Asylum and Reception, *Guidelines on the application of the legislative framework in the case of acquisition of long-term resident status by a beneficiary of international protection status*, prot. no. 301174, 16 December2024, pp. 3-4, available in greek here.
1311 Article 148(3) L. 5038/2023.

application for renewal of an international protection residence permit will not lead to the imposition of the fine, which is provided for in par. 1 of Article 23 of Law 4939/22.[1312]

The guidelines resolved the issue that had arisen with regard to the travel documents of beneficiaries of international protection granted long-term resident status and which had also been raised in previous AIDA reports.[1313] In particular, it is clarified that given that there is no prohibitive provision in the Asylum Code or in JMD 10302/20, a beneficiary of international protection who holds a long-term residence permit is entitled to hold a travel document issued by the Asylum Service, as well as to apply for its renewal, provided that the legal conditions are met.[1314]

The control of the international protection status (Articles 13 and 18 L. 4939/22) should be carried out by the Asylum Service during the examination of the application for renewal of the travel document. Otherwise, the control as to the maintenance of the international protection status must be carried out every three (3) years, from the date of the cancellation of the international protection residence permit.[1315]

It is stressed that at a meeting of the Council's permanent representatives committee, EU member states agreed their negotiating mandate for updating the EU long-term residents Directive. This Directive sets out the conditions under which third-country nationals can acquire EU long-term resident status. In accordance with the Council position, third-country nationals can cumulate residence periods of up to two years in other member states in order to meet the requirements of the five-year residence period. However, in the event of an applicant having resided in another member state, the Council has decided to accept only certain types of legal residence permits, such as the EU Blue Cards or residence permits issued for the purpose of highly qualified employment.[1316]

Pursuant to Article 36 of Law 5275/2026, which entered into force in February 2026 amending Article 148 of the Migration Code, long-term residence status is revoked or lost where:

a) It is proven that the status holder has fraudulently obtained the status;
b) A return decision has been issued against him or her, in accordance with Article 150;
c) The status holder has been absent from the territory of the European Union for a period of twelve (12) consecutive months or longer;
d) The status holder poses a threat to public order, taking into account the seriousness of the offenses committed, even if such a threat does not constitute grounds for return within the meaning of Article 150;
e) The status holder has acquired long-term resident status in another Member State of the European Union, in the context of exercising the right of residence in other Member States pursuant to Directive 2003/109/EC;
f) It is proven, by any means, that they have been absent from the territory of Greece for a period exceeding six (6) years;
g) the international protection status has been revoked or not renewed, in accordance with paragraph 3 of Article 13 and paragraph 3 of Article 18 of Law 4939/2022 (A' 111). The Asylum Service shall notify the Secretary of the competent Decentralized Administration in the event of revocation or non-renewal of the international protection status of a holder of a long-term residence permit.

4. Naturalisation

Indicators: Naturalisation

1. What is the minimum residence period for obtaining citizenship?

[1312] Ministry of Migration and Asylum, Directorate of Legal Support, Asylum and Reception, Guidelines on the application of the legislative framework in the case of acquisition of long-term resident status by a beneficiary of international protection status, prot. no. 301174, 16.12.2024, p. 4, available in Greek here.
[1313] See here.
[1314] Ibid.
[1315] Ibid.
[1316] European Council, Council of European Union, *Third-country nationals: EU updates rules for long-term resident status*, Press release, 23 November 2023, available at: https://bit.ly/3UfJzRo.

- ❖ Refugee status 7 years
- ❖ Subsidiary protection 7 years

2. Number of citizenship grants to beneficiaries in 2025: 50[1317]

4.1. Conditions for citizenship

The Citizenship Code[1318] has been subject to numerous amendments over the years.[1319] Prior to the amendment of March 2020,[1320] refugees could apply for citizenship under condition that they *inter alia* resided lawfully in Greece for a period of three years. The amended legislation has increased this period to seven years,[1321] similarly to the time period required for foreigners residing in Greece on other grounds under migration law, despite the legal obligation under Article 34 of the Geneva Convention 1951 to *'facilitate the assimilation and naturalisation of refugees'* and *'in particular make every effort to expedite naturalisation proceedings'*. The aforementioned amendment does not apply to refugees who had already submitted an application for naturalisation that was still pending by the time L. 4674/2020 entered into force.[1322]

Specifically, according to the Citizenship Code,[1323] citizenship may be granted to a foreigner who:

(a) has reached the age of majority by the time of the submission of the declaration of naturalisation;
(b) has not been irrevocably convicted of crime/crimes exhaustively listed in the Citizenship Code, committed intentionally in the last 10 years, with a sentence of at least one year or at least six months regardless of the time of the issuance of the conviction decision. Conviction for illegal entry in the country does not obstruct the naturalisation procedure.
(c) has no pending deportation procedure or any other issues with regard to their status of residence;
(d) has lawfully resided in Greece for seven continuous years before the submission of the application;
(e) holds one of the categories of residence permits foreseen in the Citizenship Code, *inter alia* long-term residence permit, residence permit granted to recognised refugees or subsidiary protection beneficiaries, or second-generation residence permit.

Applicants should also:[1324]

(a) have sufficient knowledge of the Greek language;
(b) adequately know the Greek history and geography, the Greek culture and the habits of the Greek people, as well as the functioning of the institutions of the Constitution of the country.
(c) be normally integrated in the economic and social life of the country. According to the Citizenship Code, supporting documents proving the economic independence of the applicant must be submitted in the application.[1325] Additionally, the above-mentioned law provides that the applicant is not examined through an interview regarding their financial independence, yet the examiner of each case is responsible for issuing the decision taking under consideration only the provided documents.[1326] In case there are doubts as to whether the applicant satisfies the conditions of economic and social integration, the applicant shall be invited to an interview, in accordance with paragraph 7, in order to determine accurately the degree of his or her economic and social integration into the country. The third country national shall be summoned by registered correspondence with proof of delivery. If such correspondence is returned undelivered twice, or if the foreign national, without reasons of objective impossibility, fails to appear for the interview,

1317 Information provided by the Central Directorate of Citizenship operating under the General Secretariat of Citizenship of the Ministry of the Interior on 4 February 2026.
1318 L. 3284/2004, Gov. Gazette A' 217/10-11-2004.
1319 See *inter alia* L. 4604/2019,Gov. Gazette A 50/26-03-2019), L. 4674/2020,Gov. Gazette A 53/11-03-2020), L. 4735/2020, Gov. Gazette A' 197/12.10.2020).
1320 L. 4674/2020.
1321 Article 5(1)(d) Code of Citizenship, as in force .
1322 Ministry of Interior, Circular No 151/2020, 25 May 2020, available in Greek at: https://bit.ly/3sDV5pG, p. 8.
1323 Article 5(1) Citizenship Code.
1324 Article 5A (1) Citizenship Code.
1325 Article 37 L. 4873/2021.
1326 Article 38 L.4873/2021.

the naturalization application shall be rejected by the Head of the Regional Directorate for Citizenship.[1327]

(d) It is worth mentioning that according to Ministerial decision No 29845/16.04.2021, applicants and beneficiaries of international protection, who have submitted their application before 31-3-2021 are required to submit documents proving their economic independence and social life for the last five years before their application.[1328]

Law 4735/2020 introduced a substantial reform in the naturalisation procedure for third country nationals by providing for the Certificate of Adequacy of Knowledge for Naturalisation (*Πιστοποιητικό Επάρκειας Γνώσεων για Πολιτογράφηση (ΠΕΓΠ),*[1329] as a prerequisite for applying for naturalisation. The examination procedure is in writing, as, according to the General Secretary of Citizenship of the Ministry of Interior '*the written test was introduced in order to apply objective evaluation criteria ensuring reliability and transparency, to safeguard the integrity of the process of acquiring Greek citizenship and to harmonize this practice with the practices of other countries at European and international level*'.[1330] The examinations are conducted twice per year on specific dates determined by the Organizing Committee and announced through publication on the platform of the General Secretariat for Citizenship, following an official announcement by the Ministry of the Interior.[1331] In practice, the examinations for the Certificate of Adequacy of Knowledge for Naturalisation (*Πιστοποιητικό Επάρκειας Γνώσεων για Πολιτογράφηση – Π.Ε.Γ.Π.)* are regularly conducted twice annually, during the April and November examination periods, as reflected in the official announcements of the Greek Ministry of Interior.[1332]A pool of questions for the acquisition of the Certificate of Adequacy of Knowledge for Naturalisation and information on the respective exams were posted on the webpage of the Ministry of Interior.[1333] As regards applicants who are over 62 years old, those who are unable to take a written test due to learning difficulties, and those with a disability certificate of 68% or more, the Adequacy of Knowledge for Naturalisation examinations can be oral.[1334] In February 2022, a circular was issued providing more details on the exams procedure.[1335]

As per the statistics issued by the General Secretariat for Citizenship of the Ministry of Interior[1336], in 2025 the rate of successful applicants ranged from 50.74% (April 2025 exams) to 44.52% (November 2025 exams). Overall, during 2025, a total of 286 beneficiaries of international protection received the Certificate of Adequacy of Knowledge for Naturalisation.[1337] GCR, based on citizenship applications it has handled and completed in 2025 after several years of procedure, observes that in most cases even well-prepared beneficiaries of international protection are not able to pass the citizenship examination on their first attempt, and that almost all candidates require two or even three attempts to succeed. This is reportedly linked to the difficulty of the examination questions.

1327 Article 7 (6) Citizenship Code as amended by article 38 L. 4873/2021

1328 Ministerial Decision 29845/16.4.2021 Gov. Gazette B 1652/22.4.2021.

1329 Ministry of Interior, General Secretariat of Citizenship, available at: https://bit.ly/3s9ln31.

1330 Ministry of Interior, General Secretariat of Citizenship, available at: https://bit.ly/4dfyhVJ.

1331 Decision No. 21536/2026, Government Gazette (FEK) 2319/B/24-4-2026, Article 2 ("Place and time of the examinations, and procedure for submitting an application for participation in the examinations").

1332 See indicative official announcements of the Greek Ministry of Interior (General Secretariat for Citizenship) regarding the conduct of the Π.Ε.Γ.Π. examinations and the publication of results (in Greek):https://www.ypes.gr/anartisi-apotelesmaton-exetaseon-pegp-5is-noemvriou-2023/ ; https://www.ypes.gr/oloklirothikan-epitychos-oi-exetaseis-apoktisis-pistopoiitikou-eparkeias-gnoseon-gia-politografisi-p-e-g-p/ ; https://www.ypes.gr/enarxi-exetaseon-gia-tin-apoktisi-pistopoiitikou-eparkeias-gnoseon-gia-politografisi-p-e-g-p/ ; https://www.ypes.gr/oloklirothikan-me-epitychia-oi-panellinies-exetaseis-apoktisis-pistopoiitikou-eparkeias-gnoseon-gia-politografisi-p-e-g-p/ ; https://www.ypes.gr/deltio-typou-g-g-ithageneias-ypes-anakoinosi-apotelesmaton-exetaseon-p-e-g-p-3is-noemvriou-2024/ .

1333 Ministry of Interior, General Secretariat of Citizenship, available at: https://bit.ly/3WgrMfB.

1334 Ministry of Interior, General Secretariat of Citizenship, available at: https://bit.ly/3WcAkUJ.

1335 Ministry of Interior, Circular No 81/04.02/2022, *Prot.No: Φ 130181/6929*, 4 February 2022, available in Greek at: https://bit.ly/3wMsSmz.

1336 Ministry of Interior, *General Secretariat of Citizenship, Examination Statistics for the Certificate of Adequacy of Knowledge for Naturalisation*, 2 December 2025, available in Greek at: https://tinyurl.com/4nwbcj3u.

1337 Information provided by the Central Directorate of Citizenship operating under the General Secretariat of Citizenship of the Ministry of the Interior on 4 February 2026.

4.2. Naturalisation procedure

Beneficiaries of international protection who wish to apply for naturalisation must first take exams and get the Certificate of Knowledge Adequacy for Naturalisation. Exempted from this obligation are those who have studied for a given number of years in Greek primary school, elementary school, high school or Greek universities, who can submit a direct application for naturalisation, when completing the required number of previous years of legal residence.[1338] In particular, according to the Ministry of Interior,[1339] this applies to: "(a) those who have successfully completed either nine classes of primary and secondary education or six classes of secondary education; (b) those who attend a Greek university and have obtained a bachelor's or master's degree or a doctorate, are exempted from the obligation to obtain the Certificate of Adequacy of Knowledge for Naturalisation (*Πιστοποιητικό Επάρκειας Γνώσεων για Πολιτογράφηση (ΠΕΓΠ)"*.

Those who have passed the exams and have obtained the Certificate of Knowledge Adequacy for Naturalisation are able to submit an application for naturalisation to the competent Citizenship Directorate of their place of residence, provided they have completed the required years of previous lawful residence in the country (i.e., 7 years).[1340]

A EUR 100 fee of is required for the submission of a naturalisation application for refugees. In case of beneficiaries of subsidiary protection, the fee is EUR 550.[1341] A EUR 200 fee is required for a re-examination of the case.[1342] For the participation in the exams for the acquisition of the Certificate of Knowledge Adequacy for Naturalisation, an additional fee of EUR 150 is required. For those who already had a pending application before the change of the law and the provision of the written test, the first participation in the examinations does not require a fee.[1343]

In case of a negative decision, the applicant may file an application for annulment before the competent Administrative Court of Appeal.[1344]

In case of a positive recommendation, the the competent authority of the Ministry of the Interior (i.e., "Head of the Directorate-General for Citizenship of the Ministry of the Interior") issues a decision granting the applicant Greek citizenship, which is, subsequently, published in the Government Gazette.[1345]

Greek citizenship is acquired following the oath of the person, within a year from the publication of the decision.[1346] Persons with disabilities can take the oath in their house or via teleconference.[1347] If the oath is not taken during this period, the decision is revoked.[1348] The procedure, in general, remains extremely slow and beneficiaries of international protection are often requested to submit several times social security certificate and tax clearance that expire. During 2025, applications for citizenship were processed within a year, provided the supporting documents in the file were complete.[1349] However , GCR observes that there are exceptionally long delays in practice in the issuance of naturalisation decisions. In particular, in cases concerning beneficiaries of international protection, the legal unit of the organisation is currently handling cases that have been pending since 2019.

1338 Generation 2.0 For Rights Equality and Diversity, *New naturalization process: what is it about?*, 30 March 2022, available at: https://bit.ly/44gUsa4.

1339 Ministry of Interior, General Secretariat of Citizenship, General Directorate of Citizenship, prot. no. Φ1200000/3316 / 07.05.2021, available in Greek at: https://bit.ly/3zhfg5L.

1340 Ibid.

1341 Article 6(1)(g) Citizenship Code.

1342 *Ibid.*

1343 Article 2(c) Ministerial Decision 28881/13.04.2021, Gov. Gazette B' 1535/15.04.2021.

1344 I. Kamtsidou, Associate Professor of Constitutional Law, *Advisory note on the rejection of an application for naturalisation on the basis of income criteria*, available in Greek at: https://tinyurl.com/c9xemmmw.

1345 Article 8 Citizenship Code in conjunction with the Ministerial Decision 34226/06.05.2019, Gov. Gazette B´ 1603/10.05.2019.

1346 Article 9(1) Citizenship Code.

1347 Article 9(5) Citizenship Code.

1348 Article 9(1) Citizenship Code.

1349 Information provided by the Central Directorate of Citizenship operating under the General Secretariat of Citizenship of the Ministry of the Interior on 4 February 2026.

Between January and December 2025, a total of 50 beneficiaries of international protection, primarily from Syria (13) and Afghanistan (10), received the Greek citizenship, of which 45 were refugee status holders and 5 were beneficiaries of subsidiary protection. During the same period, a total of 25 new applications for citizenship were submitted by beneficiaries of international protection.[1350]

5. Cessation and review of protection status

Indicators: Cessation

1. Is a personal interview of the beneficiary in most cases conducted in practice in the cessation procedure? ☒ Yes ☐ No

2. Does the law provide for an appeal against the first instance decision in the cessation procedure? ☒ Yes ☐ No

3. Do beneficiaries have access to free legal assistance at first instance in practice? ☒Yes ☐ With difficulty ☐ No
   - ❖ Beneficiaries of international protection who fall under the jurisdiction of the Headquarters of the Hellenic Police (old procedure) are not provided with free legal assistance.

Cessation of international protection is regulated by Articles 10 and 15 Asylum Code.

A third-country national or stateless person ceases to be a refugee if they:[1351]

(a) Voluntarily re-avail themselves of the protection of their country of origin;
(b) Voluntarily re-acquire the nationality they had previously lost;
(c) Have obtained a new nationality and benefit from that country's protection;
(d) Have voluntarily re-established themselves in the country they had fled or outside of which they had resided for fear of persecution;
(e) May no longer deny the protection of their country of origin due to the conditions leading to their recognition as a refugee having ceased to exist.
(f) in the case of a stateless person, are able to return to the country of former habitual residence because the circumstances which led to their recognition as a refugee have ceased to exist.

With regard to the provisions of Article (10)(1)(e) and (f), the change of circumstances must be substantial and durable.[1352] Moreover, these provisions shall not apply to a refugee who is in a position to invoke compelling reasons arising from previous persecution to refuse the protection afforded to them by the country of origin or, in case of a stateless person, by the country of their former habitual residence.[1353]

A third-country national or stateless person shall cease to be entitled to subsidiary protection when the circumstances which led to the recognition of their status have ceased to exist or when those circumstances have changed to such an extent that the protection granted is no longer necessary.[1354] In this context, it is examined whether the change of circumstances is of such a substantial and non-temporary nature that the beneficiary of subsidiary protection no longer faces a real risk of suffering serious harm.[1355] However, the cessation shall not apply to a beneficiary of subsidiary protection who is in a position to invoke compelling reasons arising from a previous serious harm to refuse the protection afforded to him by his country of nationality or, in the case of a stateless person, by his country of former habitual residence.[1356]

1350 *Ibid.*
1351 Article 10(1) Asylum Code.
1352 Article 10(2) Asylum Code.
1353 Article 10(3) Asylum Code.
1354 Article 15(1) Asylum Code.
1355 Article 15(2) Asylum Code.
1356 Article 15(3) Asylum Code.

Where cessation proceedings are initiated, the beneficiaries are informed in writing at least 15 days before the review of whether they meet the necessary conditions for international protection and the reasons for the review.[1357] The beneficiaries are entitled to submit their views on why the status granted should not be withdrawn.[1358] This provision is always respected by the Asylum Service. By contrast, in GCR's experience, the Headquarters of the Hellenic Police[1359] does not apply this provision in practice. It does not give the beneficiaries the right to a prior hearing either in writing or orally. The beneficiary is only notified of the cessation decision. During the renewal stage, even for the procedure before the Headquarters of the Hellenic Police, GCR observed that, in the years 2025–2026, following the submission of a renewal application, the Headquarters of the Hellenic Police notifies applicants who are beneficiaries of international protection with a document requesting that, either through an interview or by way of written submissions, they present within 20 days the reasons why they continue to face persecution in their country of origin. This practice effectively initiates a re-examination procedure on the merits, which in several cases—particularly concerning beneficiaries of subsidiary protection, including individuals originating from countries facing an extremely dangerous security situation, such as Afghanistan—leads to the non-renewal of residence permits and the cessation of their international protection status.

In case of negative decisions of 1st instance issued either by the Asylum Service or the Headquarters of the Hellenic Police, beneficiaries of international protection have the right to lodge an appeal before the Appeals Authority within thirty days from the service of the negative decision. However, as noted, beneficiaries of international protection for whom the competent authority is the Headquarters of the Hellenic Police, are in practice deprived of a degree of jurisdiction, since they are never heard at 1st instance. As these beneficiaries do not have an Asylum Service case number, but instead a Police Headquarters file number, they have to wait for months until their case is given an asylum service case number so that their appeal can be examined by the Appeals Authority.

During 2025, the Asylum Service did not renew international protection status (i.e., implying a cessation) in a total of 11 cases, the majority of which concerning nationals of Iraq (6) and Syria (3).[1360] According to an announcement by the MoMA, the Revocations Unit of the Returns Directorate of the Asylum Service proceeded, during the period from 1 March 2026 to 9 April 2026, with the revocation of 1,203 refugee statuses of Syrian nationals.[1361]

Pending the appeal, all beneficiaries of international protection are provided, either by the Asylum Service or the Headquarters of the Hellenic Police, with a certificate proving they have filed an appeal. This certificate, however, does not give them access to the labour market, health care, or social assistance. In fact, it only offers them protection from detention.

Where the person appeals the decision, contrary to the Asylum Procedure, the Appeals Committee is required to hold an oral hearing of the beneficiary in cessation cases.[1362]

1357 Article 96(2)(a) Asylum Code.
1358 Article 96(2)(b) Asylum Code.
1359 The Headquarters of the Hellenic Police is competent for beneficiaries of international protection who applied for international protection before the start of Asylum Service's operation.
1360 RSA, *Recognised refugee statistics in Greece in 2025*, March 2026, available at: https://tinyurl.com/435psr2v, p.6.
1361 MoMa, 14.4.2026 available at: https://migration.gov.gr/1-203-anakliseis-kathestoton-diethnoys-prostasias-politon-apo-ti-syria-protia-tis-elladas-me-50-ton-etheloysion-epistrofon-poy-ginontai-apo-tin-ee-pros-ti-syria/(in Greek)
1362 Article 102(3) Asylum Code.

6. Withdrawal of protection status

Indicators: Withdrawal

1. Is a personal interview of the beneficiary in most cases conducted in practice in the withdrawal procedure? ☒ Yes ☐ No
2. Does the law provide for an appeal against the withdrawal decision? ☒ Yes ☐ No
3. Do beneficiaries have access to free legal assistance at first instance in practice? ☒ Yes ☐ With difficulty ☐ No

- ❖ Beneficiaries of international protection who fall under the jurisdiction of the Headquarters of the Hellenic Police (old procedure) are not provided with free legal assistance.

Withdrawal or non-renewal of **refugee status** is provided under Article 13 of the Asylum Code, where the person:

(a) Ceases to be a refugee according to Article 10 of the Asylum Code
(b) Should have been excluded from refugee status according to Article 11 Asylum Code;
(c) The use of false or withheld information, including the use of false documents, was decisive in granting refugee status;
(d) Is reasonably considered to represent a threat to national security;[1363] or
(e) Constitutes a threat to society following a final conviction for a particularly serious crime.

Without prejudice to the obligation of refugees to disclose any relevant information and to produce any relevant document available to them, in accordance with para. 1 of Article 3 of the Asylum Code, the determining authority shall demonstrate on an individual basis that the person concerned has ceased to be a refugee or has never been a refugee.[1364]

Under Article 18 of the Asylum Code, **subsidiary protection** may be withdrawn in case of:

(a) cessation under Article 15 of the Asylum Code;
(b) a beneficiary should have been excluded from subsidiary protection status according to Article 16(1) and (2) of the Asylum Code;
(c) it is established that the person has provided false information, or omitted information, decisive to the granting of protection.

In case of withdrawals, the beneficiaries of international protection:[1365]

a) are informed in writing by the competent authority at least fifteen (15) working days before the re-examination of their international protection, as well as for the reasons of the re-examination,
b) are entitled to submit a written statement to the competent authority, invoking the reasons why they consider that the status granted should not be withdrawn.

It is noted that in case of withdrawal, individuals have the right to submit an administrative appeal before the Appeals Committee within 30 days from the notification of the decision,[1366] and in case of rejection, they may lodge an Application for Annulment before the competent Administrative Court within 30 days.[1367] Moreover, according to Article 97(2) and 99(4) of the Asylum Code, if an appeal is submitted against a decision of revocation, the residence permit is returned to the appellant.

In October 2020, a Senegalese national, recognised refugee since 2014 (victim of female genital mutilation, forced marriage and sexual violence), submitted an application for the renewal of her and her

1363 The Asylum Service issued a Circular on 14 February 2022, concerning the cases where committing a serious crime is a ground for withdrawal or non-renewal of international protection status. See Asylum Service, *Circular, prot. no. 87206*, 14 February 2022, available in Greek at: https://tinyurl.com/2p8yxa2u, pp. 14 - 15.
1364 Article 13(2) Asylum Code.
1365 Article 96(2) Asylum Code.
1366 Article 97(1)(a) Asylum Code.
1367 Article 115 Asylum Code.

three children's residence permits before the Headquarters of the Hellenic Police. A year later, in November 2021, their renewal application was rejected based on the applicable at that time JMD 778/20.01.2021[1368] pursuant to which Senegal was included in the list of safe countries of origin, without any individualised assessment and prior hearing. In December 2022, their appeal, submitted in December 2021, was examined by the 1st Appeals Committee. In March 2023, their appeal was rejected and their refugee status was revoked.[1369] During 2021-2023 the refugee and her children had no access to the labour market, social security and healthcare, since they only held a certificate that they had lodged an appeal against their revocation decision. In June 2023, following the negative decision, they lodged an Application for Annulment before the Administrative Court of Athens, which was examined in March 2025 after many postponements. The decision is pending, while the applicants are still deprived of documents, and lack access to healthcare, legal residence, employment and ultimately protection.

As previously mentioned, revocation of international protection status can also take place for national security reasons. In a case of a Syrian refugee, who had been granted refugee status in 2017 due to his political beliefs imputed to him as a conscientious objector, his status was revoked on the grounds of national security. In August 2022, i.e., after almost six (6) years of legally residing in Greece, the applicant received a summons following the issuance of a classified document, on the basis of which his asylum status might be revoked because he was considered to be "a danger to the national security of the country" (Article 13 para. 4a, Law 4939/2022). In September 2022, decision of the Returns and Revocations Directorate, Revocations and Exclusions Department of the Asylum Service, was served to the refugee, pursuant to which his international protection status was revoked, his residence permit and travel document recalled, and he was ordered to return to Syria. In October 2022, the refugee filed an appeal before the Appeals Authority. However, his appeal was rejected in March 2023 by the 9th Appeal Committee,[1370] despite the fact that at no stage of the administrative procedure had he been informed of the substantive content of the reasons for the revocation of his refugee status, which deprived him of the effective exercise of the right to an effective remedy, hearing, and defense, as well as the procedural guarantees provided in Article 23(1) of Directive 2013/32/EU. The refugee filed an Application for Annulment and Suspension before the Administrative Court of Athens. As his Application for Suspension was rejected, he lodged a request for interim measure (Rule 39) before the ECtHR. Interim measures were granted by the Court in December 2023 and the application was lodged in February 2024. The Application for Annulment was pending examination on 13 May 2026). However, the Court, acting *ex officio*, granted an adjournment to a date that has not yet been reflected in the electronic case management system and is still pending publication. (at the time of writing).

In an identical case of revocation of the refugee status of a Syrian national pursuant to classified documents, the 12th Appeals Committee issued a decision annulling the revocation decision of the Office of the Returns and Revocations Directorate, Revocations and Exclusions Department of the Asylum Service. In particular, the Appeals Committee found that there were no national security reasons, taking into account, *inter alia*, that the Committee itself never had full access to the classified documents/information itself despite having requested it. Instead, the Committee had access only to a document from the Asylum Service, which according to the Committee, was not sufficient in order for the refugee to be considered a danger for national security.[1371]

The most important development regarding the revocation of refugee status for reasons of national security is the introduction of the application for annulment AK714/2024 under the pilot procedure before the Council of State.[1372] The decision is still pending. This case concerns a Syrian refugee represented by GCR and according to the Council of State, legal issues of general interest which have consequences for a wider circle of persons arise. In particular, a) the interpretation of Article 76(4) L. 4939/2022, which transposed Article 23(1)(b) of the Directive 2013/32/EU into national law, where the decision revoking refugee status is taken on the basis of confidential documents, without the person concerned having

1368 JMD 778/20.01.2021, Gov. Gazette B' 317/29.01.2021.
1369 Decision 180064/28.03.2023 of the 1st Independent Appeals Committee.
1370 Decision no. 186250/30.03.2023 of the 9th Independent Appeals Committee.
1371 Decision no. IP/14902/09.01.2024 of the 12th Independent Appeals Committee.
1372 Council of State, *Διαδικασία άρθρου 1 παρ. 1 και 3 του ν. 3900/2010 (Α΄ 213) - Γνωστοποίηση της υπ' αριθμ. 18/21.10.2024 πράξης της Επιτροπής του άρθρου 1 του ν. 3900/2010*, available in Greek here.

knowledge of them at any stage of the procedure, and b) the compatibility of the provisions of Article 100(10) Asylum Code with the provisions of Article 5 of Directive 2008/115/EC, according to which the adoption of a return decision is precluded where the principle of non-refoulement is infringed. This case concerns a Syrian refugee whose refugee status was revoked as it was held that "*there are grounds for considering the applicant to be reasonably considered a danger to national security*". The dismissal decision was based solely on a confidential document, the content of which and/or the essential elements of the file and/or at least the essential content of the grounds on which the withdrawal of the status granted was based, were not communicated to him or to his lawyer. As a result, it was impossible for the refugee to exercise effectively the right of defence and the right to an effective remedy.[1373] The Council of State (Plenary Session) issued decision No. 535/2026 on 6 May 2026 concerning the withdrawal of refugee status, access to case-file information, and the principle of *non-refoulement*. The Court held that when refugee status is revoked on grounds that the individual is considered a threat to national security, access to information in the administrative file may exceptionally be restricted, subject to strict procedural and substantive safeguards balancing the right to be heard and effective judicial protection against national security interests. It further clarified that such limitations must not amount to an absolute denial of access and must comply with EU procedural guarantees.The Court also confirmed that a return decision may be issued simultaneously with the revocation of refugee status, provided that the destination country is clearly specified and that the principle of non-refoulement is strictly respected at every stage of the procedure, including by administrative authorities, the Appeals Committees, police authorities executing removal, and the courts reviewing the case. The assessment must be individualized and up to date at each procedural stage.[1374]

The procedure described in Cessation is applicable to withdrawal cases.

On 12 April 2021, the Asylum Service issued a circular providing clarifications on the procedure regarding the provision of an opinion on the grounds of exclusion and revocation of the status of international protection prescribed by Article 91 IPA, as well as the renewal of residence permits (Article 2 IPA).[1375] More over, on 14 February 2022, the Asylum Service issued a circular providing clarification on the commission of a serious crime and its consequences for granting and withdrawal of international protection status.[1376]

During 2025, excluding the aforementioned 11 cases of cessation, the Asylum Service withdrew international protection in an additional 188 cases, the majority of which concerned nationals of Afghanistan (53), Türkiye (40), Palestine (29), Syria (29), and Iraq (21). The main ground for withdrawal related to “danger for the community” findings following a final conviction for a serious criminal offence (106 cases), followed by national security grounds (54).[1377]

More recently, in April 2026, the MoMA also announced that between 1 May 2026 to 9 April 2026, the GAS proceeded with the revocation of international protection in 1,203 cases, all of which concerned Syrian nationals.[1378]

1373 Decision no. IP/433248/18.7.2024 of the 3rd Independent Appeals Committee.

1374 Council of State (Plenary), Decision No. 535/2026, published 6 May 2026. Available in Greek at: https://tinyurl.com/4ntj3t5d.

1375 MoMA, 3716/12-4-21, *Διευκρινίσεις – ορισμός διαδικασίας σχετικά με την παροχή γνώμης περί συνδρομής ή μη συνδρομής λόγων αποκλεισμού, την ανάκληση καθεστώτος διεθνούς προστασίας του αρ. 91 ν.4636/2019, καθώς και την ανανέωση των αδειών διαμονής του αρ. 24 ν.4636/2019, μετά τη θέση σε ισχύ του ΠΔ 106/2020*, available in Greek at: https://bit.ly/3niHX8J.

1376 MoMA, 87206/14.02.2022, *Διάπραξη σοβαρού εγκλήματος και οι συνέπειές της στη χορήγηση και ανάκληση του καθεστώτος διεθνούς προστασίας*, 14 February 2022, available in Greek at: https://bit.ly/3IeaaYQ.

1377 RSA, *Recognised refugee statistics in Greece in 2025*, March 2026, available at: https://tinyurl.com/435psr2v, pp.6-7.

1378 MoMA, “1,203 revocations of international protection status for Syrian nationals – Greece leads the way with 50% of voluntary returns from the EU to Syria”, 14 April 2026, available in Greek at: https://tinyurl.com/2z6jkua2.

In what concerns the "old procedure" under the competence of the Hellenic Police, during 2025, a total of 5 status revocation decisions were issued with regards to refugee status holders, 2 of whom were from Türkiye, 1 from Afghanistan, 1 from Sudan, and 1 from Pakistan.[1379]

B. Family reunification

1. Criteria and conditions

Indicators: Family Reunification

1. Is there a waiting period before a beneficiary can apply for family reunification? ☐ Yes ☒ No
   - ❖ If yes, what is the waiting period?
2. Does the law set a maximum time limit for submitting a family reunification application? ☐ Yes ☒ No
3. Does the law set a minimum income requirement? ☒ Yes ☐ No

According to PD 131/2006 transposing the Family Reunification Directive, as supplemented by PD 167/2008 and amended by PD 113/2013, only recognised refugees have the right to apply for reunification with family members who are third-country nationals residing in their home country or in another country outside the EU.

As per PD 131/2006, "family members" include:

(a) Spouses;[1380]
(b) Unmarried minor children;[1381]
(c) Unmarried adult children with serious health problems which render them incapable to support themselves;[1382]
(d) Legally adopted children of the refugee and/or his/her spouse, either in Greece or in another country.[1383]
(e) Parents, where the beneficiary solemnly declares that they had been living with them and taking care of them before leaving their country of origin, and that they no longer have other family members to care for them and support them;[1384]
(f) Unmarried partners with whom the applicant has a stable relationship, which is proven mainly by the existence of a child or previous cohabitation, or any other appropriate means of proof.[1385]
(g) If the recognised refugee is an unaccompanied minor, they have the right to be reunited with their parents or their legal guardian or any other member of the family, where the refugee has no relatives in the direct ascending line or such relatives cannot be traced.

Documentation required

If a recognised refugee requests reunification with their spouse and/or dependent children, within three months from the service of the decision granting them refugee status, the documents required with the application are:[1386]

(a) A recent family status certificate, birth certificate or other document officially translated into Greek and certified by a competent Greek diplomatic authority, proving the family bond and/or the age of family members; and
(b) A certified copy of the travel documents of the family members.

1379 Information provided by the Headquarters of the Hellenic Police.
1380 Article 4(1)(a) P.D. 131/2006.
1381 Article 4(1)(a) & (b) P.D. 131/2006.
1382 Article 13(1)(a) P.D. 131/2006.
1383 Article 4(1)(a) & (b) P.D. 131/2006.
1384 Article 13(1)b) P.D. 131/2006.
1385 Article 13(1)(c) P.D. 131/2006.
1386 Article 14(1) PD 131/2006.

All the documents must be certified firstly by the Ministry of Foreign Affairs of the country of issuance and then by the competent Greek Consulate.

If the refugee cannot provide these certificates, the authorities take into consideration other appropriate evidence. In GCR's experience, this is not the case when it comes to travel documents, as the refugees who cannot objectively provide certified copies of travel documents of their family members are not given alternative solutions [e.g., laissez-passer, acceptance of commitment letter of International Committee of the Red Cross (ICRC)].[1387]

As per information provided by the Ministry of Foreign Affairs in December 2024, "*in 2024, nine (9) temporary travel documents were provided following family reunification applications, while no travel document of the Red Cross namely Emergency Travel Document (ETD) was issued to family members for family reunification*".[1388]

As far as the Emergency Travel Documents (ETDs) of the International Committee of the Red Cross are concerned, it has to be mentioned that, contrary to data provided by the Ministry of Foreign Affairs, during 2024 three (3) ETDs were issued. More precisely, in a case represented by GCR and pending before the European Court of Human Rights, the ICRC in September 2024 issued ETDs to stateless refugees' family members following a positive family reunification decision.[1389]

Regarding ETDs, it is stressed that, according to ICRC's regulations, they cannot be issued without a prior positive family reunification decision, while pursuant to P.D. 131/2006, copies of travel documents must be submitted as a prerequisite for the issuance of positive family reunification decision.

On the other hand, if the refugee is an adult and the application refers to their parents and/or the application is not filed within three months from status recognition, apart from the documents mentioned above, further documentation is needed:[1390]

(a) Full Social Security Certificate, i.e., certificate from a public social security institution, proving the applicant's full social security coverage; *or*
(b) Tax declaration proving the applicant's fixed, regular and adequate annual personal income, which is not provided by the Greek social welfare system, and which amounts to no less than the annual income of an unskilled worker – plus 20% for the spouse and 15% for each parent and child with which they wish to be reunited;
(c) A certified contract for the purchase of a residence, or a residence lease contract, or other certified document proving that the applicant has sufficient accommodation to meet the accommodation needs of their family.

The Asylum Service, implementing the law properly, requires either a social security certificate or a tax declaration. On the contrary, the Headquarters of the Hellenic Police ("old procedure") requests the cumulative submission of both documents. To date, in only one case represented by GCR before the Headquarters of the Hellenic Police, a positive decision on family reunification has been issued, solely upon the submission of the social security certificate, following GCR's statement of grounds and several interventions.[1391]

The abovementioned additional documents are not required in case of an unaccompanied child, recognised as refugee, applying for family reunification after the three-month period following status recognition.[1392] The Asylum Service has decided that unaccompanied or separated children who are

1387 Decisions 59/2018 and 861/2022 of the Administrative Court of First Instance of Athens. See AIDA, *Country Report: Greece, 2022 Update*, June 2023, available at: https://bit.ly/3PUOVk9.
1388 Reply of Ministry of Foreign Affairs, DH2 Directorate of the Ministry of Foreign Affairs to GCR's *request for information for the preparation of the updated Annual Report on Greece for 2024 in the framework of the Asylum Information Database (AIDA) project,* prot. no. Α.Π.Φ 171/ΑΣ 19 ΣΗΔΕ 195, 06 January 2024.
1389 ECtHR, Suji v. Greece, App. No. 13250/23, available in French here.
1390 Article 14(3) PD 131/2006, citing Article 14(1)(d).
1391 Decision No. 95/148106 / 22.08.2024, Director of Aliens Directorate / Headquarters of the Hellenic Police.
1392 Article 14(3) PD 131/2006, citing Article 14(1)(d).

recognised refugees, under the age of 15 years old, and have applied for family reunification do not require a family reunification interview. Instead, a written memo has to be submitted before the Asylum Unit for Beneficiaries of International Protection (AUIPB). Despite the fact that P.D. 131/2006 does not include siblings as family members, the AUIPB, in cases of unaccompanied minors, is asking from the Director of the Asylum Service an *ad hoc* exception in order to issue a positive family reunification decision also for the refugee's siblings.

Indicative cases illustrating the obstacles

Three family reunification cases, represented by GCR, have been brought before the ECtHR in 2023 and are still pending:

The first one concerns a stateless Rohingya unable to obtain travel documents (ECtHR, *Suji v. Greece*, communicated case - 13250/23).[1393] Even though Mr. Suji had submitted to the Greek authorities a commitment letter by the ICRC, ensuring the issuance of Emergency Travel Documents (ETDs) as soon as a positive family reunification decision would be issued, no such decision was issued for more than four (4) years. The family was reunited in Greece in November 2024, after five years of continuous interventions and an application before the ECtHR.[1394]

The second one concerns a case of an Afghan national, unable to obtain family reunification documents other than those issued by the Taliban regime, which are not recognised by the Greek State and are not certified by the competent Greek Consulate (ECtHR, *Dotani v. Greece*, communicated case - 31077/23).[1395]

The third case concerns the family reunification of a refugee from Burundi with his family members who are asylum applicants in South Africa. As a result, they cannot obtain travel documents required by law (ECtHR, *T.N.v. Greece* - 41855/23).[1396]

All the aforementioned cases were prioritised by the Court as cases of exceptional importance. The decisions are pending.

Furthermore, a damages action (*αγωγή αποζημίωσης*) for a recognised refugee from DRC regarding the delay of the enforcement of the family reunification decision for more than 6 years from its issuance was submitted before the Administrative Court of Athens in December 2023 and is still pending as of May 2026. On 7 April 2025, a request for priority scheduling of a hearing was submitted before the Administrative Court of First Instance of Athens due to the seriously deteriorating health condition of applicant. Despite the submission of extensive documentation, the request was rejected. As of the time of writing, the are still awaiting the scheduling of a hearing date.[1397]

An application for annulment (case No. AK347/2025) was filed in March 2025 before the Administrative Court of First Instance of Athens, in a case represented by GCR,following the implicit rejection by the Asylum Service of a family reunification request submitted on behalf of a recognised refugee from Yemen. The case concerns a request for family reunification with his spouse and his nephew, of whom he is the legal guardian following a Yemeni court decision, as adoption is not permitted under Yemeni law. A hearing had been scheduled for 20 March 2026; however, it was adjourned ex officio by the Court to 23 October 2026. The underlying application was rejected by the Asylum Service on the basis of a narrow interpretation of the relevant legal provisions, without taking into account the broader concept of family life in refugee contexts, the impossibility for refugees to comply with requirements that are objectively impossible, the need for an in-depth assessment of the family situation, or the best interests of the child.

1393 ECtHR, Suji v. Greece, App. No. 13250/23, available in French here.
1394 GCR, Press release, *Ανιθαγενής αναγνωρισμένος πρόσφυγας επανενώνεται με την οικογένεια του στην Ελλάδα μετά από χρόνια*, available in Greek here.
1395 ECtHR, Dotani v. Greece, App. No. 31077/23, available in French here.
1396 ECtHR, T.N. v. Greece, App. No. 41855/23, available in French here.
1397 Application for priority scheduling of a hearing before the Administrative Court of First Instance of Athens, case registration No. ΓΠ18301/7.4.2025.

The appeal submitted before the competent Asylum Unit concerning International Protection Beneficiaries was never explicitly decided, leading to judicial recourse against the implied refusal before the Administrative Court of First Instance of Athens.

In May 2025, an application for annulment (case No AK668/2025) was filed by GCR before the Administrative Court of First Instance of Athens against a negative decision rejecting an application for family reunification concerning the mother of a recognised beneficiary of international protection, who remains stranded in Gaza. The rejection was based on the reasoning that the applicant allegedly had a supportive network in her country of origin and was able to support herself, thereby disregarding the well-known and ongoing critical humanitarian situation in Gaza, which cannot reasonably sustain such an assessment In the present case. The Asylum Unit of International Protection did not issue a decision on the administrative appeal lodged against the negative first-instance decision. Consequently, GCR filed an application for annulment due to the tacit/implicit rejection of the appeal. More generally, there appears to be a practice within the Asylum Service of not issuing decisions on administrative appeals, in contrast to the practice that previously existed under the jurisdiction of the Hellenic Police Headquarters in matters of family reunification prior to the establishment and operationalisation of the Asylum Service. As of the time of writing, no hearing date has yet been scheduled for the examination of the application for annulment.

In 2026, the Administrative Court of First Instance of Athens issued judgment ΑΔ114/2026 concerning an application for annulment against the refusal of the Greek Consulate General in Cairo to issue a family reunification visa to a Palestinian national, spouse of a recognised refugee in Greece. The Court found that the refusal was insufficiently reasoned, based on vague and unsubstantiated findings, and vitiated by a serious procedural defect, namely the failure to keep official minutes of the family members' interviews at the Consulate. It annulled the decision and referred the case back to the administration for reconsideration. This constitutes the first positive judgment of its kind in Greece concerning the annulment of a consular refusal of a family reunification visa.

A Joint Ministerial Decision was issued in August 2018 on the requirements regarding the issuance of visas for family members in the context of family reunification with refugees.[1398] Among other provisions, this Decision sets out a DNA test procedure in order to prove family links and foresees interviews of the family members by the competent Greek Consulate. The entire procedure is described in detail in the relevant handbook of the Ministry of Foreign Affairs.[1399] The cost of the DNA test is borne by the refugee, unless it can be covered otherwise.[1400] In addition, the DNA kit must be sent from the Forensic Science Department (*Διεύθυνση Εγκληματολογικών Ερευνών*) that conducts the test, to the Greek Consulate in the diplomatic post of the Ministry of Foreign Affairs. This is a procedure which can be very lengthy.

In response to GCR's request to the Ministry of Foreign Affairs in December 2024, the latter replied that "*In 2024, in one case a DNA test was carried out at the Consulate General of Greece in Istanbul to establish the family relationship of a Syrian national. In other cases, DNA testing was not carried out because either it was not considered necessary following interviews, or because the family relationship had been established through documents, or because the Asylum Service had accepted the family relationship with a positive decision*."[1401] During 2025, a DNA test was carried out in one family reunification case handled by GCR. However, it remains unclear how many DNA tests were conducted in general, as the Ministry of Migration and Asylum and the Ministry of Foreign Affairs have not yet responded to relevant inquiries submitted in the context of the preparation of the present report at the time of writing.

1398 JMD 47094/2018, Gov. Gazette B/3678/28.08.2018.

1399 Ministry of Foreign Affairs, *Immigration Code Handbook*, 2019, 123-127.

1400 Ibid. According to the Greek Ministry of Foreign Affairs "*In 2023, in only one case a DNA test was carried out to prove the family link in a family reunification case in 2022*.", AIAD, Country report: Greece, 2023 Update, p. 261, available here.

1401 Reply of Ministry of Foreign Affairs, DH2 Directorate of the Ministry of Foreign Affairs to GCR's *request for information for the preparation of the updated Annual Report on Greece for 2024 in the framework of the Asylum Information Database (AIDA) project,* prot. no. Α.Π.Φ 171/ΑΣ 19 ΣΗΔΕ 195, 06 January 2024.

Procedure after family reunification decision (positive or negative)

The family reunification procedure following the issuance of the family reunification decision is set out briefly and schematically in the table below.

POSITIVE FR DECISION	NEGATIVE FR DECISION
The FR[1402] file is sent by the Asylum Service or Hellenic Police to the Greek MFA (DC4Directorate for the Asylum Service / DSt3 for the Hellenic Police)	10 days to submit an appeal before the competent administrative authorities (Article12 par.2 P.D. 131/2006-5&18 of the Directive) - No free legal aid is provided
After approximately 2-3 months the FR file is sent to the competent Greek Consulate	In case the appeal is rejected, an Application for Annulment can be lodged before the competent Administrative Court of First Instance within 60 days from the service of the decision (art 46 P.D. 18/89).
The competent Greek Consulate conducts an interview with the refugee family members and requires again all the documents as if the FR procedure in Greece had never existed. In addition to this, fees, penal record, medical certificates, travel insurance are also required.	Positive Court Decision - the Authority that issued the negative FR decision, after its annulment is reexamining the case and has the right to issue once more a negative decision (as it happened after the issuance of court decision ΔΠΑ 59/2018 that resulted in the issuance of ΔΠΑ 861/ 2022).
The Greek Consulate issues FR visas or negative FR visa decisions that can be appealed before the First Instance Administrative Court of Athens within 90 days (Article 15(1) L. 3068/2002in conjunction with Articles 46(3) and 41(3) P.D. 18/89).	

If the family members enter Greece, they must, within a month of their arrival, submit in person an application for the issuance of a residence permit as refugee family members.[1403]

Refugees' children reaching the age of majority

Refugee family members who enter Greece through family reunification and for whom the Asylum Service is the competent authority cannot apply for the renewal of their residence permit if they reach the age of majority (18), despite the fact that P.D. 131/2006 explicitly provides for a special one-year residence permit until they reach the age of 21.[1404] Unlike the Headquarters of the Hellenic Police, the Asylum Service refuses to comply with the law and does not proceed to the renewal of residence permits of refugees' children until the age of 21. A suspension and an annulment application was filed in February 2025 and April 2025 respectively,[1405] before the Administrative Court of First Instance of Athens, challenging a decision refusing the renewal of the residence permit of a family member of a recognised refugee who had entered Greece through family reunification as a minor and reached adulthood. Despite repeated efforts, the hearing date for the annulment application remains pending, while the hearing for the suspension application was eventually scheduled for 27 May 2026. On 18 February 2026, the Administrative Court of First Instance of Athens granted a temporary order in the context of the suspension proceedings for this case. This appears to be the first case of its kind brought before the Greek

1402 FR: abbreviation for Family Reunification.
1403 Article 15(2) P.D. 131/2006.
1404 Article 11(1) P.D. 131/2006.
1405 Application for Annulment No AK131/2025 and Application for Suspension No ΑΝΔ338/2025

administrative courts concerning this special residence permit. It should be noted that the applicant entered Greece through family reunification several years before reaching adulthood, despite a positive family reunification decision having been issued approximately six years prior to entry and not executed by the Greek authorities. The issuance of the temporary order constitutes an essential interim judicial safeguard preventing irreparable harm pending full judicial review, particularly in light of the recent criminalisation of irregular stay introduced by Law 5226/2025,

Obstacles faced by refugees[1406]

Challenges include (i) the submission of family reunification applications at the Headquarters of the Hellenic Police, (ii) the exclusion of family members, (iii) the issuance of travel documents, (iv) the certification of documents and (v) the issuance of visas is very often delayed, making family reunification an extremely lengthy and onerous procedure.

- Unlike the Asylum Unit of International Protection Beneficiaries of the Asylum Service, there is no standard form of family reunification protection for refugees who fall under the jurisdiction of the Headquarters of the Hellenic Police. Thus, they have to write on their own the family reunification application in Greek. Taking into consideration that no family reunification interviews are conducted, the application must be in the form of statement of grounds (*υπόμνημα*) in writing, pursuant to which a request of family reunification with the family members is made and the existence of family relationship is proved and specified. Furthermore, they have to submit all the required documents at the same date they apply for family reunification.
- As per P.D. 131/2006, refugees can be reunited, among others, with their adopted children. However, in many third countries, Sharia prohibits adoption and only allows legal guardianship. Even in these cases of objective impossibility, the Asylum Service issues negative family reunification decisions on the grounds of non-submission of adoption decisions.
- No alternative solutions are provided when the refugees' family members are objectively unable to issue travel documents.
- Certification of family reunification documents is an extremely difficult procedure, since it has to be made also by the Greek Consulates or Greek Honorary Consulates. Nevertheless, not every third country has a Greek Consulate. Moreover, it has been observed that the majority of Greek Consulates are reluctant to facilitate the certification procedure by requiring additional documents for the certification and/or by non-scheduling appointment in due time.
- According to the DH2 Directorate of the Ministry of Foreign Affairs "*As for the possibility of certifying the required documents in the framework of the family reunification procedure by the Honorary Consulates, Article 307 of the Regulation of the Ministry of Foreign Affairs (L. 4781/2021 Gov. Gazette 31/A/28.2.2021) is cited: "The Honorary Consulates perform the same tasks as the Consulates except for the issuance of passports and visas". More precisely, and for the completeness of your information, it is noted that exception to certification by the Honorary Consulates is made for public documents issued by Ethiopia, Algeria, Afghanistan, Ghana, Eritrea, Indonesia, Iraq, Iran, Kenya, Democratic Republic of Congo, Libya, Mali, Bangladesh, Nigeria, Pakistan, Senegal, Sudan, Sri Lanka and Tunisia, the certification of which can be done solely through the competent Greek Consulate. (for more information, see: http:www.mfa.gr/exoteriki-politiki/apodimos-ellinismos/keppa/)".*[1407]
- The majority of the Greek Consulates require the submission of recent, certified additional documents for the issuance of visas, which are not provided for in the law.
- No alternative solutions are provided to family members who are trapped in armed conflict zones.

Despite the above obstacles, certain good practices followed by Greek Consulates should be mentioned:

1. The Greek Consulate in Nairobi /Kenya certifies family reunification documents and issues visas in due time. The same applies to Greek Consulate in Istanbul but only for Turkish nationals.

1406 Greek Council for Refugees, Report, Family Reunification of Recognised Refugees in Greece, July 2025, available in English here.

1407 Reply of Ministry of Foreign Affairs, DH2 Directorate of the Ministry of Foreign Affairs to GCR's *request for information for the preparation of the updated Annual Report on Greece for 2024 in the framework of the Asylum Information Database (AIDA) project,* prot. no. Α.Π.Φ 171/ΑΣ 19 ΣΗΔΕ 195, 06 January 2024.

2. The Greek Consulate in Jerusalem certifies and even translates family reunification documents. Furthermore, it is the only Greek Consulate accepting documents by post to facilitate Palestinian refugees' family members trapped in Gaza Strip.
3. The Honorary Greek Consulate in Douala / Cameroon certifies family reunification documents of Cameroonian nationals following GCR's interventions to the Greek Ministry of Foreign Affairs.

Available statistics

During 2025 the Asylum Service received a total of 3,337 family reunification applications, the vast majority of which were submitted by refugees from Palestine (51.4%), followed by refugees from Syria (15.5%), Yemen (6.9%), Afghanistan (6,2%), and Somalia (4,3%). During the same year, the GAS issued a total of 1,142 decisions, primarily concerning cases of Palestinians and Syrians, the majority of which were granted.[1408]

In what concerns refugees subject to the "old procedure", during 2025, the Hellenic Police received a total of 5 applications for family reunification, only two of which, concerning a refugee from Iraq and a stateless refugee were accepted.[1409]

GCR published the report "*Family Reunification of Recognised Refugees in Greece – July 2025*" on 8 July 2025. The report provides a comprehensive legal and practical analysis of the family reunification framework for recognised refugees in Greece, based on the implementation of Presidential Decree 131/2006 and the EU Family Reunification Directive 2003/86/EC. Drawing on the organisation's extensive and long-standing field experience in handling refugee family reunification cases, it identifies persistent structural and procedural obstacles in practice, including administrative delays, restrictive evidentiary requirements, and inconsistent interpretations of the relevant legal framework. It is the first systematic practice-based report of its kind in Greece on refugee family reunification, reflecting many years of accumulated casework experience in the field.[1410]

2. Status and rights of family members

According to Articles 22 and 23 Asylum Code, family members of the beneficiary of international protection who do not individually qualify for such protection are entitled to a renewable residence permit, which must have the same duration as that of the beneficiary.

However, if the family has been formed after entry into Greece and within Greece, the law requires the spouse to hold a valid residence permit at the time of entry into marriage in order to obtain a family member residence permit.[1411] This requirement is difficult to meet in practice and may undermine the right to family life, since one must already have a residence permit in order to qualify for a residence permit as a family member of a refugee. The new Asylum Code allowed also partners with cohabitation agreements to obtain residence permits as refugee family members.[1412] The Asylum Code as well as previous legislation requires also the family to be formed within Greek territory. This means that beneficiaries' children that were born after their parent entered Greece but outside of Greece could not obtain a residence permit as refugee family member. Moreover, after the implementation of the previous IPA and with the new Asylum Code, underage beneficiaries of international protection can no longer apply for the issuance of a residence permit for their non-refugee parent[1413]. The refugee family members that were granted a refugee family member residence permit cannot be granted a travel document of the Geneva

1408 See RSA, *Recognised refugee statistics in Greece in 2025*, March 2026, available at: https://tinyurl.com/435psr2v, pp.5-6.
1409 Information provided by the Headquarters of the Hellenic Police on 28 February 2026.
1410 Greek Council for Refugees, Family Reunification of Recognised Refugees in Greece – July 2025, published 8 July 2025, available at: https://gcr.gr/en/gcr-reports/item/oikogeneiakes-epanenoseis-prosfygon-ioylios-2025/
1411 Article 23(4) Asylum Code.
1412 *Ibid*.
1413 E. Kagiou, & C. Katsigianni, "*The issue of the issuance of residence permits to family members of beneficiaries of international protection (Law 4636/2019)*", Administrative Trial" (Dioikitiki Diki), Sakkoulas, Athens – Thessaloniki, Vol. 2/2020, June 2020, p. 243-248.

Convention of 1951. This derives from the fact that Article 24 Asylum Code does not include refugee family members. In practice this provision has been applied only to spouses that are required to keep the travel document/passport of their country of origin.

C. Movement and mobility

1. Freedom of movement

According to Article 32 Asylum Code, beneficiaries of international protection enjoy the right to free movement under the same conditions as other legally residing third-country nationals. No difference in treatment is reported between different international protection beneficiaries.

2. Travel documents

Article 24 Asylum Code and Joint Ministerial Decision 10302/2020,[1414] regulate the procedures for the issuance of travel documents for beneficiaries of international protection.

Recognised **refugees**, upon a request submitted to the competent authority,[1415] are entitled to a travel document (*titre de voyage*),[1416] in accordance with the model set out in Annex to the 1951 Refugee Convention. This travel document allows beneficiaries of refugee status to travel abroad, except their country of origin, unless compelling reasons of national security or public order exist or where the person concerned is subject to proceedings for suspension, exclusion, revocation or cessation of the status granted.[1417]

In 2024, the Council of State ruled on a case of a Turkish recognised refugee, whose application for the issuance of travel document was refused. In particular, the Court observed that Article 25(1) IPA (and the similar provision of Article 24(1) Asylum Code) introduced a prohibition on the issue of a travel document to a recognised refugee, either when a procedure for the application of a suspension, exclusion, revocation or cessation of the status granted is pending against him, or when there are compelling reasons of national security or public order, while with Article 25(2)(b) L. 4636/2019 an authorisation is granted to establish, by joint ministerial decision, the procedure for issuing, renewing and replacing the travel document, the supporting documents required, its type, content of the indications and its period of validity. However, the Court held that the authorisation granted, in the above context, does not include the specification of the vague legal concepts of 'compelling reasons of national security or public order' and thus the decision of non-issuance of travel document to a recognised refugee is not lawful.[1418]

The abovementioned travel document is issued by the competent Passport Directorate of the Hellenic Police.[1419] It is subject to an administrative fee of approximately 84 € for persons over 14 years old and 73 € for those up to 14 years of age, where the beneficiaries had applied for international protection after the operationalisation of the GAS in June 2023, and a fee of 58 € for all beneficiaires irrespective of age, for those that had applied for international protection under the old procedure. These travel documents are valid for 5 years for adults, as well as for children over 14 years old, and 3 years for children under 14 years old, and can be renewed.[1420]

1414 Joint Ministerial Decision 10302/2020, Gov. Gazette B; 2036/30.05.2020, available in Greek at: https://bit.ly/2P71hc8.

1415 The territorially competent Aliens Police Directorate of the Hellenic Police is responsible for the submission of travel document applications and service of travel documents to the recognised refugees who have applied for international protection before the start of Asylum Service's operation. The territorially competent Passport Offices of the Hellenic Police are responsible for the submission of travel document applications of the recognised refugees who have applied/apply for international protection after the operation of the Asylum Service. However, the competent authority for the service of these travel documents is the Asylum Service.

1416 Article 24 Asylum Code.

1417 Article 24(1) Asylum Code.

1418 Council of State, Decision 1107/2024.

1419 Article 24(2) Asylum Code.

1420 Article 6(1) JMD 10302/2020 (in force since 30.05.2020).

The same applies to beneficiaries of **subsidiary protection or family members of beneficiaries of international protection**, if they are unable to obtain a national passport, unless compelling reasons of national security or public order exist.[1421] In practice, beneficiaries of subsidiary protection must submit to the Greek authorities a verification from the diplomatic authorities of their country of origin, certifying their inability to obtain a national passport. This prerequisite is extremely onerous, as beneficiaries of subsidiary protection may also fear persecution or ill-treatment from their country of origin. Furthermore, the issuance of this verification is at the discretion of the diplomatic authorities of their country of origin and depends on the policy of each country. The travel documents issued for beneficiaries of subsidiary protection are valid for 3 years and can be renewed.[1422]

JMD 10302/2020 provides that the Passport Directorates of the Hellenic Police are the only competent authority for the issuance of travel documents.[1423] In practice, after their recognition, beneficiaries of international protection must scan all the required documents (including the electronic administrative fee) and send them by email to the competent Alien's Directorate in order to book an appointment for the submission of their applications in person. Travel documents are issued by the Passport Offices of the Hellenic Police. Beneficiaries of international protection are required to book an appointment, similar to the one for their residence permit (ADET). In case of travel documents, however, the payment of a fee is a prerequisite to obtaining such an appointment.[1424] After the travel document is issued, they must regularly check the website of the Asylum Service for their scheduled appointment.[1425] If they miss that appointment, they must book another one through the electronic platform of the Ministry of Migration and Asylum, which may be scheduled months after the missed one. Travel documents may only be collected at the RAOs of Attica, Thessaloniki and Crete. This means that beneficiaries of international protection on the islands have to travel either to Athens or to Thessaloniki to collect their document.[1426]

The same Ministerial Decision regulates the issuance of travel documents for children accompanied by one of their parents who *de facto* exercises on their own the sole custody of the child, but does not possess documents establishing the sole custody of the child (e.g., divorce, court order on sole custody, death certificate). More precisely travel documents for children can be issued upon submission to the competent Passport Office of a declaration on oath before a Lawyer or a Notary[1427] when the following conditions are met:

- the child is granted refugee status and is present in Greece with one of their parents;
- this parent is also exercising the sole custody due to facts or legal acts that have occurred in the country of origin (e.g., death of a spouse. divorce), and
- this parent does not possess documents proving that they are exclusively exercising the sole custody.

However, Article 1(6) of JMD 10302/2020 does not apply to cases where the parent is exercising sole custody due to facts or legal acts that have occurred in a country other than the country of their origin. In this case, if no supporting documents can be provided, travel documents for children can be granted only by a court order, pursuant to which the sole custody is assigned to the single parent.[1428] The waiting period for the initial issuance of travel documents is not as lengthy as it used to be, as far as GCR is aware.

As regards the renewal of travel documents, beneficiaries of international protection have to follow a five-step procedure. In particular, the beneficiary has to:

a. submit a renewal application and a photo via email to the Asylum Service,

1421 Article 24(3) Asylum Code.
1422 Article 6(2) JMD 10302/2020.
1423 Article 3 JMD 10302.
1424 RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights,* March 2024, available at: https://bit.ly/3xsmCTB, p. 18.
1425 MoMA, *Travel documents*, available at: https://bit.ly/2Pd4kQe.
1426 RSA and Stiftung Pro Asyl, B*eneficiaries of international protection in Greece: Access to documents and socio-economic rights*, March 2022, available at: https://bit.ly/3lRUB1C para. 33.
1427 Article 1(5) JMD 10302/2020 (The District Courts in Greece do no longer exist), Article 421 Civil Procedure Code as in force.
1428 Articles 1(6) and 1(7) JMD 10302/2020.

b. send to the Asylum Service a signed solemn declaration with a certified signature stating that they have not been convicted of several offences restrictively mentioned in the JMD 10302/2020 (see below), following which
c. the Asylum Service sends to the beneficiary's personal email the reply to their application, and
d. the beneficiary submits supporting documents to the competent Passport Office of the Police or the Passport Office of the Aliens Directorate and subsequently
e. the beneficiary receives their travel document from the competent Regional Asylum Office.[1429]

The first step of the procedure often causes problems to beneficiaries of international protection who are technologically illiterate, as they have to fill in the application form electronically and send it correctly via their personal email. GCR has observed that many beneficiaries of international protection, despite knowing how to use social media applications, do not know how to use an email properly and often do not even know if they have an email address. Thus, in many cases, beneficiaries seek assistance, often paying huge fees in various photocopying centres in the centre of Athens or accounting offices, which, in many cases, do not send correctly said renewal applications.

The second step of this procedure is also vital for the travel document renewal procedure since:

> '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 (…).'[1430]

The aforementioned condition also applies to the initial issuance of travel documents.

During the travel document renewal procedure, beneficiaries of international protection are asked to submit a solemn declaration pursuant to which they certify that they have not committed any of the above-mentioned criminal offences. This stage is vital because beneficiaries of international protection who have been convicted of travel document-related offences cannot renew or issue travel documents. In addition, any false statements made in the solemn declaration constitutes a criminal offence.[1431]

Decisions of RAO and AAU refusing to grant 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.[1432]

All renewal applications are being processed by the Asylum Unit of International Protection of Beneficiaries (*Αυτοτελές Κλιμάκιο Ασύλου Δικαιούχων Διεθνούς Προστασίας*), which is extremely

[1429] Ministry of Migration and Asylum, *How to renew your travel documents*, available at: https://bit.ly/3UyZTOl.
[1430] RSA and Stiftung Pro Asyl, Beneficiaries of international protection in Greece, Access to documents and socio-economic rights, March 2023, available at: https://bit.ly/45y1CY1, p. 16 see also Article 1(2) JMD 10302/2020.
[1431] Article 8 L.1599/1986 "*Whoever knowingly states false facts or denies or conceals the true facts with a written solemn declaration of Article 8 shall be punished with imprisonment of at least three months. If the person responsible for these acts intended to obtain pecuniary advantage harming others or intended to harm others, is punishable by imprisonment of up to 10 years."*
[1432] RSA and Stiftung Pro Asyl*, Beneficiaries of international protection in Greece, Access to documents and socio-economic rights*, March 2024, available at: https://bit.ly/3Vy9DYJ, p. 18 . See also Article 4(3) JMD 10302/2020.

understaffed. As noted by the Director of the Asylum Service, in a response of 16 February 2024 (prot. no. 58515) to an intervention by 16 NGOs of the Legal Working Group,[1433] only two employees are in charge of processing all the travel document renewal applications throughout Greece.[1434] According to the National Register of Procedures, the travel document renewal procedure may last up to two months.[1435] However, in GCR's experience, the procedure may last up to six months.

Contrary to the above, the beneficiaries of international protection for whom the competent authority is the Headquarters of the Hellenic Police,[1436] have to appear in person before the competent Aliens Directorate both for the initial issuance and the renewal of their travel documents in order to submit their relevant applications. GCR has noticed that, despite the provisions of JMD 10302/2020 for beneficiaries of subsidiary protection, according to which travel documents are valid for three years, the travel documents of beneficiaries of subsidiary protection are renewed for two years.

As per information provided by the Headquarters of the Hellenic Police on 28 February 2026, during 2025, a total of 25 new travel documents were issued and 333 were renewed by the Headquarters of the Hellenic Police.

By the end of 2025, a total of 1,515 applications for renewal of travel documents were pending before the GAS, and in particular the competent AAU for Beneficiaries of International Protection, a significant majority (70.6%) of which were pending for more than 6 months.[1437]

According to an ongoing survey conducted by UNHCR, from 1 January 2025 to 20 November 2025, out of 99 beneficiaries surveyed, 48% had applied for a travel document and had received it, 41% were waiting, while 10% had not yet applied.[1438]

It must be stressed that travel documents 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. The issue of the link between possession of travel documents and the ability to open a bank account was already highlighted in a survey conducted by UNHCR from July 2022 – June 2023 with 424 beneficiaries of international protection. 43% of those interviewed reported that they had travel documents and only 42% had bank accounts.[1439]

Possession of a travel document is also needed for access to employment, since the Unified Social Security Fund (*Ενιαίος Φορέας Κοινωνικής Ασφάλισης, EFKA*) does not accept ADET as a valid documentation.[1440]

Furthermore, travel documents are in practice a prerequisite to access the platform of the Ministry of Finance (AADE). Specifically,

> 'the AFM provides access to the online system TAXISnet. […] After an AFM has been issued, the applicant receives an account and TAXISnet codes, which are needed in order to access the systems of the tax authority and other public administrative services online […] Access codes (TAXISnet codes) are requested online through the AADE platform. […] The platform accepts only

1433 Letter of Director of the Asylum Service, *Renewal of identity documents of beneficiaries of international protection*, prot. no. 58515/16.02.2024.
1434 Ibid.
1435 National Register of Procedures, *Travel Documents Renewal for Beneficiaries of International Protection* available in Greek at: https://tinyurl.com/28w6h893.
1436 Headquarters of the Hellenic Police is the competent authority for beneficiaries of international protection who have applied for international protection before the Asylum Service started its operation.
1437 RSA, *Recognised refugee statistics in Greece in 2025*, March 2026, available at: https://tinyurl.com/435psr2v, p.4.
1438 UNHCR, *Greece Inter-Agency Protection Monitoring of refugees in Greece, Key Findings*, 01 February 2022 – 20 November 2025, available at: https://tinyurl.com/k9vtxdwy.
1439 UNHCR, *Key Findings: July 2022 – June 2023, Protection Monitoring of Refugees in Greece*, August 2023, available at: https://bit.ly/4dgyE2l.
1440 RSA and Stiftung Pro Asyl, Beneficiaries of international protection in Greece, Access to documents and socio-economic rights, March 2024, available at: https://bit.ly/3Vy9DYJ, p. 17.

a travel document as a valid identity document; ADET or DADP documents are not accepted.79 In addition, the AADE platform is accessible only in Greek.'[1441]

D. Housing

Indicators: Housing

1. For how long are beneficiaries entitled to stay in Reception and Identification Centers (R.I.C.) or Closed Controlled Access Centers (C.C.A.C.) or Open Reception Facilities? 30 days[1442]

   - ❖ Number of beneficiaries staying in Reception and Identification Centers (R.I.C.) & Closed Controlled Access Centers (C.C.A.C.) is not available/published by the MoMA

2. Are there longer stay options or other specialised accommodation for vulnerable groups or young people who have recently turned 18? Limited through Helios Junior, which has stopped receiving referrals as of 31 January 2026.

According to Article 29 Asylum Code beneficiaries of international protection should enjoy the same rights as Greek citizens and receive the necessary social assistance, according to the terms applicable to Greek citizens. Furthermore, according to Article 31 Asylum Code, beneficiaries of international protection have access to accommodation under the conditions and limitations applicable to third-country nationals residing legally in the country.

However, administrative and bureaucratic barriers, gaps in state-led actions aimed at addressing the particular housing challenges faced by beneficiaries of international protection, non-effective implementation of the law, and the impact of the economic crisis, coupled with the severe limitations of (social) housing policies, prevent international protection holders from enjoying their rights.

The measure in Article 109(1) Asylum Code on the immediate termination of the material reception conditions of Article 1(h) Asylum Code to residents in the accommodation facilities of Article 8(4) of L. 4375/2016, under the Reception and Identification Service, who are recognised as beneficiaries of international protection, as well as the thirty (30) day period from the notification of the decision on their departure from these accommodation facilities, continues to entail an immediate and serious risk of exposing thousands of beneficiaries to conditions of material deprivation and destitution, without access to basic means of subsistence and without the necessary legal documents to start their integration, in violation of their fundamental rights.[1443]

According to the European Commission, the EU Charter of Fundamental Rights, and in particular Articles 1 and 4 on human dignity and inhuman and degrading treatment, applies equally to asylum seekers, rejected asylum seekers and beneficiaries of international protection temporarily residing in camps. The need to ensure basic means of subsistence, such as the provision of food, applies to all persons in need, in particular vulnerable persons such as the sick, pregnant women and women who recently gave birth. It is thus concluded that food must be guaranteed for all persons residing in camps, irrespective of their legal status.[1444] Similarly, the Greek Ombudsperson has expressed its concerns on this matter twice in 2024.[1445]

1441 Ministerie van Buitenlandse Zaken, *Report on the fact-finding mission concerning beneficiaries of international protection in Greece*, 3 September 2024, p. 19, received by GCR on 13 january 2025 by the Dutch Embassy in Greece.

1442 Article 109(1) Asylum Code.

1443 Intervention by 20 civil society organizations of the national Legal Working Group to the Minister and Vice Minister of the Ministry of Migration and Asylum and the Minister of Citizen Protection, *Beneficiaries of International Protection*, prot. no. β/139/24.10.2024.

1444 European Commission, *Letter to civil society organisations*, Ares(2024)613054, 26 January 2024.

1445 Greek Ombudsperson, prot. no. 353881/30527, 19 June 2024 and prot. no. 356939/44132, 09 September 2024.

To date, legislative provisions for the amendment of Article 109 Asylum Code and the extension of the period for the reception of material conditions regarding beneficiaries of international protection have not taken place. Nor has a Joint Ministerial Decision been issued pursuant to Article 109(1) Asylum Code to determine the categories of beneficiaries of international protection for whom an extension of the provision of material reception conditions and the length of stay in the facilities is permitted.[1446]

For beneficiaries of international protection, the HELIOS programme – which since 2019 has been the only nationwide integration programme – and its continuation HELIOS+, which is funded under the European Social Fund Plus (ESF+), includes a component on housing, aimed at supporting beneficiaries in accessing accommodation in apartments rented in their name. Under this component, the programme provides an initial, one-off instalment aimed at supporting beneficiaries' transition into a new home, which ranges from 470€ for an individual and up to 1,500€ for a family of 6 or more, alongside a monthly contribution to rent costs (rental subsidy), that ranges from 230€ for an individual and up to 800€ for a family of 6 or more, which can be provided for up to a maximum of 12 months. If beneficiaries are willing to relocate outside of major urban centers, such as Athens, they are eligible for an additional 4 months of rental subsidy.[1447]

BIPs wishing to enrol to the HELIOS + programme need to fulfil the following criteria:[1448]

a) They must have been officially issued a decision granting international protection status (refugee status or subsidiary protection status) by the Greek Asylum Service, or they must be beneficiaries of temporary protection in Greece based on the Executive Decision (EU) 2022/382 of the Council of the European Union, or they must have been relocated to Greece through family reunification procedures with a refugee, according to relevant legislation, or they must have been granted a residence permit of equal duration in Greece as family members of a beneficiary of international protection, according to relevant legislation.
b) They must be proven to be unemployed at the time of registration.
c) They must enroll within twenty-four (24) months from the date of notification of the decision granting international protection status, the decision granting a Residence Permit of equal duration or a Residence Permit due to family reunification, or from the date of initial issuance of a Temporary Protection Residence Permit.

As of 30 April 2026, a total of 2,576 beneficiaries had been enrolled to the Helios + programme, the majority of which from Ukraine (31.52%), Syria (13.7%), Palestine (10.36%), Afghanistan (10.29%), and Sudan (8.93%). This represents less than 10% of persons who received international protection in Greece in 2025 alone (27,181).[1449] Of those enrolled to the programme, only 53% (1,374) benefitted from the programme's housing component (rental subsidies).[1450]

The "Coverage" (Κάλυψη) housing assistance program is a program that covers beneficiaries of international protection, but it was not established to cover exclusively these beneficiaries. It is addressed to all persons legally residing in Greece. In particular:

> '[t]he beneficiaries of the program are people aged twenty-five (25) to thirty-nine (39), who are included in the beneficiary units of article 2 of the under data D13/ok.53923 /23.7.2021 joint decision of the Ministers of Finance, Education and Religion, Labor and Social Affairs, Interior, Digital Governance and State (B' 3359). The program covers the cost of renting the residence for three (3) years. The expense may not exceed the rental amount with which the residence was allocated within the framework of the "ESTIA II" and "ESTIA 2021" programs, adjusted according to the change in the average annual general consumer price index of the Hellenic Statistical

1446 Intervention by 20 civil society organizations of the national Legal Working Group to the Minister and Vice Minister of the Ministry of Migration and Asylum and the Minister of Citizen Protection, *Beneficiaries of International Protection*, prot. no. β/139/24.10.2024.
1447 IOM, Helios+ Project Regulation Handbook, October 2025, available at: https://greece.iom.int/helios, p.10.
1448 *Ibid.* pp.2-3.
1449 MoMA, *Statistics: Consolidated Reports – Overview, December 2025 - International Protection | Appendix A*, available at: https://tinyurl.com/26ynfarp Tables 11a and 11b.
1450 IOM, *Helios+ Factsheet,* April 2026, available at: https://greece.iom.int/helios, pp.1, 3.

Authority for the year 2022. The program also covers costs for repairs of damages found in the properties during the lease and at the end of the lease. The cost of financing the Program is covered by the budget of the Public Employment Service.'[1451]

In any case, if the beneficiaries of international protection wish to rent a house, it is stressed that "housing prices in Greece have risen sharply in recent years, partly due to purchases by foreign investors. This has significantly increased the tightness of the housing market, especially in urban areas. […] *A large proportion of beneficiaries of international protection are therefore experiencing substantial difficulty in finding permanent shelter.*"[1452]

There is limited accommodation for homeless people in Greece and no shelters are dedicated to recognised refugees or beneficiaries of subsidiary protection. There is no provision for financial support for living costs. In Athens, for example, there are only seven public shelters for homeless people, including Greek citizens and third-country nationals lawfully on the territory. At these shelters, beneficiaries of international protection can apply for accommodation, but it is extremely difficult to be admitted given that these shelters are always overcrowded, have a long waiting list since they are constantly receiving new applications for housing and most of the time, the language barrier arises, excluding them from their admission. For example, Multi-Purpose Centre of the Centre for Reception and Solidarity of Athens Municipality (KYADA) only accepts Greek or English speakers due to a lack of interpretation services and does not admit families[1453] or single women.

Furthermore, it has to be noted that, in order to be admitted to these shelters, they must first undergo medical examinations to ensure that they are free of communicable diseases. An active AMKA is required for these examinations. From 1 April 2024, recognised refugees will have to be employed in order for their AMKA to be activated.

In GCR's experience, those in need of shelter who lack the financial resources to rent a house remain homeless or reside in abandoned houses or overcrowded apartments, which are on many occasions sublet. This was confirmed by the study of Immigration Policy Lab, ETH Zurich, and UCL, commissioned by UNHCR and published in December 2023, according to which 44% of refugees were then homeless.[1454]

Return of beneficiaries of international protection to Greece

According to Article 6 of the European Returns Directive (2008/115/EC), third country nationals who have been granted international protection status in Greece can be returned back to Greece when the authorities of another EU country become aware that this person, who is applying again for asylum in their territory, already holds a residence permit in Greece.

As noted by RSA in March 2025, "*[r]eturns of recognised refugees to Greece have intensified over the recent period, as European Union (EU) countries increasingly enforce return policies targeting beneficiaries of international protection. Notable examples include Germany's push for the implementation of return schemes through pilot programmes and broader EU policy shifts*".[1455] In 2023,

1451 Public Employment Service, "*Cover" Program,* available here.

1452 Ministerie van Buitenlandse Zaken, *Report on the fact-finding mission concerning beneficiaries of international protection in Greece*, 3 September 2024, p. 29.

1453 RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights*, March 2023, available at: https://bit.ly/3Vy9DYJ, p. 25.

1454 ETH Zürich, ipl - immigration policy lab, UCL et al. (Author), published by ReliefWeb: *Home for Good? Obstacles and Opportunities for Refugees and Asylum Seekers in Greece*, December 2023, available at: https://bit.ly/3UCwSl7.

1455 RSA, *No support for refugees returned to Greece*, 20 March 2025, available at: https://tinyurl.com/mhdzpdfz.

158 beneficiaries were readmitted from Germany to Greece,[1456] while during 2025, the relevant number of readmissions from Germany stood at 413,[1457] more than doubling in a period of 3 years.

Overall, during 2025, a total of 3,710 readmission requests, corresponding to a total of 5,437 beneficiaries of international protection (BIPs), were sent to the Hellenic Police, primarily by authorities in Switzerland and Germany, the majority of which were accepted. A total of 725 BIPs were returned to Greece during the same period,[1458] despite ongoing and increasing barriers with regards to BIPs access to social rights, including healthcare and social welfare, which have triggered interventions by the ECtHR[1459] and the European Commission, with the latter deciding to refer Greece to the CJEU (INFR(2022)2044) in November 2025 on account of discriminatory treatment vis-à-vis access to social welfare.

This contrasts with European states' efforts to return BIPs to Greece on grounds that they can enjoy the rights attached to their status, which notwithstanding discriminatory barriers to accessing social rights, also overlooks the following challenges and gaps: (a) no information is provided to recognised refugees upon their return to Greece, and (b) no state-run integration support is available to them.[1460]

Upon arrival at Athens International Airport, returnees – beneficiaries of international protection – are provided only with a police note (*υπηρεσιακό σημειωμα*) written in Greek, directing them to the Asylum Service. They have no information on how to renew or re-issue their residence permits (ADETs) and their travel documents. As explained above, they do not have access to any social right in practice (social welfare, employment, health care, housing[1461]), since, in the majority of cases, they do not hold valid identification documents.[1462]

According to the Ministry of Foreign Affairs of the Netherlands:

> '[f]inding shelter through HELIOS is more problematic for returning beneficiaries of international protection than it is for beneficiaries of international protection who enter HELIOS from the asylum reception system. This is because application to the HELIOS programme must be made from the asylum shelter location within twelve months after the first right of residence is granted. As a result, most returning beneficiaries of international protection no longer meet the entry requirements for HELIOS.'[1463]

Although the requirement to reside in facilities of the Greek reception system upon notification of the status recognition decision, as a condition to be eligible to enrol to the programme seems to have been removed under Helios+, the requirement to apply for accessing the programme within a maximum of 2 years from the notification of said decision,[1464] can still act as a significant barrier for returnees, who can frequently find themselves outside Greece for longer periods of time.

Overall, addressing onwards movement of refugees within the EU and ensuring that, when legally required, returns of BIPs to Greece are in compliance with fundamental rights, necessitates ensuring an

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1456 RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights*, March 2024, available at: https://bit.ly/3Vy9DYJ, p.4., footnote 4.

1457 See RSA, *Recognised refugee statistics in Greece in 2025*, March 2026, available at: https://tinyurl.com/435psr2v, pp.1-2.

1458 *Ibid*

1459 See RSA, No support for refugees returned to Greece, 20 March 2025, available at: https://tinyurl.com/mhdzpdfz.

1460 RSA, *No support for refugees returned to Greece*, 20 March 2025, available here.

1461 Since, in practice, they are unable to even rent a house legally without valid residence permits and travel documents. See also, Ministerie van Buitenlandse Zaken, *Report on the fact-finding mission concerning beneficiaries of international protection in Greece*, 3 September 2024, p. 62, received by GCR on 13.01.2025 by the Dutch Embassy in Greece.

1462 RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights*, March 2024, available at: https://bit.ly/3Vy9DYJ, p. 4 & 11.

1463 Ministerie van Buitenlandse Zaken, *Report on the fact-finding mission concerning beneficiaries of international protection in Greece*, 3 September 2024, p. 62, received by GCR on 13.01.2025 by the Dutch Embassy in Greece

1464 IOM, Helios+ Project Regulation Handbook, October 2025, available at: https://greece.iom.int/helios, p.3.

environment that promotes, rather than hinders, access to legally enshrined rights in a non-discriminatory manner. It is indicative that refugees with a social security number (AMKA), a tax ID number (AFM) and those who have been able to open a bank account are more likely to want to stay in Greece compared to those who do not have access to these services, as found in a 2023 UNHCR-commissioned study.[1465]

E. Employment and education

1. Access to the labour market

Article 26 Asylum Code provides for full and automatic access to the labour market for recognised refugees and subsidiary protection beneficiaries under the same conditions as nationals, without any obligation to obtain a work permit.

However, as mentioned in Reception Conditions: Access to the Labour Market, high unemployment rates and further obstacles relating to language or competition with Greek-speaking employees, prevent the integration of beneficiaries into the labour market. According to the Public Employment Service (*Δημόσια Υπηρεσία Απασχολήσης*), the total number of registered unemployed third country nationals stood at 122,809 in 2025, with 70% being registered for less than 12 months and the rest for more, albeit no breakdown per legal status is provided.[1466]

According to an ongoing survey conducted by UNHCR,[1467] from 1 January 2025 to 20 November 2025, out of a total of 99 beneficiaries surveyed, 77% reported employment as their top priority need, with 81% expressing their intention to stay in Greece. Of those surveyed, during the same period, 24% were working, with the rest reporting lack of knowledge of the language, documentation and lack of knowledge on how to search for work as the main barriers for finding work in Greece.

As explained above, pending the issuance of a new residence permit, beneficiaries of international protection are granted an attestation of application status (*βεβαίωση κατάστασης αιτήματος*) which is valid for three or six months depending on the issuing RAO or AAU. In practice, this certificate does not allow beneficiaries to access the labour market and many of them are losing their jobs as soon as their residence permit expires. Furthermore, in GCR's experience, recently recognised beneficiaries of international protection are considered by the electronic system ERGANI (*ΕΡΓΑΝΗ)* as asylum applicants pending the issuance of their first residence permit, since they still hold their asylum applicants' card. This malpractice has prevented beneficiaries of international protection from fully accessing labour market until they are served their residence permit. This is contrary to Article 26 Asylum Code, which stipulates that beneficiaries should be able to access the labour market freely, from the first day of their status recognition.

2. Access to education

Children beneficiaries of international protection have an obligation to study at primary and secondary education institutions of the public education system, under the same conditions as Greek nationals.[1468] Similar to Reception Conditions: Access to Education, the new Asylum Code refers not to a right to education but to a duty for beneficiaries of international protection. In case of violation of this duty, the penalties provided for Greek citizens in similar situations are imposed on the adult members of the minor's family.[1469]

1465 ETH Zürich, ipl - immigration policy lab, UCL et al. (Author), published by ReliefWeb: *Home for Good? Obstacles and Opportunities for Refugees and Asylum Seekers in Greece*, December 2023, available at: https://bit.ly/3UCwSl7, p.20.

1466 Public Employment Service (Δ.Υ.Π.Α.), *Data on unemployed and subsidised persons*: *Summary Report Devember 2025*, available in Greek at: https://www.dypa.gov.gr/en/statistika-stoikhia, p.19.

1467 UNHCR, *Greece Inter-Agency Protection Monitoring of refugees in Greece, Key Findings*, 01 February 2022 – 20 November 2025, available at: https://tinyurl.com/k9vtxdwy.

1468 Article 27(1) Asylum Code.

1469 Article 27(1) Asylum Code.

Adult beneficiaries are entitled to access the education system and training programmes under the same conditions as legally residing third-country nationals.[1470]

During the 2024-2025 school year, a total of 17,195 pupils with refugee or asylum seeking backgroundwere enrolled in education,[1471] to a near identical degree in primary (50.7%) and secondary education (49.3%). Of those, a total of 15,538 children were reported as actively attending school,[1472] highlighting a potential drop-out rate of roughly 10%, which was slightly more pronounced at the primary level (87% of those enrolled reported as active, as oppoσed to 93% for secondary education).

Of the total children enrolled to both primary and secondary education (17,195), 57.7% were boys (9,914) and 42.3% were girls (7,281), with dropout rates being reported at similar levels in both cases (roughly 10%, albeit slightly more accentuated for boys).[1473]

Overall, children from a total of 70 different nationalities were reported as enrolled to mainstream education, with top nationalities being Egypt (19%), Ukraine (13%) and India (13%), followed by Syria (11%), Afghanistan (10%), Pakistan (8%) and Iraq (6%).[1474]

Of the total children enrolled to education (17,915), 66.6% were enrolled to schools with morning reception classes (τάξεις υποδοχής), and 12.9% in afternoon Reception Facilities for the Education of Refugees (Δομές Υποδοχής για την Εκπαίδευση των Προσφύγων / ΔΥΕΠ).[1475]

During the 2024-2025 school year, a total of 120 Refugee Education Coordinators were appointed by the Ministry of Education throughout Greece, and 1,405 teachers were appointed for the education of children with a refugee background enrolled in Reception Facilities for the Education of Refugees.[1476]

Migrant Integration Centres

Migrant Integration Centres (M.I.C.), which were established by Law 4368/2016 (ΦΕΚ 21 A', 2016) and function as branches of Community Centers in municipalities, provide, *inter alia*, language learning and training (Lessons in Greek language, history, and culture which are offered to adults who are either migrants or beneficiaries of international protection. Intercultural activities which facilitate the co-existence between third-country children/young people and native children/ young people. Activities that facilitate third-country nationals' access to the job market).

In Greece, there are eleven Migration Centers in: Athens, Piraeus, Kallithea, Thessaloniki, Kordelio-Evosmos, Thebes, Lamia, Andravida-Kyllini, Heraklion-Crete, Lesvos and Trikala.[1477]

However, the demand for their services is exceeding their capacity. Suffice to mention that for Athens, where a large part of the refugee population is concentrated, there is only one Migrant Integration Center, which by its nature serves not only beneficiaries of international protection but all third-country nationals.

1470 Article 27(2) Asylum Code.

1471 Separate statistics based on exact legal status (refugee status, subsidiary protection, asylum applicant) are not kept. As noted by the Independent Department for the Coordination and Monitoring of Refugee Education of the Ministry of Education, in reply to GCR's request for information "*this is on account of the fact that enrollment of minor students from third countries or stateless minors in public schools is a right of the children and an obligation of the State, regardless of whether their residence status in the country has been regularised*". Information received on 18 January 2026.

1472 Specifically, 7,619 out of a total of 8,716 children enrolled in primary education and 7,919 out of a total of 8,479 children enrolled in secondary education. Information received from the the Independent Department for the Coordination and Monitoring of Refugee Education of the Ministry of Education on 18 January 2026.

1473 Specifically, 8,928 out of 9,914 boys reported as actively attending school (90%), and 6,610 out of 7,281 girls reported as actively attending school (90.8%). Information received from the the Independent Department for the Coordination and Monitoring of Refugee Education of the Ministry of Education on 18 January 2026.

1474 Information received from the Independent Department for the Coordination and Monitoring of Refugee Education of the Ministry of Education on 18 January 2026.

1475 *Ibid.*

1476 Information received from the the Independent Department for the Coordination and Monitoring of Refugee Education of the Ministry of Education on 18 January 2026.

1477 Ministry of Migration and Asylum, *Migrant Integration Centers*, available at: https://bit.ly/4dhsrDC.

Recognition of qualifications

According to an ongoing survey conducted by UNHCR since 2022, from 1 January 2025 to 20 November 2025, out of 99 beneficiaries of international protection surveyed, 19% had university level eduction and higher.[1478] However, to date, the D.O.A.T.A.P – Hellenic National Academic Recognition and Information Centre (Hellenic NARIC), the official body of the Hellenic Republic for the academic recognition of titles and qualifications awarded by foreign Higher Education Institutions, has not provided any exceptions from its extremely strict requirements for the recognition of university degrees of beneficiaries of international protection.

The following requirements must be met and submitted: a legally certified copy of High School Diploma and translation in Greek; a legally certified copy of the degree to be recognised and its official translation in Greek; a legally certified copy of the official transcript of records (grades from all subjects and from all the years of study, signed and stamped by the University, stating the date of award) and its official translation in Greek; the University Certificate.[1479] Moreover, L. 4957/2022 establishes the National Register of Recognised Higher Education Institutions of Foreign Countries and the National Register of Types of Degrees of Recognised Higher Education Institutions of Foreign Countries, which includes extremely difficult conditions to be met by the refugees for the inclusion of their universities in it.[1480] These requirements are impossible to be met by the vast majority of beneficiaries of international protection. Thus, most of them cannot continue their education in their field of studies.

In 2025, a total of 9,637 applications for recognition of titles and qualifications were submitted to DOATAP and 9,099 acts were issued recognising academic titles,[1481] though available statistics do not provide a breakdown based on legal status.

F. Social welfare

The law provides access to social welfare for beneficiaries of international protection without drawing any distinction between refugees and beneficiaries of subsidiary protection. Moreover, the law provides that beneficiaries of international protection are to enjoy the same rights and receive the necessary social assistance according to the terms that apply to Greek nationals, without discrimination.[1482]

A significant development in 2025 was the European Commission's decision to refer Greece to the CJEU, in November 2025, pursuant to infringement proceedings triggered since January 2023 (INFR(2022)2044), on account of the state's persistent failure to comply with the aforementioned law provisions and, in particular, Article 29(1) of Directive 2011/95/EU, with regards to the rights of beneficiaries of international protection to access social welfare without discrimination.[1483] To be noted, discriminatory treatment can be seen as arising both on account of residency requirements that beneficiaries cannot reasonably be expected to meet (see Types of social benefits) and on account of changes, since Decemer 2023, in the requirements for activating the Social Security Number (*AMKA*).

Namely, pursuant to Article 6 paragraph 5 point (bb) of JMD Φ80320/109864/14.12.2023, in order for third country nationals to be eligible to activate their AMKA, they also need to hold a valid employment contract or be self-employment. This is a requirement not foreseen for either Greek or EU citizens, which results in beneficiaries who have not secured lawful employment being unable to activate their AMKA and thus also in their exclusion from public healthcare, with a particularly pronounced impact on beneficiaries who

1478 UNHCR, *Greece Inter-Agency Protection Monitoring of refugees in Greece, Key Findings*, 01 February 2022 – 20 November 2025, available at: https://tinyurl.com/k9vtxdwy.
1479 DOATAP website available at: https://bit.ly/3q8RqET.
1480 Article 304 L.4957/2022.
1481 DOATAP website, Statistics, available in Greek at: https://www.doatap.gr/enhmerosh/statistika/.
1482 Articles 28 and 29 Asylum Code.
1483 European Commission, "Commission decides to refer GREECE to the Court of Justice of the European Union for failing to align its rules on family benefits with EU law", 21 November 2025, available at: https://ec.europa.eu/commission/presscorner/detail/da/ip_25_2553.

are unable to work on account of health conditions, who are in turn also excluded from accessing the benefits of the Organisation of Welfare Benefits and Social Solidarity (OPEKA) (See Healthcare).[1484]

Types of social benefits

In order to have access to social benefits in Greece (see below), a beneficiary of international protection must have lived legally and permanently in Greece for a minimum of five years but, depending on the social benefit, this requirement can extend to more than a decade of permanent legal stay. As to the reasons for such requirements, which can amount to indirect discrimination against beneficiaries of international protection in Greece, the Ministry of Labour and Social Affairs explained, in response to a Parliamentary question concerning *inter alia* the childbirth allowance, "*this choice is the product of reflection on the economic repercussions of such a measure under inflexible financial conditions*".[1485]

Housing allowance: Housing allowance is provided to families that can demonstrate five years of permanent, uninterrupted and legal stay in Greece.[1486] As a result, the majority of beneficiaries of international protection are excluded from this benefit.

Single mother allowance: The allowance for single mothers is provided to those who can provide proof of their family situation, *e.g.*, divorce, death certificate, birth certificate. With no access to the authorities of their country, many mothers are excluded because they cannot provide the necessary documents. Family status certificates issued by the Asylum Service are not accepted for the purpose of certifying single parenthood.

Single child allowance: The single child support allowance replaced the pre-existing housing allowance and is provided explicitly to refugees or beneficiaries of subsidiary protection, that can demonstrate five years of permanent, uninterrupted and legal stay in Greece.[1487]

Birth allowance: The birth allowance is granted to any mother who is legally and permanently residing in Greece and amounts to € 2,000 for every child born in Greece. Third country nationals are entitled to receive this allowance if they can demonstrate 12 years of permanent stay in Greece. Exceptionally for the births that will take place in the years 2020-2023 the allowance will be granted to any mother – third country national, who has been permanently residing in Greece since 2012. The permanent stay is proved with the submission of tax declarations. Hence, the vast majority of beneficiaries of international protection are practically excluded from this benefit.[1488]

Student allowance: Beneficiaries of international protection are excluded by law from the social allowance granted to students, which amounts to €1,000 annually. According to the law, this allowance is provided only to Greek nationals and EU citizens.[1489]

Disability benefits: Beneficiaries of international protection with disabilities also face great difficulties in their efforts to access welfare benefits. First, they have to be examined by the Disability Accreditation Centre to assess whether their disability is at a level above 67%, in order to be eligible for the Severe Disability Allowance.[1490] Even if this is successfully done, there are often significant delays in the procedure. Beneficiaries of international protection receive a message from e-Government Centre for Social Security (IDIKA) informing them that in view of the expiry of their residence permit within three months and in order to avoid problems with the payment of the social benefit, they should submit the new residence permit or the application for renewal of the residence permit at a Community Centre in their place of residence.

1484 Also see RSA and Stiftung Pro Asyl, *Recognised refugees in Greece 2025,* March 2025, available at: https://tinyurl.com/3emyk5w3, pp. 22-24.
1485 Ministry of Labour and Social Affairs, Reply to parliamentary question by KINAL, 27512/2023, 14 March 2023.
1486 Article 3(6) Law 4472/2017, inserted by Article 17 Law 4659/2020. Residence is established based on the submission of tax declarations within the requisite deadlines.
1487 Article 214 Law 4512/2018, as amended by Article 15 Law 4659/2020.
1488 Articles 1 and 7 Law 4659/2020.
1489 Article 10 L 3220/2004.
1490 JMD Γ4α/Φ. 225/161, Gov. Gazette 108/B/15.2.1989.

The **guaranteed minimum income** (*ελάχιστο εγγυημένο εισόδημα*),[1491] formerly known as Social Solidarity Income (*Κοινωνικό Επίδομα Αλληλεγγύης "*KEA", established in February 2017 as a new welfare programme regulated by Law 4389/2016).[1492] Since December 2023, the guaranteed minimum income is € 216 per month for a single-person household, plus €108 per month for each additional adult member of the household and € 54 per month for each child of the household.[1493] It is a necessary safety net to combat the effects of poverty and prevent social exclusion.[1494] In practice, in order to receive this benefit, applicants must have filed a tax declaration, which means they must have been in the country for at least one year. Therefore, those who are recognised as beneficiaries of international protection quickly will only be entitled to this benefit after one year.

Unfortunately, except for the "guaranteed minimum income", there are no other effective allowances in practice. There is no provision of State social support for vulnerable cases of beneficiaries such as victims of torture. The only psychosocial and legal support addressed to the identification and rehabilitation of torture victims in Greece is offered by three NGOs, GCR, Day Centre Babel and MSF, which means that the continuity of the programme depends on funding.

Uninsured retiree benefit: Retired beneficiaries of international protection, in principle have the right to the Social Solidarity Benefit of Uninsured Retirees.[1495] However, the requirement of 15 years of permanent residence in Greece in practice excludes from this benefit seniors who are newly recognised beneficiaries. The period spent in Greece as an asylum applicant is not calculated towards the 15-year period, since legally the application for international protection is not considered as a residence permit. In GCR's experience, uninsured recognised refugees are asked to provide a recent certificate from the competent consulate of their country, officially translated and legally certified proving whether they receive any pension from their country of birth. This certificate is impossible to obtain since refugees are persecuted and cannot address any diplomatic authority of their country of origin. In case they address the diplomatic authority of their country of origin they are at risk of revocation of their refugee status.

Housing assistance allowance for uninsured elderly persons: Retired beneficiaries of international protection, in principle have the right to this allowance, if they demonstrate 12 years of permanent stay in Greece[1496]

The granting of social assistance is not conditioned on residence in a specific place.

It is noteworthy that from 15 March 2025, a new method of payment of certain welfare benefits in cash, as well as allowances and financial assistance paid by the Public Employment Service (DYPA) and the Organisation for Welfare Benefits and Social Solidarity (OPEKA) will be implemented. In particular, it is foreseen that they will be paid by crediting a special prepaid card issued by a Payment Service Provider, where the beneficiary has an active payment account (IBAN). Beneficiaries will be able to withdraw up to 50% of the amount of each benefit in cash, while the remainder will be spent exclusively through the use of the prepaid card. Nineteen (19) types of social benefits will be paid according the aforementioned manner. The most important are the following: (i) Guaranteed minimum income, (ii) Fostering allowance,[1497] (iii) Birth allowance, (iv) Child benefit (A21),[1498] iv) Regular unemployment benefit, (v) Long-term unemployed benefit, (vi) Unemployment allowance for the self-employed, (vii) Employment Benefit,

1491 Article 29(2) Law 4659/2020, Gov. Gazette A' 21/3.2.2020.
1492 Article 235 Law 4389/2016. See also KEA, 'Πληροφορίες για το ΚΕΑ', available in Greek at: http://bit.ly/2HcB6XT.
1493 OPEKA, *Guaranteed minimum income (Ελάχιστο Εγγυημένο Εισόδημα): Legislation*, available in Greek at: https://opeka.gr/elachisto-engyimeno-eisodima/.
1494 OPEKA, *Guaranteed minimum income (Ελάχιστο Εγγυημένο Εισόδημα)*, available in Greek at: https://opeka.gr/elachisto-engyimeno-eisodima/.
1495 Article 93 Law 4387/2016.
1496 Article 2(1)(b) JMD 30105/25.05.2021, Gov. Gazette B 2156/25.05.2021.
1497 Organisation for Welfare Benefits and Social Solidarity (OPEKA), Fostering Allowance, available in Greek here.
1498 Organisation for Welfare Benefits and Social Solidarity (OPEKA), hild benefir (A21) , available in Greek here.

(viii) Special Maternity protection benefit, (ix) Supplementary maternity benefit, and (x) Parental leave benefit.[1499]

G. Health care

Pursuant to Article 30 Asylum Code, beneficiaries of international protection are to enjoy equal access to healthcare, under the same conditions as Greek nationals. Moreover, pursuant to Article 33 L. 4368/2016, uninsured and vulnerable social groups, which include BIPs and stateless persons, are to enjoy free access to public health facilities and are entitled to nursing and medical care, irrespective of whether they hold a valid residence permit or whether a decision is pending on an application for renewal of international protection status, or on an administrative appeal or judicial remedy against a decision rejecting the application for renewal, or at the time when there is a right to an administrative appeal or judicial remedy.[1500]

Despite the favourable legal framework, actual access to health care services is hindered, in practice, by significant shortages of resources and capacity for both foreigners and the local population, as a result of years of austerity policies followed in Greece, as well as a lack of adequate cultural mediators. For BIPs subject to the "old procedure" under the competence of the Hellenic Police, another specific issue, in GCR's experience, is that the residence permit they receive in the form of a "booklet", poses added challenges in the issuance of AMKA, as this old residence permit contains a number written in a different format than the new residence permits. Hence, the civil servants did not know how to process the issuance of AMKA.

Meanwhile, administrative obstacles with regard to the issuance and in particular the activation of a Social Security Number (AMKA), promote an increasingly restrictive environment that impedes access to health care.

Since December 2023, pursuant to article 6 paragraph 5 point (bb) of JMD Φ80320/109864/14.12.2023, in order for third country nationals, including BIPs, to be able to activate their AMKA –without which activation they cannot have access to the rights attached to holding an AMKA– they need to cumulatively fulfil the following set of requirements: hold (a) a valid passport of a third country or a valid travel document, (b) a valid residence title in the country with the right of access to the labour market, and (c) proof of residence in the country.

As proof of residence in the country, it is mandatory to also submit a certificate of employment (βεβαίωση πρόσληψης) from an employer or an employment contract uploaded in the Information System of the Ministry of Employment (ERGANI) or a certificate of commencement of self – employment by the competent Tax Office, or a certificate of studies in Greece, with the latter being added as an alternative in Guidelines issued by the Ministry of Employment and Social Security on 1 April 2024.[1501]

Notably this requirement does not apply to either Greek or EU citizens, introducing an impermissible division with regards to the treatment of BIPs, in breach of applicable law, and with concerning material manifestations, as BIPs who have not yet secured lawful employment are effectively barred from activating their AMKA, are in turn systemically excluded from public healthcare. The impact is particularly severe for beneficiaries unable to work due to health conditions and who are, in turn, also excluded from accessing the benefits of the Organisation of Welfare Benefits and Social Solidarity (OPEKA).[1502]

1499 Organisation for Welfare Benefits and Social Solidarity (OPEKA), 14.03.2025, available in Greek here.
1500 Article 33 par. 2 point ix of L. 4368/2016.
1501 Ministry of Employment and Social Security, Guidelines for the Issuance and Use of the Social Security Number - Annex B: Documents Required for the Issuance and Activation of an AMKA, prot. no.Φ80320/25192, available in Greek at: https://tinyurl.com/42pj3zft, p.23 of 59.
1502 Also see RSA and Stiftung Pro Asyl, *Recognised refugees in Greece 2025,* March 2025, available at: https://tinyurl.com/3emyk5w3, pp. 22-24.

As noted in a 21 November 2024 letter of the active Director-General of Migration and Home Affairs to competent Greek Ministers,[1503] "*the new provisions of the law on the AMKA activation set additional requirements (e.g., having an employment contract) for beneficiaries of international protection and legally residing third-country nationals in comparison to Greek citizens. This provision hinders the effective access to the healthcare system by beneficiaries of international protection and legally residing third country nationals, and is particularly worrying for persons with disabilities who are unable to work*."

Lastly, clarifications offered by the Ministry of Health via Circular 48556/2025 in November 2025 on access to public health facilities for the beneficiaries foreseen under Article 33 of L. 4368/2016, have further hindered access of uninsured BIPs to healthcare. Although the Circular clarifies that BIPs can enjoy these rights without an active AMKA, thus potentially providing for a means to resolve the aforementioned barriers to its activation, it substitutes the need for active AMKA with the need to submit a written confirmation of the decision to postpone their removal pursuant to the provisions of paragraph 4 of Article 24 of L. 3907/2011. Given BIPs have a regularised stay in Greece, and thus are not subject to either removal measures or their postponement, this is a practical impossibility, and in case the Hellenic Police, which would be the competent authority for issuing such as postponement decision, does not issue such decisions in cases of BIPs.

These systemic barriers have also been flagged in a recent (February 2026) case supported by RSA before the ECtHR regarding a young refugee woman from Syria facing a serious health condition and in need of vital medication, which she could not acquire on account of the impossibility of activating her AMKA. The Court ordered the Greek authorities to ensure the continuation of urgent medication and treatment necessary for her survival.[1504] Nevertheless, despite this binding decision, the administration failed to comply, leaving the applicant at imminent risk for more than 20 days after the Strasbourg ruling.[1505]Regarding beneficiaries of subsidiary protection, it should also be noted that they receive national passports from the Embassies/Consulates of their country of origin in Greece. However, there are cases where they are neither provided with a national passport nor with a certificate of objective impossibility to issue one, so that a travel document can be issued by the Greek authorities. Therefore, these beneficiaries of subsidiary protection are excluded from access to public health care, as the AMKA cannot be activated as described above.[1506]

Furthermore, according to the aforementioned JMD, the issuance of AMKA is conditional upon possession of a "valid residence title in the country with labour market access".[1507] The requirement of a "valid" residence permit creates substantial obstacles, given that AMKA is deactivated upon (a) interruption of lawful residence in the country; or (b) interruption of access to the labour market; or (c) interruption of actual residence in the country, except for minor beneficiaries; or (d) deactivation of A.M.K.A. of the directly insured person, in the case of indirectly insured persons adults or minors[1508]. "Specifically as regards deactivation due to non-legal residence in the country, [deactivation] shall automatically take

1503 DG HOME, *Implementation of new law on AMKA and its repercussion on Beneficiairies of International Protection and legally residing third-country nationals*, 21 November 2024, Ref. Ares (2024)8316809 - 22/11/2024. The document was made available following a request for access to information made by RSA.

1504 RSA, "ECtHR interim measures secure access to medication for recognised refugee with serious health condition and inactive AMKA in Greece", 2 February 2026, available at: https://rsaegean.org/en/ecthr-interim-measures-amka-refugee-greece/.

1505 RSA, "BREAKING: EFKA ignores binding ECtHR interim measures decision", 26 February 2026, available at: https://rsaegean.org/en/breaking-efka-ignores-binding-ecthr-interim-measures-decision/.

1506 Intervention by 20 civil society organizations of the national Legal Working Group to the Minister and Vice Minister of the Ministry of Migration and Asylum and the Minister of Citizen Protection, *Beneficiaries of International Protection*, prot. no. β/139/24.10.2024. The same issues regarding AMKA have already been raised in the intervention No. 385/17-07-2024 addressed to the Ministry of Migration and Asylum and to all competent Authorities by 22 civil society organizations, without, however, receiving any response to date.

1507 Article 3(a) of JMD Φ80320/109864/14.12.2023. See RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights,* March 2024, available at: https://bit.ly/3KT41TT, p. 20.

1508 Article 7(1) JMD Φ80320/109864/2023.

place on the day following the expiry of validity of the residence title, in the absence of renewal, extension or withdrawal of the status of international or temporary protection".[1509]

According to Guidelines provided by the Registration Department of the Insurance Directorate of the General Directorate for Contributions, "the service of third country nationals for the issuance - activation - re-activation of AMKA will be provided by the Ministry of Migration and Asylum by 22.12.2024. Until this date, third country nationals will be served by e-EFKA and Citizens' Service Centres" (Κέντρα Εξυπηρέτησης Πολιτών - ΚΕΡs).[1510]

It should be noted that, in the Guidelines of the Ministry of Labour and Social Affairs, there are neither templates of residence permits of beneficiaries of international protection issued by the Headquarters of the Hellenic Police, nor templates of certificates of submission of renewal applications of residence permits for both beneficiaries of international protection granted international protection status either by the Asylum Service or the Headquarters of the Hellenic Police.[1511]

The Ministerial Decision 12184/2022 that came into effect on 16 March 2022 provided that the prescription of medicines, therapeutic operations and diagnostic examinations for patients without health insurance will be possible, only by doctors of public hospitals and Primary Health Care structures.[1512] This Ministerial Decision affected the vast majority of beneficiaries of international protection, since most of them do not have health insurance and will therefore no longer be able to visit private doctors.

As of 1 July 2022, it is impossible for private doctors to prescribe the uninsured patients under Article 38 Law 4865/2021,[1513] in conjunction with Ministerial Decision (M.D) 30268/30-05-2022.[1514] The exception from this provision are (a) uninsured people up to 18 years old; (b) uninsured patients with intellectual or mental disabilities, autism, down syndrome, bipolar disorder, depression with psychotic symptoms, cerebral palsy or severe and multiple disabilities, amputees who receive the extra-institutional allowance with a disability rate of 67% or more, as well as those who have a certified disability of 80% or more, for any condition; (c) uninsured patients with conditions included in the list of diseases for which medicinal products are administered with reduced or no contribution by the insured person, including patients suffering from AIDS; (d) the prescription of all vaccines without exception to all uninsured patients.[1515] All the above apply to every person residing legally in Greece and there is no specific provision for beneficiaries of international protection.

As of March 2023, the "Evangelismos" General Hospital of Athens, the "Aiginitio" Hospital and "Dromokaitio" Psychiatric Hospital of Athens had no interpreters. 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.[1516] Thus, access to health care is extremely difficult is for beneficiaries of international protection.

According to a survey conducted by UNHCR from July 2022 until June 2023 with 424 beneficiaries of international protection *"[t]wenty-nine per cent of respondents had difficulty accessing healthcare because of language barriers, challenges to securing appointments and lack of information on the national health care system"*, while the number of households that have at least one member with specific needs is 36%.

1509 Article 7(2) JMD Φ80320/109864/2023. See RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights,* March 2024, available at: https://bit.ly/3KT41TT, p. 20.

1510 Registration Department of the Insurance Directorate of the General Directorate for Contributions, Παροχή Οδηγιών για την απόδοση και τη λειτουργία του Αριθμού Μητρώου; Κοινωνικής Ασφάλισης (ΑΜΚΑ), prot. no. 530132, 10 April 2024, available in Greek at: https://bit.ly/3xmJ3ts.

1511 Ministry of Labour and Social Affairs, Οδηγίες για την απόδοση και τη λειτουργία του Αριθμού Μητρώου Κοινωνικής Ασφάλισης (ΑΜΚΑ), prot. no. Φ80320/25192, 01 April 2024, available in Greek at: https://bit.ly/3RBmkRb.

1512 Ministerial Decision 12184/2022, Gov. Gazette 899/B/28.2.2022.

1513 Law 4865/2021, Gov. Gazette 238/A'/04-12-2021.

1514 Ministerial Decision 30268/30-05-2022, Gov. Gazette, B', 2673/31.05.2022.

1515 Article 11(1) Ministerial Decision 30268/30-05-2022 Gov. Gazette 2673, B', 31-05-2022.

1516 RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece, Access to documents and socio-economic rights*, March 2023, available at: https://bit.ly/3KT41TT, p. 26.

Chronic illnesses, mental health issues and physical disabilities are the top three reported vulnerabilities.[1517]

[1517] UNCHR, *Key Findings: July 2022 – June 2023, Protection Monitoring of Refugees in Greece*, August 2023, available at: https://bit.ly/4dgyE2l.

ANNEX I – Transposition of the CEAS in national legislation

Directives and other CEAS measures transposed into national legislation

Directive	Deadline for transposition	Date of transposition	Official title of corresponding act	Web Link
Directive 2011/95/EU Recast Qualification Directive	21 December 2013	Initial transposition PD 141/2013, Gov. Gazette A΄ 226/21-10-2013	'*Προσαρμογή της ελληνικής νομοθεσίας προς τις διατάξεις της Οδηγίας 2011/95/ΕΕ του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 13ης Δεκεμβρίου 2011 (L 337) σχετικά με τις απαιτήσεις για την αναγνώριση και το καθεστώς των αλλοδαπών ή των ανιθαγενών ως δικαιούχων διεθνούς προστασίας, για ένα ενιαίο καθεστώς για τους πρόσφυγες ή για τα άτομα που δικαιούνται επικουρική προστασία και για το περιεχόμενο της παρεχόμενης προστασίας (αναδιατύπωση)*'	https://bit.ly/3Xu7U96
		Legislation in force L. 4939/2022, Gov. Gazette A΄ 111/10-6-2022	'*Κύρωση Κώδικα Νομοθεσίας για την υποδοχή, τη διεθνή προστασία πολιτών τρίτων χωρών και ανιθαγενών και την προσωρινή προστασία σε περίπτωση μαζικής εισροής εκτοπισθέντων αλλοδαπών*'	https://bit.ly/3Xtj6CY

Directive 2013/32/EU Recast Asylum Procedures Directive	20 July 2015	Initial transposition L. 4375/2016, Gov. Gazetta A' 51/03-04-2016 Legislation in force L. 4939/2022, Gov. Gazette A΄ 111/10-6-2022	*'Οργάνωση και λειτουργία Υπηρεσίας Ασύλου, Αρχής Προσφυγών, Υπηρεσίας Υποδοχής και Ταυτοποίησης σύσταση Γενικής Γραμματείας Υποδοχής, προσαρμογή της Ελληνικής Νομοθεσίας προς τις διατάξεις της Οδηγίας 2013/32/ΕΕ του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου «σχετικά με τις κοινές διαδικασίες για τη χορήγηση και ανάκληση του καθεστώτος διεθνούς προστασίας (αναδιατύπωση)» (L 180/29.6.2013), διατάξεις για την εργασία δικαιούχων διεθνούς προστασίας και άλλες διατάξεις'* *Κύρωση Κώδικα Νομοθεσίας για την υποδοχή, τη διεθνή προστασία πολιτών τρίτων χωρών και ανιθαγενών και την προσωρινή προστασία σε περίπτωση μαζικής εισροής εκτοπισθέντων αλλοδαπών'*	https://bit.ly/4eur8S3 https://bit.ly/3Xtj6CY
Directive 2013/33/EU Recast Reception Conditions Directive	20 July 2015	Initial transposition L. 4636/2019, Gov. Gazetta A' 169/ 01-11-2019 Legislation in force L. 4939/2022, Gov. Gazette A΄ 111/10-6-2022	*Περί Διεθνούς Προστασίας και άλλες διατάξεις* *Κύρωση Κώδικα Νομοθεσίας για την υποδοχή, τη διεθνή προστασία πολιτών τρίτων χωρών και ανιθαγενών και την προσωρινή προστασία σε περίπτωση μαζικής εισροής εκτοπισθέντων αλλοδαπών'*	https://bit.ly/4cqEptk https://bit.ly/3Xtj6CY
Regulation (EU) No 604/2013 Dublin III Regulation	Directly applicable 20 July 2013			

The following section contains characteristic incompatibilities in transposition of the CEAS in national legislation which were previously identified in IPA and are maintained in Asylum Code.

Directive	Provision	Domestic law provision	Non-transposition or incorrect transposition
Directive 2011/95/EU Recast Qualification Directive	29(1)	Article 29 Asylum Code .	Article 29 Asylum Code maintaining previous relevant provisions transposing Article 29(1) Directive 2011/95/EU, foresees that beneficiaries have access to social welfare under the same conditions as Greek nationals. Though the letter of the law is positive and does not make use of derogations allowed under the Directive, conditions for accessing social benefits provided under Greece's welfare policies and in particular requirements of previous legal stay for a minimum of 5 years that must be fulfilled, make it void in practice, leading to indirect discrimination against beneficiaries of international protection.
	23(2)	Article 23(4) in conjunction with Article 22(2) Asylum Code	In the case of families created after arrival to Greece: - in order for the spouses of the beneficiary to be eligible to be granted a residence permit they must already hold a valid residence permit at the time the marriage or civil partnership was conducted. - Furhtermore, parents of underage beneficiaries are not eligible for residence permits - While beneficiaries' children need to have been born in Greece, in order to be eligible for a residence permit.
Directive 2013/32/EU Recast Asylum Procedures Directive	31(8)	Article 88(9)ia Asylum Code	Asylum Code maintains IPA's provision (Article 83(9)) which exceeds the permissible grounds for applying the accelerated procedure, given that it foresees as ground for using the procedure cases where the applicant refuses to comply with the obligation to be fingerprinted under domestic legislation.
	38 (2)	Article 91(1)f Asylum Code	Article 91(1)f Asylum Code maintains Article 86(1)(f) IPA, with regards the safe third country concept, and provides that transit through a third country may be considered as such a "connection" in conjunction with specific circumstances, on the basis of which it would be reasonable for that person to go to that country. In *LH* the CJEU ruled that "the transit of the applicant from a third country cannot constitute as such a valid ground in order to be considered that the applicant could reasonably return in this country", C-564/18 (19 March 2020), which

			sheds doubts on the compatibility of the provision with Article 38(2) of the Directive. Moreover, contrary to Article 38(2) of the Directive, national law does not foresee the methodology to be followed by the authorities in order to assess whether a country qualifies as a “safe third country” for an individual applicant.