

Date:	Wednesday 21 st November 2018, 10am (Athens)
Participants:	Director of the Asylum Service; UNHCR; ICRC; DRC; Church of Greece; IOM; Solidarity Now; AITIMA; UNICEF; Diotima; Help refugees; Ministry of Migration Policy (Kyriakos Dessipris, Attika coordinator); RSA; ERP; Network for Children's Rights; Safe Passage'; HLHR; Metadrasi; Spanish Red Cross; Spanish Council for Refugees; ARSIS; EASO; NOSTOS; IRC; GCR; JRS
Chairs:	Miriam Aertker, Kalliopi Stefanaki (UNHCR), Co-Chair / Erika Kalatzi (DRC)
Agenda	<p>1. Access to Asylum Procedure</p> <p>(i) Restrictions in the physical access of lawyers (maximum number per day) and applicants (subject to EASO controls) to the RAOs, insufficient info-points</p> <p>(ii) Lack of access to the asylum procedure due to difficulties in the access to Skype (due to technical malfunction and lack of interpreters for rare languages) leads to deprivation of their personal liberty</p> <p>(iii) Information to detainees, regarding their access to asylum procedure</p> <p>(iv) Delays (up to one year) in full registration of asylum claims that leads to deprivation of rights (adult's education), risk of not meeting Dublin requirements (especially for UAMs)</p> <p>(v) Insufficient AS personnel especially in the PRDCs, leading to big delays in registration of the detainees' asylum claims</p> <p>2. Asylum Procedure</p> <p>(vi) Need to make the SOPs publicly accessible in the form of circulars.</p> <p>(vii) Delays from the registration of the claim to the interview</p> <p>(viii) Procedural issues (interview and decisions) – registration on interviews (minutes or voice recorder) – lack of trained case workers for GBV/domestic/sexual violence cases (non referral of victims of torture to actors specialized to certify – fast track procedure for Syrians available only in Attika – Quality of the decisions - Notification of full decision when refugee status is granted</p> <p>(ix) Cost of the transfer of asylum seekers to the islands for examination of their asylum claim (after their transfer to the mainland, following their referral to the normal procedure)</p> <p>3. EASO</p> <p>(x) Participation of EASO at the asylum procedure (denial to give copies of the file – simultaneous EASO interviews in the same area – respect of privacy and confidentiality of the interview – quality control of EASO's recommendations – authority to conduct vulnerability interviews – uniform procedure in all RAOs and AA Units)</p> <p>4. UASC</p>

	<p>(xi) Age-assessment based on Asylum Service’s authority (ministerial decision 1982/2016) to ask for it – frequency of referrals and obstacles in the implementation of the ministerial decision (eg. Linked to the expertise of medical personnel of public hospitals) – Monitoring of the procedure</p> <p>(xii) Access of UASC to the asylum procedure in the mainland (pre-registration); important delays</p> <p>(xiii) The practice of GAS not to issue pre-registration cards to UASC leads to their arrest, protective custody in police stations etc. Provision by the Asylum Service of a document proving that pre-registration of an UASC has taken place</p> <p>(xiv) Lack of information provided to UASC regarding Dublin procedures and access of UASC to Dublin procedure that leads to lack of consistency regarding the decision to register a case as Dublin case or not, especially in some RAOs (e.g. Piraeus)</p> <p>(xv) Take-charge requests are never sent on the basis of art. 17 of Dublin Regulation for applicants who apply while on the islands; Transfers of UASC from the islands;</p> <p>(xvi) Poor quality of the decisions on international protection regarding UASC in some cases</p> <p>5. Legal Aid</p> <p>(xvii) Developments regarding free state legal aid before GAS and Appeals Committees at 2nd instance</p> <p>6. AOB</p>	
		Action Points
<p>Introduction</p>	<ul style="list-style-type: none"> - The AS Director welcomed the opportunity for the Civil Society to address its questions to a state representative. - He also stated that both parties stand on the same side of the ‘fence’, while bottlenecks need to be presented and clarifications are needed on what can and/or cannot be done, depending on the relevant legal framework and the existing capacity. 	<p>N/A</p>
<p>1. Access to Asylum Procedure</p>	<p>*AS Director informed that:</p> <ul style="list-style-type: none"> - The capacity of the AS is the major factor influencing processing times and access to pre-registration/registration with the result of delays. - There is an effort to increase such capacity by recruiting additional staff and prolonging the opening hours (with the support of EASO). 37 new staff of secondary education assumed service, while 130 of university education (case-workers) are to assume office at the beginning of 2019; final decision on the number to be recruited is expected by the MoI (austerity measures/quotas for recruitment of civil servants) - In Attica, working groups (provided in Law 4375/2016) will proceed with additional registration of vulnerable cases included in the list of Ffourarchio (where UASC and vulnerable asylum seekers are being received by the Asylum Service/Regional Asylum Office of Attica), on Saturdays. The necessity of people showing-up to be fingerprinted and registered in the system is important for these registration slots not to be lost. 	<p>AS Director: He noted all issues raised and he will revert after following-up on them.</p>

*The AS Director confirmed that vulnerability should be documented with official medical documents issued by any public institution, including KEELPNO. However, the availability of hospitals to identify and certify such vulnerabilities, as well as the fact that those who are unregistered, more often coming from the North, do not have access to public medical services, are the two main challenges in this case.

*The AS Director clarified that minors are anyway prioritized and a potential solution for those with police notes from the North could be the MDM Polyiatreio in Thessaloniki city. The basic aim of the vulnerability list is not to exclude certain categories, on the contrary, to serve those already registered so that the rest can be also assisted.

*The AS Director emphasized that the vulnerability assessment on the islands is a procedure within reception and the vulnerability as such, in principle, is not tantamount to refugee status and subsidiary protection;

- Procedures for recruitment of 130 persons by Asylum Service; in 2018, 37 graduates of secondary education were recruited; in 2019, another 130 university graduates will be recruited, to perform the duties of case workers. There has been an application for funding to the Commission for 54 more staff members for the islands.

*According to the AS Director, the issue of skype is not the key problem, the key issue is mainly one of capacity. However there are other challenges mainly due to the lack of availability for several languages and technical mal-functions. To resolve these issues, contacts have been made with other Member States, who use methods of digital registration, in order to increase the Greek Asylum Service digital capacity, as well.

*Regarding the provision of information, EASO will support with mobile information units. On the islands, EASO supports the AS with registration of asylum claims.

*Access of lawyers (physical and to services) is hindered mainly in RAO Attica, Pireaus, Lesvos (Moria and Pagani) and Samos and it is a very important safeguard to be observed. More specifically:

- Challenges raised by the participants for RAO Attica (Katechaki): Asylum seekers do not have access to the premises; each lawyer is allowed to represent only two asylum seekers; minors are not allowed to enter the premises with their lawyer (when they do not have interviews, but they want to submit documents). The AS Director informed that a solution to the problem of physical access is already under consideration. New system will be introduced to avoid applicants queuing in front

	<p>of the premises. If there are complaints and/or reports for exploitation/mistreatment of applicants, the Asylum Service will examine them.</p> <ul style="list-style-type: none"> - Challenges raised by the participants for the RAO of Piraeus: no access without appointment; access is problematic for lawyers who need to schedule an appointment by e-mail before contacting the office. This practice has serious consequences when there is a need to submit documents for Dublin procedures. Submitting the documents by mail is not the appropriate solution because applicants (and their lawyers) need to get a protocol number. The AS Director clarified that the practice in the RAO of Piraeus was the outcome of serious reactions, when 300 persons were queuing in a space, where only 12 persons could stand. - Challenges raised by the participants for RAO Lesvos (both in Moria and in Pagani): Non-Greek speaking floor managers restrict the communication and appeals cannot be timely submitted; delays to enter the premises in Pagani. - Challenges raised by the participants for RAO Samos: EASO personnel are not Greek speakers; delays for lawyers to enter the premises. <p>*Challenges were mentioned by the participants regarding the lack of prioritization of Dublin cases and the inadequate access to the asylum procedure of detainees (mainly in the mainland), which includes coordination with the police and other state actors; challenges were also mentioned with the recording of the will to apply for international protection; asylum seekers are ending up being in prolonged detention in the Pre-removal Centres in Xanthi and Alexandroupolis, because their registration and transfer to the AS is delayed. Information regarding the asylum procedure is not easily accessible for detainees both in Pre-removal centres and police stations. Some detainees fall under the Dublin procedure and end up in losing their six-month deadline. The notification of decisions to applicants in detention is also highly challenging. The grounds on which the AS is proposing the prolongment of detention was also raised by the participants. A question was raised on whether the digitalization of the recording of will to apply for asylum would be feasible.</p>	
<p>2. Asylum Procedure</p>	<p>*There is a need for public circulars to be issued by the AS.</p> <p>*On the issue of transfers to mainland of asylum seekers with interviews scheduled on the islands:</p> <ul style="list-style-type: none"> - The transfers from the islands to the mainland are part of the decongestion strategy of the MoMP; in the past the geographical restriction was lifted after the interview had taken place, but maintaining the geographical restriction for long for vulnerable cases is unlawful. However, those transferred to the mainland had already scheduled interviews in the island. 	<p>AS Director: to issue an official announcement on the practices and measures for the re-scheduling of interviews in the mainland.</p>

	<p>- The AS Director stated that re-scheduling those asylum seekers at the end of the scheduling line in RAOs in the mainland would not be fair and he emphasized again that the main constraint is the lack of capacity in mainland.</p> <p>-The AS Director announced the following:</p> <ol style="list-style-type: none"> 1. An official announcement will be issued by the AS once the parameters of the policy and implementation measures are fully determined. 2. A parallel scheduling system for those who have been moved from the islands will be implemented starting from RAO Thessaloniki for sites in the geographical area, then RAO Ioannina will follow (for sites in Katsikas and Filippiada in Epirus) and, finally, RAO Attica, once space issues are dealt with. 3. The re-scheduling will concern those transferred through official transfers including transfers to UNHCR accommodation. A question was raised about those who leave voluntarily the island and not under organized transfers. 4. Asylum seekers with interviews scheduled on the islands until year end, will not return to the island for the asylum interview. Non-shows on the islands will not lead to interruption decisions during the same period. 5. Re-scheduling in RAO Thessaloniki has already started For those transferred in Thessaloniki EASO will conduct asylum interviews (rescheduling closer to the date given on Lesvos) <p>- There are cases of applicants who moved to the mainland violating the geographical restriction and without having their vulnerability assessment procedure finalized on the islands. When this assessment was finalized and referral to the regular procedure took place, these asylum seekers, in principle, they should return on the islands. The advice is that these cases are followed-up as individual cases on a case-by-case basis as regards request to the AS to re-schedule to the mainland, if so the applicants wish.</p>	<p>UNHCR: In parallel with the official announcement by the AS, to prepare and discuss with the AS messaging to the asylum seekers on the re-scheduling system.</p>
<p>3. UASC</p>	<p>- The challenge of the timeframe for the registration of their asylum claim at Ffourarchio, being between five and six months, was raised from the participants.</p> <p>- The AS Director clarified that the main delays are noted in the age assessment procedures and the lack of adequate professionals in the hospitals.</p> <p>- It was proposed that the AS (Director) to participate in the Child Protection sub Working Group so that all Child Protection issues can be addressed more thoroughly.</p>	<p>UNHCR: To invite the AS Director to the Child Protection sub Working Group</p>
<p>4. Legal Aid</p>	<p>- There are no interest by lawyers to be registered in the Registry of the Asylum Service and be deployed to the islands. A gap in 2nd instance legal aid provision is noted on the islands.</p>	<p>AS Director: Provide updates on the issuance of the Joint</p>

	<ul style="list-style-type: none"> - New Joint Ministerial Decision will be soon issued providing for increased remuneration fees, for measures to avoid overlapping as regards the funding sources (i.e. applicants are entitled to have access either to the state legal aid or to lawyer of their choice) and by changing the qualification criteria. - Until the implementation of the new system the AS addressed a call to lawyers already registered in the Registry of Lawyers for whoever among themselves so wishes, to be deployed on the island aiming at increasing the capacity by the Asylum Service on the islands. - The new system provides for a mechanism (implemented by GCR and UNHCR) to support the lawyers of the State Legal Aid in improving quality of their work. 	<p>Ministerial Decision on legal aid provision at 2nd instance</p>
<p>5. Dublin</p>	<ul style="list-style-type: none"> - The AS Dublin Unit will contact applicants' lawyers, if an article 17 "take charge" request is to be sent, asking for the documents needed to be submitted to the other EU Member State. - Germany does not accept "take charge" requests based on article 17 of Dublin Regulation. - Children already registered with their families in Greece who show themselves in other EU MS do not justify "take charge" requests by Greece for their family members left behind in Greece. This practice is against the best interest of children and the AS Director has zero tolerance for this type of Dublin cases. In these cases, a "take back" request will be sent by Greece for the return of the child and the reunification with his family in Greece. No article 17 "take charge" request will be sent. - Concerning transfers to EU MS of asylum seekers accepted for family reunification under Dublin III Regulation, the AS Dublin Unit focuses on promoting the conduct of the transfers of cases accepted in 2017. 	<p>AS Director: 1. All Asylum Offices will be informed in writing on the new policy on Dublin transfers for UASC, 2. The AS will prepare information for the asylum seekers.</p>