

# Ecumenical Refugee Programme

## Re-integration Center for Returning Migrants-KSPM:

Holy Synod of the Orthodox Church of Greece

### STATEMENT

1. The Ecumenical Refugee Program (ERP), is a special service of the Holy Synod of the Orthodox Church of Greece that provides assistance to refugees and asylum seekers. The program was officially established in January 1994 as a successor of the WCC Refugee Service in Greece. The program runs different projects that have been financed by various sources, including UNHCR, the European Commission, Equal Community Initiative, the European Refugee Fund ( during the last three years until December 2009) etc. The ERP primarily provides legal assistance and representation to asylum seekers and refugees and is one of the main Organizations in this field in Athens, namely an area that receives the largest numbers of aliens in need of International Protection. Since June 2008, we also offered legal assistance to asylum seekers in Mitilini Detention Center.
2. The undersigned, Efthalia Pappa, project director of the ERP, was invited by the Minister of the Protection of the Citizen (asylum procedures are within this Ministry and reception conditions with the Ministry of Health and Social Solidarity) last December to participate in the experts committee which has elaborated a comprehensive proposal for the reform of asylum system in Greece. The proposal was submitted to the Minister on the 23 /12/2008
3. We have been asked by INLIA Foundation in the Netherlands to comment on the letter of the *Ministerie van Buitenlandse Zaken* to the European Court of Human Rights, referring to the application No. 63862/09, R. B. and R. H. v. the Netherlands describing the asylum situation in Greece, in particular with regard to the safeguards provided by the Greek government to asylum seekers returned to Greece under the Dublin II Regulation (access to the procedure and reception facilities).
4. Concerning the set of guarantees provided to asylum seekers who are returned to Greece under Dublin II and want to apply for asylum the reality is as follows: while it is true that asylum seekers are registered at the airport, there exists no professional translation that will enable the applicant to effectively understand the steps to be followed afterwards. The lack of effective translation has also a direct impact on their

right to receive accurate information about the asylum procedure, the reception conditions, their rights and obligations. In none of the Dublin cases that have come to our office (49 cases during the last year) did the asylum seekers receive any form of effective guidance and orientation at the airport. None of them had ever seen the informative leaflet available in different languages, which is supposedly distributed to them by the Greek authorities. The only information they receive is a paper written in Greek and in English which instructs the holder to go to the Aliens Police Directorate at Petrou Ralli street (Petrou Ralli) within 2 days to "be updated about his/her file", without further explanation.

5. The authorities of Petrou Ralli are not "instructed to expect his arrival". In fact, Dublin returnees receive exactly the same treatment as the rest of asylum seekers trying to enter Petrou Ralli for various procedural reasons: when they go to Petrou Ralli as they have been instructed to do at the airport, they are not even allowed to enter through the main gate, let alone to access the Asylum Office. For instance, in 2008 and 2009 we recorded at least 80 cases of Dublin returnees, in which we had to intervene because Petrou Ralli would refuse them access to the building in order to provide them with a "red card", (asylum seeker documentation paper) let them register an address as they are required or renew their card. Without support from an NGO these people were totally helpless in following up their cases and asserting any of their rights.
6. When asylum seekers manage finally to enter the Aliens Police building, they are registered as asylum seekers and given a date for an interview. At this moment (since the last two months) asylum committees that have been established under the recent (July 20/2009) Presidential Decree 81/2009, they don't meet to make the interview with the asylum seeker. So the members of the committees give the asylum applicants dates for interviews for October, November 2010 (at this moment). This practically means that genuine refugees do not have at any chance to be recognized as refugees under the present situation and although are protected against refoulement, they are in a legal and socio economic precarious situation which can last for months or even years. Moreover, in some Dublin cases during the last months, police authorities (asylum dept) have refused to give the identity paper because Dublin returnees were not in a position to give or indicate a home address. They were homeless. Police very often lately asks for a contract of house (the house has to be rent by the asylum seekers themselves without any financial assistance by the government) in order to provide or issue an asylum seeker identity card or to renew the card.
7. In addition, there is no such practice among Greek authorities to accommodate Dublin returnees as a matter of priority, even vulnerable cases because in fact there

is not such possibility beyond good intentions! The first question that Dublin returnees asks us, is: "where am I going to stay? where can I eat?". Because of the inadequate number of available shelters, there are long waiting lists, even for families with children. Among 49 cases assisted during the last months by our project (legal orientation) only one woman returned from Belgium was able to find a shelter run by the Doctors of the World under an ERF project. According today information that I got from governmental authorities which are aware of the problems (lack of resources, lack of adequate reception facilities) there was not such an understanding between the competent Ministry and the Netherlands to provide a shelter to Dublin returnees from your country and there is not such possibility. Monitoring from a Dutch official as far as it concerns access to the asylum procedure, does not mean access to accommodation facilities, unless the Dutch authorities have foreseen to pay the accommodation for asylum returnees from the Netherlands in Greece themselves.

8. Under the current asylum system, rejected cases, 1<sup>st</sup> instance, do not have the right to appeal (no effective remedy) against the decision. The new asylum system is not introduced yet and we don't know under the present critical economic situation (need of huge human and economic resources in order to put in place new structures) when this will happen
9. We do not consider that the current asylum situation in Greece, including reception conditions for Dublin returnees fulfill the criteria for a fair and effective asylum procedure in Greece. There is a clear political will from the government to change the asylum situation in Greece in the future but under the present circumstances (economic crisis) we doubt that there are human and economic resources available to invest on the matter.

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