



# No-Rights Zone

How people in need of protection are being denied crucial access to legal information and assistance in the Greek islands' EU 'hotspot' camps



**People who have fled war, violence and persecution need support to find safety and rebuild their lives. However, in the EU 'hotspots' in Greece, people are faced with an asylum process which is extremely complicated to navigate. Only 2 in 100 have access to a state-appointed lawyer. In addition, most people cannot access the basic information needed to help them understand the asylum process, resulting in an unfair, ineffective, and often erroneous asylum system that frequently violates the rights of people in need of international protection.**

**In this context, legal support and information are key.**

**However, the new law introduced by the Greek Government, and the announcements that they will replace the 'hotspot' camps with 'closed centres', could further undermine the rights of asylum seekers and create additional barriers to getting the crucial information and legal assistance they need.**

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For further information on the issues raised in this paper please email [advocacy@oxfaminternational.org](mailto:advocacy@oxfaminternational.org)

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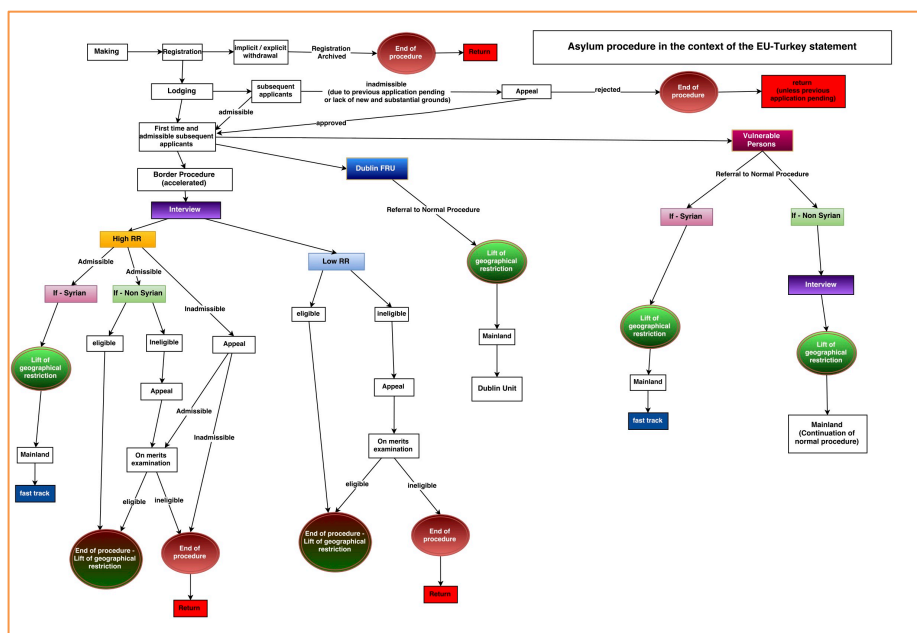
The information in this publication is correct at the time of going to press.

Cover photo: A child in the 'Olive Grove' section of the Moria 'hotspot' camp in Lesvos, Greece. Giorgos Moutafis/Oxfam.

# 1 WHY ACCURATE INFORMATION AND LEGAL ASSISTANCE ARE CRUCIAL RIGHTS

Since the EU-Turkey deal of March 2016, different procedures apply depending on the asylum seeker's nationality and vulnerability status.<sup>1</sup> This means that each applicant needs to have a detailed understanding of the procedure as it applies to them individually in order to be able to present their application in a full and accurate way and for the procedure to be fair and robust. Coupled with the frequently changing, opaque and inconsistently applied policies and practices, this means that it is very difficult for asylum seekers to understand the asylum process and criteria, as well as their rights and obligations, without meaningful access to information and legal assistance, provided in a language they understand.

As illustrated in the diagram below, there are multiple paths to follow within the asylum procedure. Making a wrong turn almost always means that a person, who might be genuinely entitled to international protection, will face the risk of being refused protection and returned to another country in which their lives or rights might be in danger.



*The Greek asylum procedures in the context of the EU-Turkey statement (November 2019)<sup>2</sup>*

This process is impossible to navigate for those who do not speak the language. Many have gone through long and perilous journeys, risking their lives to reach safety, and are dealing with severe and multiple traumas resulting from persecution, war or trafficking. They also face appalling living conditions in overcrowded and dangerous refugee camps in the Greek islands.

In this context, having someone who helps to guide you through the process, explains that it is necessary to be open about what you have

experienced with the authorities, even if that means sharing painful memories and vulnerabilities, and translates what is expected from you, means everything. For these people, legal support is a crucial right.

### The necessity of legal assistance

“In Moria camp, we met a man from Iraq who had already his asylum interview and was waiting for the decision.

He said that he felt very confident about the interview. He had told the authorities that back home in Iraq he was a truck driver. If he was allowed to stay in Greece, he would become the best truck driver in the country, earn lots of money and pay a lot of taxes.

When we asked him why he had left Iraq, he told us that his family was from a religious minority, and that they had been killed by militia. He was afraid that he would be killed too, so he decided to flee. But he hadn't told this to the Greek authorities, because he didn't want them to think he was going to be a burden.”

*Phil Worthington, European Lawyers in Lesbos<sup>3</sup>*

It is a prerequisite for full, fair and credible access to asylum that information in all relevant languages and meaningful legal assistance are available to people seeking asylum.<sup>4</sup> This is especially the case in the context of ‘accelerated’ border procedures implemented in the ‘hotspots’, when time limits are much tighter, people have less time to present the elements needed to support and substantiate their application for protection, and mistakes are more easily made. The provision of quality legal assistance at an early stage of the procedure – before the asylum interview – also provides a safeguard to ensure that vulnerable people are identified promptly and are adequately protected.

As rightly stated by the European Commission, “it is in the interests of both Member States and applicants to ensure a correct recognition of international protection needs (...) by providing good quality information and legal support which leads to more efficient and better-quality decision-making”.<sup>5</sup>

The European Union Fundamental Rights Agency (FRA) found that “[i]nconsistent provision of information on procedures and rights contributed to tensions among migrants and asylum seekers in the hotspots.”<sup>6</sup> According to the United Nations High Commissioner for Refugees (UNHCR), not having sufficient information and clarity on asylum procedures, is a source of anxiety and frustration, which has severe implications on psycho-social wellbeing and mental health.<sup>7</sup>

*Strengthening the asylum process in Greece and Europe can only be achieved by **making legal aid providers an integral part of it.***

*It is often the **only assurance that people get the protection they need** and that asylum procedures progress efficiently without mistakes or violations of rights, in respect of the principle of non-refoulement.*

## 2 THE EXTENT OF THE CURRENT VIOLATIONS

In all EU countries, asylum seekers must have access to a free state-appointed lawyer after a first rejection of their asylum application (the appeal stage). This is a mandatory safeguard meant to ensure that no rights were violated in the process and that any error is rectified.<sup>9</sup>

However, in 2018, of the 15,355 appeals lodged throughout Greece after a first negative decision, only 21 percent of those seeking asylum benefited from free legal aid funded by the State.<sup>10</sup> This means that only two out of ten people needing support were able to find a state-appointed lawyer to help them with the appeal process. On the Greek islands the situation is far worse, with only two out of 100 people able to get the free legal aid needed to appeal their cases.<sup>11</sup>

On Lesbos, for most of 2018, there were no state funded lawyers for the appeal stage and now, in 2019, there is only one. Every month approximately 50 to 60 asylum seekers who are rejected in the first instance require legal aid at the appeal stage. But the single state-appointed lawyer only has capacity to assist a maximum of 10 to 17 new cases, depending on the month.

Numerous reports and surveys have also highlighted the fact that asylum seekers who are stuck on the Greek islands have to navigate complex and increasingly 'accelerated' asylum procedures that are not reliable nor fair on their own, without sufficient access to information and legal support.<sup>12</sup> This is why, asylum seekers must have access to information and legal support as soon as they arrive to Europe.

As a result of the EU-backed policy to stop people seeking asylum from leaving the Greek islands<sup>13</sup>, the number of asylum applications filed there have skyrocketed since 2015. On average, around 5,500 people applied for international protection in Greece every month during 2018.<sup>14</sup> This is five times more than in 2015. In Lesbos, applications tripled between 2016 (5,091 applications) and 2018 (17,269 applications).<sup>15</sup> With more people arriving and remaining trapped on the Greek islands in 2019, the number of asylum requests is expected to increase even further.

Despite this, in Lesbos, the lack of available lawyers to cover the needs of the increasing population is chronic and persistent. Even though UNHCR is funding 19 lawyers on the five islands and NGOs are doing their best to provide free legal assistance with limited capacity, the needs are just too great. At its highest in 2019, the maximum number of Greek lawyers (apart from the state-appointed lawyer) present in Lesbos and able to offer free support to asylum seekers in all stages of the asylum process was 30. At the same time, there have been over 23,000 arrivals on the island since the start of the year until the time of publication of this report.<sup>17</sup>

Worryingly, due to the general lack of available lawyers and interpreters and restricted access to the pre-removal detention centers, asylum seekers currently held in detention inside the 'hotspots' experience even more severe difficulties in obtaining information about their legal situation or reaching a lawyer that will explain and protect their rights.<sup>18</sup>

*On the Greek islands, the availability of state-appointed lawyers is even lower, with **only 2.5 percent of asylum seekers benefitting from free legal aid during appeals.**<sup>8</sup>*

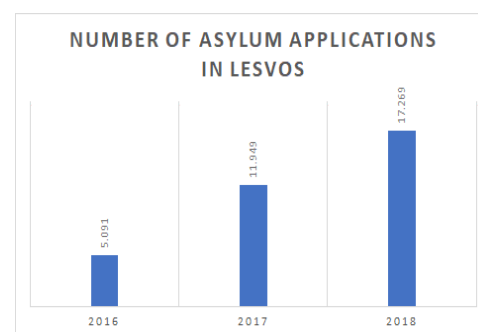


Figure 1 - Greek Asylum Service's statistics<sup>16</sup>



This violates their right to legal assistance in challenging the decision to detain them or if they need to appeal any negative decisions issued in their case.<sup>19</sup> Without legal assistance, those who are being incorrectly held in detention, such as minors and vulnerable people, or whose rights in detention are violated, have no way to challenge their fate.

#### **The severe lack of information and access to lawyers in detention<sup>21</sup>**

In November 2019, NGOs providing legal aid in Lesbos found out that 28 asylum seekers from Sub-Saharan African countries, who were held in pre-removal detention inside Moria 'hotspot' camp, had all received a negative decision on their asylum request, without undergoing any asylum interview.

All cases were rejected within a few days, without being able to get any legal information or assistance. The ground for rejection was the 'inability' to find interpreters for their languages. In this instance, "all decisions were issued urgently, (...) while in many cases the applicants were served fictitious invitations to interviews scheduled for the same day the decision was issued".<sup>22</sup>

It is, in general, unlawful to reject an asylum seeker without an interview. The lawyers in charge of the cases explained that the asylum service rejected an applicant even though it was acknowledged that he had been subjected to torture by his country's authorities.

Unfortunately, this does not represent a solitary incident. As explained by Andriani Nikiforidou, one of GCR lawyers working in Lesbos:

*"Every month, we represent asylum seekers who have been detained inside the 'hotspot,' upon arrival, only on the basis of their gender and nationality. This alone goes against the principles of non-discrimination and the individual assessment of asylum claims. Sometimes, those detainees are about to be returned, although they have had no access to a doctor who could have identified a vulnerability and were not informed about their rights and options by a lawyer."*

*Greece has been condemned in several cases before the European Court of Human Rights for the lack of information provided to asylum seekers and the resulting lack of effective remedies available.<sup>20</sup>*

## **3 LESS RIGHTS, LESS LEGAL ASSISTANCE**

After a rushed consultation, the Greek Parliament passed a new asylum law which will take effect on 1 January 2020<sup>23</sup>. The new bill has been heavily criticised by UNHCR and civil society organisations<sup>24</sup>, including by the Greek Council for Refugees (GCR), as it undermines significantly the rights of asylum seekers and refugees, in violation of international and European Union law, by increasing the use of detention for asylum seekers and effectively denying their right to an appeal.

As detailed below, the main purpose of the law is to accelerate returns to Turkey in order to facilitate the implementation of the EU-Turkey Deal of 2016<sup>25</sup>, by reducing safeguards and rights for people during the asylum process and increasing the use of detention.

This will make the situation for those seeking asylum in the already very worrying context of the 'hotspots' even more perilous. This is because in practice, access to legal information and assistance will become even more crucial, but - at the same time - more difficult to access, as explained below.

## **Increased returns, including the most vulnerable people**

Previous attempts to speed up the asylum process and increase returns by reducing standards have often failed. In the Greek islands, previous and current 'accelerated' procedures have in fact made the asylum process even longer.<sup>26</sup> The latest report of the European Court of Auditors highlighted that 'accelerated procedures' implemented in Greece have become lengthier and the time between the registration of the asylum seeker and the first asylum decision increased from 236 days in 2016 (7-8 months) to 363 days (nearly a full year) in 2018.<sup>27</sup>

These backlogs particularly affect vulnerable people, even though currently they are not supposed to be subjected to accelerated procedures. For unaccompanied children, pregnant women or people who have an illness or disability, having to stay for prolonged periods of time in the 'hotspots' only increases their vulnerability. People who have been tortured, suffered trauma or have survived sexual violence and trafficking do not have any access to the specialised mental health services they need, as these are only available on the Greek mainland.

But under the new law, these vulnerable people - including unaccompanied children, in some circumstances - are no longer exempted from the accelerated border procedures.<sup>29</sup> This means that their interviews could take place within a couple of days, giving them insufficient time to seek legal advice from a lawyer or to see a doctor, who can confirm their status as vulnerable. As a result, they will not receive sufficient support and time to present their case and substantiate their request for international protection. Ultimately, this means that people in vulnerable positions are not protected anymore from returns to Turkey.

What is also worrying is that the Ministry of Citizen Protection issued a press release stating that 'the refugee issue – of Syrians and Iraqis – has shifted to a migration issue of Afghans and sub-Saharan's<sup>30</sup>, implying that nationals from these countries cannot have valid asylum claims in an attempt to justify laws that violate international standards and safeguards. This assumption is inappropriate since irrespective of the country of origin, international law requires an independent assessment of each individual claim. It is also not supported by the facts: Afghanistan is still a top 'refugee producing country' according to UNHCR, with a recognition rate in Greece of over 70 percent during the first ten months of 2019.<sup>31</sup>

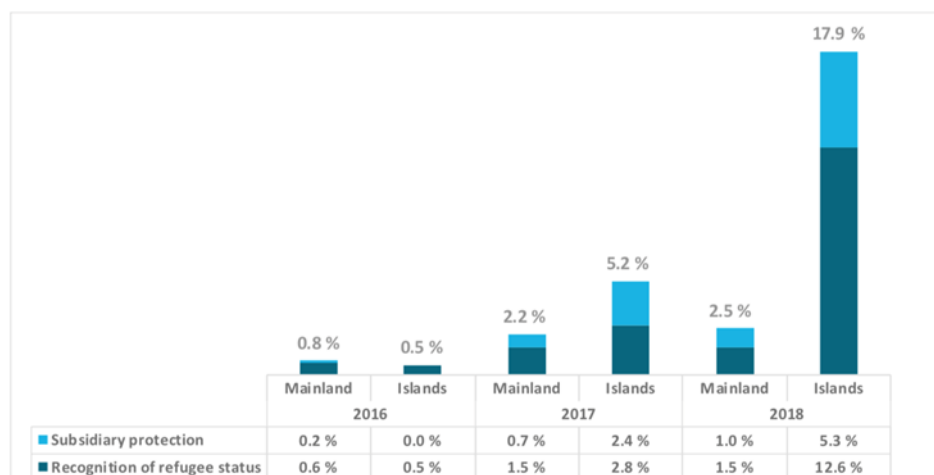
## **No more effective right to appeal**

Under the new law, asylum seekers in the islands' 'hotspots' will have only five days to appeal a first negative decision, within which they also have to find a lawyer and submit the precise grounds and reasons for this appeal in a memorandum in Greek<sup>32</sup>. Given that there is only one state-appointed lawyer working in Lesvos and that there are not sufficient NGOs lawyers available to represent people for appeals (as described above), having a memorandum in Greek within five days, will be practically impossible for the vast majority of people seeking asylum.

*In 2018, 74 percent of asylum seekers in the 'hotspots' were identified as vulnerable by the asylum authorities.<sup>28</sup>*

The new law also constitutes a regression of current legal standards, and settled case-law of the European Court of Human Rights, of allowing asylum seekers to stay in Greece while the authorities consider their appeal against a first instance negative decision.<sup>33</sup> As a result, asylum seekers might, in some circumstances, be returned to Turkey even before their claim has been fully examined.<sup>34</sup>

This becomes extremely concerning when you look at the increase in positive appeals (overturning a first negative decision) by asylum seekers during 2018. This is, according to the Court of European Auditors, a possible indicator of the deteriorating quality of the first-instance decisions issued on the islands (see figure 2 below).<sup>35</sup>



Islands: Lesbos, Kos, Leros, Samos, Chios.

No data on positive appeal decisions for humanitarian protection provided.

Source: ECA, based on data from the Greek Appeal authority.

Figure 2 - Share of negative first-instance decisions overturned

## Increased use of detention for asylum seekers, potentially including children

The new law allows for an increased use of detention for asylum seekers, for prolonged periods of time – which may be extended for up to a period of three years - with more limited remedies for detainees.<sup>36</sup>

On top of that, on 20 November, the Greek government presented its operational plan to address migration and ‘decongest’ the Aegean islands, following a post-election commitment to do this in July.<sup>37</sup> The major announcement was that they will gradually close the largest existing ‘hotspot’ camps on the Greek islands, including Moria camp on Lesbos and Vathy in Samos, and construct or expand new ‘closed structures’ or ‘controlled centers’ to replace them and receive a total capacity of 20,000 or more asylum seekers.

The Government also announced that by the start of 2020, 20,000 asylum seekers living in the current camps will first be transferred to the mainland and that 10,000 asylum seekers who have been rejected will be returned to Turkey by the end of 2020.

If the plan is implemented, this could mean that people arriving to Greece and seeking international protection may be locked up until they are granted refugee status or transferred to another EU member state for the purposes of family reunification. Alternatively, they will be detained until



their applications are rejected and then sent back to Turkey or their country of origin.

Currently the majority of arrivals on the Greek islands are families with children and unaccompanied minors<sup>38</sup>, so the possibility of a generalised use of detention as the default option is extremely concerning. According to the UNHCR, in Lesbos, women account for 24 percent of the migrant population and children for 43 percent.<sup>39</sup> Of those children, more than 7 out of 10 are younger than 12 years old, and almost 2 out of 10 are unaccompanied or separated from their parents. According to European law, the use of detention should only be a last resort.<sup>40</sup> People who are asking to be recognized as refugees should not be put behind bars and detention should never be an option for a child.

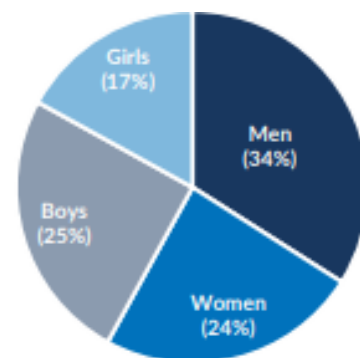


Figure 3 - UNHCR Lesbos  
Weekly Snapshot Demographics  
18 - 24 November 2019

## More difficult to access lawyers

The new law introduces additional requirements – not provided under EU law – that effectively create impossible hurdles for asylum seekers to be represented by a lawyer. For example, people need to sign an authorization before a lawyer can represent them. However, this piece of paper is not enough: they also need proof to show the signature is actually theirs. They can certify their signature by going to the police or citizen centers 'KEP' with their papers. However, in practice, this takes time. Also, asylum seekers who receive a rejection in first instance on their asylum claim, are stripped of their identity cards and most generally do not have a passport, which will create a real obstacle for them to validate their signature.<sup>42</sup>

**The new law will in practice severely restrict the ability for asylum seekers to exercise their rights.** Access to information and lawyers is expected to become increasingly important but also increasingly restricted, if not impossible, for most people stuck in 'hotspots'. This will put people deliberately at further risk of rights violations and *refoulement*.

*The head of the EU's Fundamental Rights Agency, Michael O'Flaherty, said recently that the plight of trapped migrants on the islands was "the single most worrying fundamental rights issue that we are confronting anywhere in the European Union".<sup>41</sup>*

## 4. RECOMMENDATIONS

Oxfam and the Greek Council for Refugees are calling on the **Greek government**, with the support of other **EU governments** and the **European Commission**, to immediately take measures in order to fulfil its obligations under EU and international law regarding the provision of information and legal assistance to asylum seekers arriving to Greece, by:

- Focusing on the quality, and not only on the swiftness, of the asylum procedure, by - amongst others - providing asylum seekers with sufficient information on the asylum procedure and by ensuring they have sufficient time, in order to be able to obtain legal information and assistance as soon as they arrive.
- Rapidly allocating additional funding to better inform people seeking asylum of their rights and obligations – for example by distributing legal information pamphlets in different languages available to all asylum seekers on the Greek islands upon arrival<sup>43</sup>;

- Hiring sufficient and specialised people, including interpreters, in all reception and identification centres, who can give timely and thorough information on the asylum process, rights and obligations, to all asylum seekers arriving on the Greek islands, in a language they understand, before their asylum interview;
- Funding lawyers to provide free legal aid at least at the appeal stage (“second instance”) and, where this is not sufficient, by providing financial support for non-profit legal aid organizations and NGOs.

The **European Commission** and the **European Parliament** should support Greece in those steps, and also:

- Review the compliance of the new Greek law on international protection with European regulations. The findings should be published and Greece’s compliance monitored.
- Ensure funding is available for legal aid providers in Greece, through its Asylum, Migration and Integration Fund (AMIF) and that the funding allocated to Greece is distributed according to need.
- Make access to free legal assistance an integral element of the asylum procedure, including by making it mandatory at the first instance of the asylum procedure, as currently included in the current proposal for the Asylum Procedure Regulation.

Finally, Oxfam and GCR are calling on **EU member states’ governments** to urgently:

- Share responsibility with Greece for receiving and welcoming people asking for asylum in Europe. Most urgently this should include relocation of asylum seekers from Greece in order to reduce pressure on basic services and increase timely and effective access to asylum procedures.

## NOTES

<sup>1</sup> The EU-Turkey Deal struck in March 2016 aims to stop migration to Europe and stipulates that most people seeking asylum in Greece can be sent back to Turkey. As a consequence of the Deal, people seeking asylum who arrive on the Greek islands are not allowed to leave the islands and are stuck in abhorrent conditions in the overcrowded camps there.

<sup>2</sup> Greek Asylum Service’s flowchart, available under <http://asylo.gov.gr/en/wp-content/uploads/2017/11/Islands-procedure.pdf>

<sup>3</sup> Marlon MacGregor, ‘Lawyers in Lesbos awarded peace prize’ (INFO Migrants, 26 June 2019), available under: <https://www.infomigrants.net/en/post/17728/lawyers-in-lesbos-awarded-peace-prize>

<sup>4</sup> Article 47, Charter of Fundamental Rights of the EU; Article 20, Directive 2013/32/EU of 26 June 2013 on common procedures for granting and withdrawing international protection; European Court of Human Rights’ jurisprudence and for instance ECHR, *M.S.S. v. Belgium and Greece* (No. 30696/09), para. 319; *Sharifi and Others v Italy and Greece* (No. 16643/09), para. 173-181 – recognize that asylum seekers have a right to free legal assistance (through publicly funded lawyers) in the appeal proceedings (after a first negative decision). This right was transposed into Article 44 (3) of the Greek Law 4375/2016 which specifies that asylum seekers shall receive free legal assistance at the second instance of the asylum procedure. In addition, Article 41 of the Greek law 4375/2016 provides inter alia that applicants should be informed, in a language which they understand, on the procedure to be followed, their rights and obligations. This duty also applies to asylum seekers put in detention (Article 16 (5) of the Return Directive). This derives from the general principle of good administration (Article 41 of the Charter of Fundamental Rights of the EU) and from the duty Member States have to inform applicants for international protection in a language they understand (Article 5 of the Reception Conditions Directive and Article 12 of the Asylum Procedures Directive).

<sup>5</sup> European Commission Proposal for a regulation on establishing a common procedure for international protection in the Union and repealing ‘Asylum’ Directive 2013/32/EU, available under: <https://ec.europa.eu/transparency/regdoc/rep/1/2016/EN/1-2016-467-EN-F1-1.PDF>

<sup>6</sup> Update of the 2016 Opinion of the European Union Agency for Fundamental Rights on fundamental rights in the 'hotspots' set up in Greece and Italy, February 2019, p. 12, available under:

[https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-opinion-hotspots-update-03-2019\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-opinion-hotspots-update-03-2019_en.pdf)

<sup>7</sup> UNHCR, Inter-agency participatory assessment report, October 2018, available under:

<https://data2.unhcr.org/en/documents/download/66441>

<sup>8</sup> The Fundamental Rights Agency concluded in March 2019 that "state-funded legal aid remains inadequate" in the Greek islands' EU hotspots, report available under: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-opinion-hotspots-update-03-2019\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-opinion-hotspots-update-03-2019_en.pdf). Additional note: 21,8% percent corresponds to 3,351 people.

<sup>9</sup> ECRE/ELENA call on European states to ensure that legal aid is provided to all asylum applicants without sufficient means, at all stages of the asylum procedure and regardless of the specific asylum procedures that they may fall under, available under: <https://www.ecre.org/wp-content/uploads/2017/11/Legal-Note-2.pdf>

<sup>10</sup> AIDA (2019) Greece Country Report, Update 2018, pp. 16 and 58, available under:

[https://www.asylumineurope.org/sites/default/files/report-download/aida\\_gr\\_2018update.pdf](https://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2018update.pdf)

<sup>11</sup> *Ibid.* 10. In 2018, over a total of 15,355 appeals lodged in Greece (AIDA, p.49), only 405 cases were represented by state-appointed lawyers on the Greek islands (AIDA, pp. 82-83). This means that the free legal aid scheme provided by the Greek State was able to cover a total of 2.64% of the needs on the Greek islands.

<sup>12</sup> Recent reports: ActionAid et al., Legal for Migrants, Asylum Seekers and Refugees in Greece: Challenges and Barriers, January 2018, available under <https://data2.unhcr.org/en/documents/download/61989>; Report of the Commissioner for Human Rights of the Council of Europe after her visit in Greece, June 2018; available under: <https://rm.coe.int/report-on-the-visit-to-greece-from-25-to-29-june-2018-by-dunja-mijatov/16808ea5bd>

<sup>13</sup> *Ibid.* 1.

<sup>14</sup> In 2018, Greece received 11% of the total number of applications submitted in the EU and ranked as the third Member State with the highest number of applications, increasing for the fifth consecutive year, to 66 965 applications (following Germany (28%) and France (19%). EASO Annual report 2018, available under:

<https://www.easo.europa.eu/sites/default/files/easo-annual-report-2018-web.pdf>

<sup>15</sup> Greek Asylum Service's statistics, available under: [http://asylo.gov.gr/en/wp-content/uploads/2019/11/Greek\\_Asylum\\_Service\\_data\\_October\\_2019\\_en.pdf](http://asylo.gov.gr/en/wp-content/uploads/2019/11/Greek_Asylum_Service_data_October_2019_en.pdf)

<sup>16</sup> *Ibid.* 2.

<sup>17</sup> UNHCR operational Portal on the Mediterranean situation, available under:

<https://data2.unhcr.org/en/situations/mediterranean/location/5179>

<sup>18</sup> *Ibid.* 10, p. 82 and 173. A delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment also documented major gaps during its visit to Greece in April 2018, preliminary observations available under: <https://www.refworld.org/publisher.COECPT,,GRC.5b110d824.0.html>

<sup>19</sup> The right to legal assistance in detention is provided under articles 9(6) of Directive 2013/33/EU, and 46(7) of both L. 4375/2016 and the new L. 4636/2019. Detainees must also be informed about the possibility to challenge the detention order under article 9(4) of the same Directive.

<sup>20</sup> ECtHR – O.S.A. and others v. Greece, 39065/15 (21 March 2019). See also AIDA (2019) Greece Country report, Update 2018, p. 172

<sup>21</sup> It should be noted that in Moria 'hotspot' camp in Lesbos, a so-called 'pilot project' or 'low rate scheme' is implemented since 2017, under which newly arrived single men belonging to particular nationalities (with lower rates of recognition for asylum) are immediately placed in detention upon arrival inside the pre-removal detention center of the 'hotspot' and remain there for the entire asylum procedure. For more information about the current provisions for the detention of asylum seekers in Greece, consult:

<https://www.asylumineurope.org/reports/country/greece/detention-asylum-seekers>.

<sup>22</sup> NGOs' Press Release in English, available under: <https://rsaegrean.org/en/rejection-of-28-asylum-seekers-from-african-countries-due-to-the-lack-of-interpreters/>

<sup>23</sup> More information about the new Greek law L. 4636/2019 on International Protection available under:

<https://www.asylumineurope.org/news/29-10-2019/greece-new-restrictions-rights-and-procedural-guarantees-international-protection>. Law available (in Greek) under: <https://www.taxheaven.gr/laws/law/index/law/960>

<sup>24</sup> UNHCR, <https://www.unhcr.org/gr/en/13170-unhcr-urges-greece-to-strengthen-safeguards-in-draft-asylum-law.html>; Refugee Support Aegean, *Comments on the International Protection Bill*, 21 October 2019; Greek Council for Refugees, *Comments on the draft bill "On International Protection"*, 23 October 2019; Amnesty International, *Greece: Proposed bill on asylum downgrades EU and international law standards on refugees' protection*, 24 October 2019; AIDA, *Country Report Greece. 2018 Update*, March 2019.

<sup>25</sup> *Ibid.* 1.

<sup>26</sup> Special report by the European Court of Auditors, 'Asylum, relocation and return of migrants: Time to step up action to address disparities between objectives and results' p. 48, available under:

[https://www.eca.europa.eu/Lists/ECADocuments/SR19\\_24/SR\\_Migration\\_management\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR19_24/SR_Migration_management_EN.pdf)

<sup>27</sup> *Ibid.* 26, p. 48.

<sup>28</sup> *Ibid.* 26, p. 49.

<sup>29</sup> Inter alia, Article 83(9), New Greek law L. 4636/2019.

<sup>30</sup> Press release, Ministry of Citizen Protection, 'Απάντηση σε Ανακοίνωση του Γραφείου Τύπου του ΣΥΡΙΖΑ', 30 September 2019, available (in Greek): [http://www.mopocp.gov.gr/index.php?option=ozo\\_content&perform=view&id=6919&Itemid=690&lang=GR](http://www.mopocp.gov.gr/index.php?option=ozo_content&perform=view&id=6919&Itemid=690&lang=GR)

<sup>31</sup> Greek Asylum Service, Asylum Service Statistical Data (as of 31.10.2019), available under: [http://asylo.gov.gr/en/wp-content/uploads/2019/11/Greek\\_Asylum\\_Service\\_data\\_October\\_2019\\_en.pdf](http://asylo.gov.gr/en/wp-content/uploads/2019/11/Greek_Asylum_Service_data_October_2019_en.pdf). See also UNHCR, Global Trends – Forced Displacement in 2018 (2019), p. 3, available under: <https://www.unhcr.org/statistics/unhcrstats/5d08d7ee7/unhcr-global-trends-2018.html>

<sup>32</sup> Article 93, New Greek law L. 4636/2019 requires asylum seekers to state the full grounds for appealing a first instance decision for their appeal to be considered admissible.

<sup>33</sup> Greek Council for Refugees, Comments on the draft bill "On International Protection", 23 October 2019, pp. 7-8.

<sup>34</sup> Article 104, New Greek law L. 4636/2019 removes the automatic suspensive effect of appeals for claims dismissed as inadmissible or rejected in the accelerated procedure.

<sup>35</sup> *Ibid.* 26, p. 51.

<sup>36</sup> Article 46, New Greek law L. 4636/2019 introduces several provisions to expand detention measures.

<sup>37</sup> Greek Government, 20 November 2019, *Policy Editors' Briefing – the Government's Action Plan to address the Migration Issue [in Greek]*, <https://government.gov.gr/enimerosi-politikon-sintakton-to-epichirisiako-schedio-tis-kivernisis-gia-tin-antimetopisi-tou-metanastefitikou/>

<sup>38</sup> UNHCR, 25 November 2019, Aegean Islands Weekly Snapshot (18-24 November 2019), available under: <https://data2.unhcr.org/en/documents/download/72525>

<sup>39</sup> UNHCR Lesbos weekly snapshot.

<sup>40</sup> Art. 11 of Directive 2013/33/EU resp. Art.17 of Directive 2008/115/EC.

<sup>41</sup> Press article <https://euobserver.com/migration/146541>

<sup>42</sup> Article 71, New Greek law L. 4636/2019.

<sup>43</sup> As an example, Oxfam and its legal partners, the Greek Council for Refugees and European Lawyers in Lesbos developed a legal information pamphlet in 2018 '**Seeking Asylum: basic legal information for applicants of international protection in Lesbos**', available under <https://oxfam.box.com/s/z0cy1i5mp7ytxnp4ibbda1etk0jyppqi>. These pamphlets have information on the rights and responsibilities of asylum seekers, the different steps of the asylum procedures, and how to contact a lawyer for free legal aid. Since April 2019, 10,500 exemplars of this pamphlet were distributed in Lesbos in 10 different languages that cover languages spoken by 95% of the asylum seekers in Lesbos.

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