

## **Request for information regarding the situation for recognized refugees in Greece**

1. We understand that there has been a substantial backlog of cases before the Aliens Police Directorate of Attica and that beneficiaries of international protection who do not hold a valid ADET upon return to Greece are liable to face particularly lengthy waiting times for the issuance or renewal of their ADET, without which they cannot access social benefits, health care and the labour market.

### **GCR feedback:**

First of all, we would like to clarify that the substantial backlog affecting the issuance and the renewal of residence permits (henceforth ADET) does not relate to the Aliens Police Directorate of Attica or other Aliens Police Directorates (please note that depending on the region, competency lies with different Directorates), but rather the Greek Asylum Service.<sup>1</sup>

Namely, in what concerns the initial issuance of an ADET, the procedure includes two stages:

- The first stage requires the Greek Asylum Service (GAS) to issue a decision for the issuance of an ADET. Competency for this lies with the Regional Asylum Offices (RAOs)
- After this decision is issued, beneficiaries have to submit a photo and fingerprints at the competent Aliens Police Directorate, which then issues the ADET and sends it to the competent RAO, from where beneficiaries can receive it.

The process is similar when it comes to the renewal of an ADET. Namely:

- The first step requires the GAS to issue a decision for the renewal of an ADET. Competency for this lies with the Asylum Unit of International Protection Beneficiaries (AUIPB).
- After the decision is issued, beneficiaries have to similarly submit a photo and be fingerprinted at the competent Aliens Police Directorate, which then issues the renewed ADET and sends it to the competent RAO.<sup>2</sup>

### ***In what concerns the initial issuance of an ADET:***

The delays observed by GCR relate to the time it takes from the moment an ADET has been delivered to the competent RAO, to the time it takes for it to be delivered to the beneficiaries. Overall, in GCR's experience, ADETs are usually delivered at least two months after the

---

<sup>1</sup> On this point, just to clarify that the HQ of the Hellenic Police maintains competency over the renewal of residence permits issued for beneficiaries of international protection that applied for asylum before 2013, i.e. before the operationalisation of the Greek Asylum Service. For these cases, Aliens Police Directorates are competent to receive the renewal application. If you are also interested in these cases, please let us know.

<sup>2</sup> The procedure for issuing and renewing an ADET is described on the Ministry of Migration and Asylum's website at: <https://migration.gov.gr/en/gas/aitoyntes-kai-dikaioychoi/adeies-diamonis/>.

communication of the positive decision granting international protection and the submission of the required documents (positive decision granting international protection, ID decision and photos and copy of the asylum seeker's card) to the Aliens Police Directorate ('Διεύθυνση Αλλοδαπών') or the competent passport office by the beneficiaries.

It is worth mentioning that until the issuance of the residence permits, beneficiaries keep their asylum seeker card and are considered asylum applicants by ERGANI (*ΕΡΓΑΝΗ*), the Information System of the Ministry of Employment.<sup>3</sup> In practice, this means that, without a valid residence permit, beneficiaries of international protection are unable to access the labour market.<sup>4</sup> A positive amendment of article 57(1) Asylum Code in late December 2023, which reduces the period during which asylum applicants do not have a right to work from six to two months following the lodging of their application,<sup>5</sup> might provide a partial and indirect solution for beneficiaries still holding an applicant's card after at least two months following the lodging of their application, by allowing them access to the labour market even if still considered applicants by ERGANI, albeit not to self-employment. Nevertheless, even if this ends up being the case, and notwithstanding the fact that beneficiaries' access to their rights cannot be dependent on indirect or partial solutions, this will still not apply to those granted international protection before the completion of 60 days from the lodging of their application, whom without a valid residence permit (ADET), will still be unable to enjoy access to the labour market.

Moreover, after delivery of the residence permit (*Α.Δ.Ε.Τ.*), the Asylum Service informs the Electronic Governance of Social Security S.A. (*ΗΛΙΚΑ Α.Ε.*) to deactivate the Provisional Foreigner's Insurance and Health Care Number for asylum seekers (*ΠΑΑΥΠΙΑ*). Along with the delivery of residence permit, the Asylum Service is obliged to inform the beneficiaries of international protection that they are henceforth eligible for acquiring a social security number (*ΑΜΚΑ*) and that they must take the legally required steps for its issuance within one (1) month.<sup>6</sup> Yet in practice, due to the delay of the electronic system of *ΗΛΙΚΑ*, beneficiaries of international protection end up having no access to health care for many months.

Lastly, and amongst other issues, 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.<sup>7</sup> Instead, the Asylum Service uploads lists of case numbers of the beneficiaries of international protection on the website of Ministry of Migration and Asylum for whom ADET are ready for collection. In such lists, specific dates are set for the collection of ADET.<sup>8</sup> This means beneficiaries have to regularly consult the daily lists online until they find an entry corresponding to their

---

<sup>3</sup> See website of the Ministry of Employment: <https://bit.ly/3KZj7oE>.

<sup>4</sup> Holding a valid residence permit is a prerequisite for accessing the labour market, as per article 26 L. 4939/2022 (Asylum Code)

<sup>5</sup> Article 192 L. [5078/2023](#) (Gov. Gazette A 211/20.12.2023), amending article 57(1) Asylum Code.

<sup>6</sup> Articles 10 & 11, JMD Φ80320/109864/14.12.2023, Gov. Gazette B 7280/22.12.2023.

<sup>7</sup> Contrary to what is applicable for immigrants that can be informed individually for the issuance of their residence permit through <https://pf.emigrants.ypes.gr/pf/>, such platform does not exist for the individual information of beneficiaries of international protection regarding the issuance of their residence permits.

<sup>8</sup> Ministry of Migration: Initial Residence permits that are ready: <https://migration.gov.gr/en/gas/aitoyntes-kai-dikaioychoi/adeies-diamonis/listes-etoimon-adeion-diamonis/>.

individual case number,<sup>9</sup> which can *inter alia* create added challenges for beneficiaries that lack requisite technological knowledge or are technologically illiterate.<sup>10</sup>

***In what concerns the renewal procedure:***

The delays observed by GCR relate to the time it takes for a renewal application to be processed by the Asylum Unit of International Protection Beneficiaries (AUIPB). As is the case with the initial issuance of an ADET, so too in the case of renewals understaffing is one of the main reasons for the delay, which to GCR's experience can frequently reach more than one year when it comes to renewals. This has also been noted by the Greek Ombudsman.<sup>11</sup>

To provide somewhat of an illustration:

- Based on the latest available data, provided by the Director of the Greek Asylum Service, following a relevant request by legal organisations in Greece,<sup>12</sup> as of February 2024, the AUIPB, which is the only one competent office for processing the renewal of ADET throughout the Greek territory, consists of a total of 8 employees who are in charge of processing all renewal applications and issuing renewal decisions in Greece.
- As of the same month, based on [data published by the Greek Ministry of Migration and Asylum](#) (MoMA), there were a total of 59,640 active ADETs for beneficiaries of international protection in Greece, which is to say at least 59,640 beneficiaries who will be required to renew their ADET within the next 3 years at the latest.
- Irrespective of the number of ADETs that end up being renewed, this means that even under “ideal” conditions, where the population of beneficiaries remained stagnant and the number of renewal applications was divided equally per day for the next 3 years (1,068 days), this would still mean that each employee of the AUIPB would have to roughly process 7 renewal applications on a daily basis, including during non-working days, for the next three years. Even under such conditions, the task would be highly difficult and likely impossible to accomplish on time, given that the renewal also entails collaboration between the AUIPB and other authorities. This can be further corroborated by consideration of the total number of ADET (both initial and renewed) distributed throughout the territory during January 2024, which as per the aforementioned reply of the Director of the Greek Asylum Service, stood at 4,311.

In any case, as per the same reply of the Director of the Greek Asylum Service, in February 2024, a total of 4,029 ADETs were pending renewal before the AUIPB, of which close to half (1,858) were still at the stage of pending to be assigned to a competent employee for the process to commence (i.e. the renewal process had not even commenced).

---

<sup>9</sup> See also RSA and Stiftung Pro Asyl, *Beneficiaries of international protection in Greece: Access to documents and socio-economic rights*, March 2024, available at: <https://tinyurl.com/4m6mb4xz>, p. 13

<sup>10</sup> For more on these points, AIDA, *Country report Greece: 2023 Update*, forthcoming.

<sup>11</sup> Ombudsman, ‘Καθυστερήσεις πλέον του έτους στη διαδικασία ανανέωσης Α.Δ.Ε.Τ. σε υπόθεση δικαιούχου διεθνούς προστασίας’, 316047/64653/2022, 28 November 2022.

<sup>12</sup> Letter of Director of the Asylum Service, *Renewal of identity documents of beneficiaries of international protection*, prot. no. 58515/16.02.2024.

***In what concerns access to social rights:***

In both cases (initial issuance of an ADET and renewal), the lack of access to social rights mentioned in your question is accurate. Without a valid ADET, in practice, beneficiaries of international protection in Greece do not have access to social rights, including social benefits, health care (with the exception of life-threatening emergencies) and the labour market, and where they previously had access to these rights, this access is interrupted until they reacquire a valid ADET.

Lastly, since 2017, the application for renewal along with a digital photo of the beneficiary, is submitted via email to the Asylum Service and the latter's decision is notified to the beneficiary also via email, following which the beneficiary needs to follow the procedural steps described at the beginning of this document. Bearing in mind that legal aid is not provided at this stage, please note that beneficiaries lacking requisite technological skills or who are technologically illiterate, face obvious obstacles to apply for the renewal of their permit.

That being said, after the aforementioned procedure has been completed from the beneficiary's side, as in the case of the initial issuance, so too in the case of renewal, beneficiaries need to consult, on a daily basis, a similar online list published by the MoMA,<sup>13</sup> which includes the renewed ADETs that are ready to be delivered. Yet with the exception of the RAOs of Chios and Leros, RAOs do not generally provide separate lists for the initial issuance and for the renewal of ADETs, resulting in mixed lists that create enormous confusion to beneficiaries and have on more than one occasion led to missing deadlines for receiving the renewed ADET, considering, for instance, that the residence permit guidelines of the Asylum Service advises them to consult the list of the renewed residence permits, yet in practice, information on the renewal of their documents can be included in the list of initial/first-time ADETs.

**a) Is there still a substantial backlog? How are the waiting times?**

**GCR feedback:**

There is an ongoing backlog for both the issuance and the renewal of ADETs, yet to the extent that GCR is aware, there are no publicly available data on the total number of ADET pending issuance and/or renewal. The only available data of which GCR is currently aware of, relates to the aforementioned data provided by the Director of the Greek Asylum Service, based on which it arises that in February 2024, a total of 4,029 ADETs were pending renewal before the AUIPB. Of those, close to half (1,858) were still at the stage of pending to be handed over to a competent employee for the process to commence (i.e. the renewal process had not even commenced), while of

---

<sup>13</sup> Available at: <https://migration.gov.gr/en/gas/aitoyntes-kai-dikaioychoi/adeies-diamonis/lista-ananeomenon-adeion-diamonis/>

the rest, 1,871 were under examination/at the processing stage, and 300 were pending the receipt of a protocol number, which is to say processing had not commenced.

In what regards waiting times, estimates are provided by the National Registry of Administrative Procedures and are as follows:

- For the issuance of ADET: 50 days (estimated. The same estimates are provided for both [refugee status](#) holders and for beneficiaries of [subsidiary protection](#)).
- For the renewal of ADET: [4 months](#) (estimated)

Please note that to the extent that GCR is aware, the aforementioned estimates are not necessarily accurate and delays can be significantly longer, particularly when it comes to the renewal of ADETs, which, as already noted, can reach up to more than a year. Specifically, based on the cases currently supported by GCR, average waiting times of renewal range from a minimum of 6 months to more than a year. This timeframe can be further corroborated by the fact that the duration of the attestations that beneficiaries receive (i.e. proof of having applied for the renewal of their ADET) while the renewal of their ADET is pending, have a six-month duration.

- b) Has there lately been any changes in the rights recognized refugees with international protection in Greece have pending residence permit /renewal of residence permit (ADET)?**
- **Including the right to bodily and mental health care, education - and work?**

**GCR feedback:**

Up to the time of writing, in practice, there has been no change with respect to beneficiaries' (lack of) access to social rights, pending the issuance and/or renewal of their ADET. As has been the case for years, pending the renewal of their documents, beneficiaries are provided with an attestation (*βεβαίωση κατάστασης αιτήματος*), which does not meet necessary requirements (e.g. a photo, a watermark) for accessing social rights. In fact, beneficiaries holding these attestations are only protected from detention, but otherwise have no access to their rights.

That being said, in April 2023, there was a positive legal amendment of Greece's Migration Code ([L. 5038/2023](#)). Article 9 (ι), in conjunction with art. 10 (8, β) and article 11 (10) therein might bring a resolution to the accessibility gap/barrier created for beneficiaries each time an ADET is pending issuance and/or renewal, given that said provision seem to be addressing the limitations of the aforementioned attestation (e.g. photo, watermark). However, these provisions, which have officially entered into force since 31 March 2024, are in need of monitoring to assess their effectiveness. That being said, as of the time of writing (23 April 2024), GCR is yet to see implementation of these provisions in practice, and indeed, based on GCR's experience in managing relevant cases, beneficiaries still receive, in practice, the aforementioned attestations, which do not fulfill requirements for accessing social rights.



- c) **Is any economic help or support provided during this period (between being granted international protection and being granted a residence permit (ADET))?**
- **Including accommodation and health care?**
  - **Including help and support from NGOs – civil society?**

**GCR feedback:**

As far as GCR is aware there is no dedicated (state/public) help or support provided to beneficiaries of international protection in the period it takes for an ADET to be issued or renewed.

However, the situation remains largely the same even after the ADET has been issued and/or renewed, as dedicated support for beneficiaries in Greece remains severely limited, and primarily dependent on the limited capacity and resources of NGOs.

In what regards accommodation in particular:

- Following the notification of a positive asylum decision, beneficiaries have up to 30 days to leave any accommodation they might have previously been provided in the context of reception conditions (currently only camp-based accommodation). The same deadline applies to unaccompanied minors, albeit the 30 days' deadline starts to count from the moment the minor has reached adulthood, if the positive decision was issued at an earlier stage. Exceptions, amounting to the potential prolongation of stay in the reception system, particularly in case of serious health conditions, are subject to a Ministerial Decision (article 109 [L. 4939/2022](#)).
- After this deadline, and notwithstanding potential exceptions, i.e., beneficiaries who might have sufficient means to cover accommodation (and/or other needs) on their own, beneficiaries can:
  - Try to access a rental subsidy provided under the sole nation-wide integration programme Helios for a period of six months and up to a year. This is a subsidy aimed at covering part of rental expenses. However, access to this subsidy remains difficult in practice, *inter alia*, due to requiring the beneficiary to first procure a lease/rental agreement, which in itself requires at least a 1-month and usually a 2-month rent to be paid by the beneficiary in advance (lack of resources remains a challenge that in GCR's experience, also prevents beneficiaries from even attempting to access the programme). Please also note that, as per the [programme's regulations](#), access to the programme is subject to two core eligibility requirements, and namely, having received status in Greece after 1 January 2018 and residing in the Greek reception system or in official shelters or protective housing programs supported by the Greek authorities or NGOs at the time of being notified of the positive asylum decision. By definition this excludes persons that may have left the designated place of stay or even the territory, particularly when considering that enrollment to the Helios program needs to take place within a year of status recognition, which start counting from the time the beneficiary has been notified of the positive asylum decision.



- Try to access a housing benefit provided by the Greek state, albeit this is largely non-accessible in practice, as it requires 5 years of legal permanent stay in Greece. It also *inter alia* requires a valid ADET (art. 4 par. 3 Joint Ministerial Decision [71670/27.9.2021](#) Government Gazette B' 792)
- For some of the challenges regarding accommodation, kindly also consider an earlier report issued by GCR, IRC and Diotima Centre [here](#).

On the broader issue of access to social support/benefits, it is important to note that a similar requirement of permanent legal stay that can range from 5 years (housing benefit) to 12 years (childbirth benefit) applies to the vast majority of state provided benefits, making it impossible for beneficiaries who do not fulfil said requirement to access this type of support. To the extent that GCR can be aware, this requirement, which can be considered a type of indirect discrimination, is also amongst the reasons why in January 2023, the European Commission reportedly decided to commence [infringement](#) proceedings against Greece.

One exception to this rule is the Minimum Guaranteed Income, which to GCR's experience is one of two state benefits which beneficiaries are more likely to be able to access. Albeit based on the same experience, support in overcoming, amongst others, the language barrier and lack of sufficient computer literacy (applications for said benefit are made online, in Greek) is required to ensure access, even where all administrative requirements for accessing this benefit (including availability of *inter alia* fiscal and social security numbers or a bank account, regarding which challenges are still [observed](#)) are fulfilled, and is either way not sufficient to ensure the full range of subsistence needs.

The only other such benefit for which GCR is aware relates to the disability benefit provided to persons with a disability level above 67%. Yet as also observed by actors on the ground (for a relevant report, see [here](#)), lengthy and complex bureaucratic procedures make it difficult for beneficiaries to access said benefit, at least without support.

In what regards healthcare, pending the issuance and/or renewal of an ADET, in practice beneficiaries can only avail of public healthcare services in case of emergency. Yet even after the issuance of an ADET, access to healthcare is not guaranteed in practice, as, notwithstanding linguistic barriers, it also requires a valid social security number (AMKA), which aside from not being issued automatically, also requires a valid ADET. For more, also consider a March 2023 report issued by Refugee Support Aegean [here](#).

## **2. Some of the returnees with international protection are vulnerable.**

- a) Are there, in particular, any rights, help or support provided to vulnerable, recognized refugees in the period waiting to be granted ADET and beyond?**
  - **Including families with small children?**
  - **Including children (and adults) with serious health issues?**
  - **Including unaccompanied minors?**

**GCR feedback:**

The situation for vulnerable beneficiaries of international protection in the period waiting to be granted an ADET and beyond is the exact same as for non-vulnerable beneficiaries of international protection: i.e., there are no special provisions nor dedicated support provided to them, with the exception of support that may be provided to them based on the severely limited capacity and resources of NGOs, which in any case are aimed at supporting vulnerable populations by trying to address gaps, but cannot, in any way, substitute the state or provide the type of long-term, durable solutions that are required from the side of the Greek state. The same applies to families with small children and children (and adults) with serious health issues.

- 3. In addition, we have some specific questions regarding unaccompanied minors with international protection in Greece, returning to Greece. We understand that the EU-supported relocation program for unaccompanied minors has been terminated.**
- a) How is the guardianship operating upon the return of an unaccompanied minor from another country?**
  - b) And how do you regard the capacity of guardianship to the number of unaccompanied minors with refugee status in Greece?**
  - c) What are the guardian's responsibilities after the residence permit is granted?**
  - d) Beyond acute and severe illness or injury, to what extent does the guardian have the ability and means to ensure a safe existence and professional follow-up of mental disorders such as PTSD?**
  - e) Are there any specific programs for recognized unaccompanied minors?**
    - Including any particular accommodation program?**
  - f) How are the rights of recognized unaccompanied minors with no guardian secured?**
    - Including assistance in judicial and administrative procedures?**

On the first point, indeed, the EU-supported relocation program for unaccompanied minors has been terminated.

In what concerns the rest of the questions, at this stage we can unfortunately only provide general information covering UAMs in Greece, irrespective of legal status, as to the extent that GCR is aware, specific data on UAM, status holders, who might have been returned to Greece is not available (nor is GCR aware of any relevant cases).

In this context, in what concerns the current state of play of the guardianship scheme in Greece:

- a) GCR is not aware of any cases of UAMs, recognised refugees, who might have been returned to Greece.





- b) The estimated [number of UAMs in Greece](#) currently stands at 2,157, while the number of competent professionals with a guardianship mandate (henceforth “guardians”) is 180. Based on this, it arises that the proportion established by law, i.e. of one guardian per 15 UAM can be covered at the moment, based on the estimated number of UAMs already present in Greece.
- c) The guardians’ responsibilities cover: following-up the child’s general development, legal status (renewal procedure), school performance and educational/vocational prospects, medical care and everything a parent should do.
- d) The answer links up with the system of shelters for UAMs in Greece and depends on its capacity: as long as the shelters’ capacity has not been reached, the needs discussed can be addressed by professionals operating in each shelter, such as psychologist, including through referrals to other competent professionals the possibility to follow up on the medical issues a child might face, in close cooperation with the guardian. However, during periods of time when available shelters have reached their capacity and are accordingly unable to accommodate additional minors, as is for instance the case at the current time, unaccompanied minors are “hosted” in safe areas in the Greek reception system’s camps (e.g. in Malakassa, Attika), which in general are understaffed. This leaves the guardian dependent primarily on the (very few) medical services provided within the camp or on the medical services provided by the closest public hospitals. In these cases, it is more likely than not for the guardian lack the ability and means to ensure a safe existence and professional follow-up of mental disorders, such as PTSD.
- e) On the positive side, a dedicated programme codenamed “HELIOS Junior” aimed at supporting unaccompanied minors during their transition into adulthood (UAM aged 18-21) has been announced on various occasions by the competent Ministry of Migration and Asylum (at least) as early as [January 2022](#). In a Ministry announcement dated [1 August 2023](#), it was further specified that the project would be aiming to cover up to 2,000 UAM falling under this group (18-21 years of age), with a core focus on supporting their access to the labour market. However, notwithstanding these positive announcements, as far as GCR is aware the programme is yet to be implemented in practice. GCR is not currently aware of the reasons of this significant delay.



- f) Implementation of the guardianship scheme in Greece is quite recent (operational since 2 January 2024), and as a result gaps during this early stage are to be expected. One of the gaps identified at this stage is the lack of representation for minors who have no guardian appointed. This gap is more accentuated when it comes to children living in precarious conditions or with extended family members that have not been appointed guardians by the Public Prosecutor. Efforts are made to address this gap, in the context of collaboration between the MoMA's competent General Secretariat and relevant civil society organisations, with the aim of prioritising the appointment of a guardian, where organisations identify UAMs that do not have one. On this point, it is similarly early to assess the impact of this initiative.