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COVER NOTE

From:	Greek delegation
To:	Delegations
Subject:	The Greek Government's Road Map on Asylum for 2015 (follow-up to the Revised Greek Action Plan on Asylum and Migration Management)

Delegations will find attached the above-mentioned Greek Road Map.

Encl.: EL Road Map on Asylum for 2015

EL ROAD MAP ON ASYLUM FOR 2015



HELLENIC REPUBLIC
MINISTRY OF INTERIOR AND
ADMINISTRATIVE REFORM

Table of Contents

EXECUTIVE SUMMARY.....	3
CHAPTER 1. Reception	4
Summary.....	4
Matrix 1.1	7
First Reception Service in Greece	7
Matrix 1.2	9
Operation of Hellenic Police Screening Centres.....	9
Matrix 1.3	11
Reception of Asylum Seekers & UAMs in Open Accommodation Centres	11
Unaccompanied minors.....	13
CHAPTER 2. Asylum in Greece	14
Summary.....	14
Matrix 2.1	16
Management of backlog.....	16
Matrix 2.2	17
Asylum Procedure	17

EXECUTIVE SUMMARY

The implementation of the Greek Action Plan on Asylum and Migration Management, presented to the European Commission in August 2010, was accelerated in August 2012 and further revised in January 2013.

The revised Action Plan, as foreseen, came to an end in December 2014. Having taken into account the Commission's assessment [SWD(2014) 316 final] of October 2014, certain actions will be prioritized in 2015 to ensure implementation of agreed pending actions in the areas of asylum and reception of migrants.

After the elections of January 2015 the government established a position of Alternate Minister of Interior aiming to deal with all matters regarding migration and asylum in Greece.

The 2015 Road Map reflects the current state of play and includes concrete objectives and deliverables foreseen in 2015, in accordance with the provisions of the Directives 2013/32/EU and 2013/33/EU.

One of the first goals of the government is the revision of the policy concerning detention of irregular migrants in accordance with Law 3907/2011 and Directive 2008/115/EC.

During 2014 the total number of third country nationals entering Greece in an irregular manner rose up to 77.163 while in 2013 the number of irregular migrants was 43.002. Syrian nationals represent 42% of the total number of third country nationals in 2014.

The 2015 Road Map has – among others – as main goals: ensure adequate first reception conditions of migrants at their arrival, full access to a fair and effective asylum procedure and increase of capacity in open accommodation for asylum seekers.

Priority will be given to tailor made actions aimed at addressing the judgments of the European courts and the pending outstanding issues as defined in the Commission's Staff Working Document in the area of asylum and reception of migrants. The issue of increasing open accommodation capacity for asylum seekers will be addressed as a matter of urgency and with the objective of establishing a sustainable reception system, which will also include an efficient guardianship system for unaccompanied minors.

Funding to support the actions foreseen in the Road Map will be mobilised from the State Budget, as well as the EU Home Affairs Funds [Asylum Migration and Integration Fund (AMIF) and Internal Security Fund (ISF)¹], within the limits of available resources and the respective areas of eligibility. The government plans to set up a new authority within the Ministry of Interior, responsible for the new Funds (AMIF, ISF). Complementary funding will also be mobilised from the European Structural and Investment Funds in particular the European Regional Development Fund (ERDF) and the European Social Fund (ESF), once the respective project proposals have been approved by the local authorities (Regions).

The Greek Government, having committed itself to the Common European Asylum System (CEAS), recalls that solidarity has been an essential component and a guiding principle of the CEAS from the outset, as well as constituting a core principle of EU law according to which Member States must share both advantages and burdens in an equal and fair manner.

March 2015

¹ Until 30 June 2015 actions may still be covered by the precursor Funds, the European Return Fund (RF) and the External Borders Fund (EBF) in line with the respective Annual Programmes.

CHAPTER 1. Reception

Summary

First Reception

Over the last ten years Greece experienced a sharp rise of irregular migration. The first reception and asylum systems were congested by vast numbers of mixed migratory flows and asylum applications. The unprecedented numbers of irregular migrants entering Greece affected both the Greek society as well as the reception and asylum systems' capacity.

As a response to this situation and based upon best practices already applied in other E.U. Member States, Greece legislated law No 3907/2011 establishing the First Reception Service for an effective and humane management of third-country nationals entering irregularly the country, respecting their dignity, by subjecting them to first reception procedures.

The First Reception Service (FRS) is responsible for the overall management of third country nationals arrested for irregular border crossings. Following irregular entry, the task of FRS is to provide information to migrants, operate screening procedures in order to identify vulnerable groups and persons that may be in need of international protection, offer medical care when needed and/or refer to hospitals, provide psychosocial support etc.

Among others, FRS is mainly aiming at:

- Special training of personnel.
- Close cooperation with NGOs (which are active within the centres, performing specific functions).
- Informing migrants of their rights, especially regarding access to international protection.
- Facilitating contact with NGOs and International Organizations.
- Close cooperation with the Asylum Service – regional asylum offices are hosted in the First Reception Centres (FRCs) so that the asylum procedure initiates immediately when the request has been lodged.
- Effective screening of vulnerable groups and referral to open reception facilities.
- Short stay of migrants that does not exceed 25 days in the FR Centres.
- Separation within the FR Centres of, vulnerable groups, including of unaccompanied minors, asylum seekers etc.
- Provision of psychological support to irregular migrants.
- Facilitation of Voluntary Returns in cooperation with IOM and other stakeholders.

Furthermore, FRS has developed contingency planning to address increased irregular arrivals in areas where no FR Centres operate. In particular FRS has deployed two Mobile Units operating within Screening Centres of the Hellenic Police performing First Reception procedures on the spot thus improving First Reception Conditions mainly in the islands.

First reception conditions in the Evros region and the Aegean Islands have been improved and a continuous process of improvements will follow, in line with the national, European and International legislation and recommendations (Matrix 1.1, Matrix 1.2).

Those improvements include enhancement of First Reception capacity by recruiting new personnel in order for the First Reception Centre (FRC) in Evros region to operate effectively and for the FRC in Lesbos to begin operating. Moreover, the government is planning to establish two (2) new FRCs in areas of Southeast Aegean and Attica and one (1) new Mobile Unit. The Hellenic Police will continue to operate Screening Centres where First Reception Mobile Units will offer First Reception Services.

The Road Map on First Reception reflects concrete objectives and deliverables in order to ensure further progress.

Reception of Asylum Seekers and Unaccompanied Minors

The reception of Asylum Seekers, Unaccompanied Minors and Vulnerable Groups is an integral part of the system, in view of ensuring the effective management of mixed migration flows.

The government's priority is to focus on open accommodation facilities and use all available funds for the improvement of the situation instead of using funding to operate Detention Centres.

Groups of migrants that cross the borders irregularly may represent special categories, i.e. UAMs, persons that may be in need of international protection, vulnerable groups (victims of torture, victims of trafficking etc.) who are entitled to certain procedural guarantees and safeguards in accordance with the EU law.

So far, the Reception System has fallen under the responsibility of the Ministry of Labour, Social Security and Welfare. The Government has decided with Law 4172/2013 and 4249/2014 that, the First Reception Service will also carry out open Reception competencies.

In light of these developments, the 2015 Road Map includes:

- The continuation of the management and operation of existing more than 1.000 places in Open Accommodation facilities by the Ministry of Labour and Social Solidarity so that there are no gaps in the process.
- Increasing the accommodation capacity of beneficiaries in accordance with the EU law and the political agreement reached on 3 December 2013 with the European Commission with the establishment and operation of further 1.500 places in Open Accommodation facilities by the FRS, in order to achieve the country's goal of 2.500 places. An evaluation of the minimum required places will be carried out until the end of March, in order to ensure better planning of the needs in open accommodation for asylum seekers.
- The application of Common Standard Operating Procedures (SOPs) for all open accommodation facilities.
- Development of a monitoring system for open reception facilities with the support of the European Asylum Support Office (EASO).
- Reinforcing the cooperation with major stakeholders such as IOM, EEA, UNHCR etc.
- Cooperation with NGOs for the effective operation of the FRCs and reception centres, as well as other actors.
- Immediate referral of vulnerables, including of unaccompanied minors, to the open accommodation facilities.

Furthermore, the First Reception Service in co-operation with IOM Greece will establish and operate an open accommodation centre for third country nationals participating in Assisted Voluntary Return Program (120 new places)

In addition, the government is working on the completion of a national Action Plan specifically regarding UAMs that will include:

- Effective operation of the guardianship system.
- Grant of protection status regarding UAMs.
- Family re-unification actions.
- A framework to accompany UAMs to open reception facilities from the entry points.
- The application of Common Standard Operating Procedures (SOPs) for all open accommodation facilities of UAMs.
- Establishment of an adequate number of open facilities for UAMs with the use of all available funding in order to avoid their stay in unsuitable facilities.
- New legislation in order to establish family ties, identify and eliminate any case of trafficking.

The Road Map on Reception of Asylum Seekers and UAMs reflects concrete objectives and deliverables, in order to ensure compliance with the Directive 2013/33/EU which must be fully transposed by July 2015 (Matrix 1.3 and Matrix 1.4).

Matrix 1.1

First Reception Service in Greece

GOAL OBJECTIVE	ACTION	INDICATORS	TIME FRAME	FINANCIAL RESOURCES
Completion of the recruitment procedure for the FRS	Recruitment of personnel 1. FRC Fylakio. 2. FRC Lesbos 3. Mobile Units. 4. Central Service	Full staffing according to organogram based on needs analysis.	For the transferred and seconded staff 4 to 8 months are needed depending on the releasing ministries. For the permanent positions through ASEP 10 months are needed as a minimum.	National Budget (budget of FRS)
Establishment and operation of additional FRCs in areas with the highest level of arrivals of irregular migrants, in order to ensure that screening mechanisms exist at the main points of entry to identify persons in possible need of international protection and those with specific procedural needs	Identification of locations and premises to reconstruct / run 2 further First Reception Centres. Construction and operation of the First Reception Centre in Dodecanese and in Attica	premises identified fitting the criteria of Law 3907/2011	Depending on premises and existing facilities up to 12-15 months (maximum) needed to complete the process	Co-financed by ISF and the National Budget, according to the National Program

GOAL OBJECTIVE	ACTION	INDICATORS	TIME FRAME	FINANCIAL RESOURCES
Establishment and operation of additional First Reception Mobile Units in areas where Screening Centres are managed by the Hellenic Police or in areas where first reception capacity is extremely limited. This will ensure that screening mechanisms exist at the main points of entry to identify persons in possible need of int. protection and those with specific procedural needs	Mobile Unit C, Establishment and deployment in areas of migration influx (this planning is made according to the current influx)	The Ministerial Decision establishing the Mobile Unit C published in Government Gazette. 14 posts covered Outsourcing contracts signed with NGOs. Contracts with supply providers	1 to 10 months	co-financed by ISF and the National Budget, according to the National Program
Operation of already established First Reception Centres	Operation of the FRC Fylakio	Operation of the FRC. Provision of accommodation and catering to irregular migrants arriving at Evros land borderline and the islands of Samothraki. On the spot registering and screening by the FRC staff	FRC is operational and will continue operating throughout 2015	National Budget for the staff costs and several other expenditures Also co-financed by EEA Grants and the National Budget, according to the National Program
	Operation of the FRC Lesvos	Operation of the FRC. Provision of accommodation and catering to irregular migrants arriving at Lesvos island. On the spot registering and screening by the FRC staff	3-6 months needed to finalize all procurements	National Budget for the staff costs and several other expenditures. Also co-financed by EBF and the National Budget, according to the National Program until 30.06.2015. The operational costs of the Centre after the above mentioned date will be co-financed by ISF and the National Budget, according to the National Program

Matrix 1.2

Operation of Hellenic Police Screening Centres

GOAL OBJECTIVE	ACTION	INDICATORS	TIME FRAME	FINANCIAL RESOURCES
Consolidation and sustainability of all achievements reached so far in the first reception area	Operation of Samos Screening Centre	Operation of the Screening Centre. Provision of accommodation and catering to irregular migrants arriving at Samos or the nearby islands of Ikaria, Fournoi etc. On the spot registering and screening by the FRS Mobile Unit.	It is operational and will continue operating throughout 2015	<p>EBF is funding the operational costs of the Centre until 30.06.2015</p> <p>EBFX is funding the operational costs of the First Reception Mobile Unit until 31.10.2015</p> <p>The operational costs of the Centre and the Mobile Unit after the above mentioned dates will be co-financed by ISF and the National Budget, according to the National Program</p>
	Operation of Chios Screening Centre	Operation of the Screening Centre. Provision of accommodation and catering to irregular migrants arriving at Chios or the nearby islands Oinouses and Psara etc. On the spot registering and screening by the FRS Mobile Unit.	It is operational and will continue operating throughout 2015	<p>EBF is funding the operational costs of the Centre until 30.06.2015</p> <p>The operational costs of the Centre and the Mobile Unit after the above mentioned dates will be co-financed by ISF and the National Budget, according to the National Program</p>

GOAL OBJECTIVE	ACTION	INDICATORS	TIME FRAME	FINANCIAL RESOURCES
	Operation of Lesvos Screening Centre	Operation of the Screening Centre. Provision of accommodation and catering to irregular migrants arriving at Lesvos. On the spot registering and screening by the FRS Mobile Unit.	It is operational and will continue operating until the FRC of Lesvos becomes operational. Estimated time 2-3 months in 2015	EBF is funding the operational costs of the Centre until 30.06.2015 EBFX is funding the operational costs of the First Reception Mobile Unit until 31.10.2015

Matrix 1.3

Reception of Asylum Seekers & UAMs in Open Accommodation Centres

GOAL OBJECTIVE	ACTION	INDICATORS	TIME FRAME	RESOURCES
Establishment of Common Standard Operating Procedures in all relevant Ministries and of a monitoring mechanism for the sustainable and uninterrupted operation of the facilities and provision of services (i.e. legal aid, psychosocial services and access to the necessary health care and treatment)	Minimum SOPs approved by the Minister of Labour, Social Security & Welfare and adopted in a Ministerial Decision.	Ministerial Decision signed and published by the Minister to implement SOPs in Reception Centres run under the responsibility of the Ministry of Labour.	2015	
Setting up a minimum of 2500 places in open accommodation for applicants of international protection by the end of 2015 and conducting an annual review of the situation, in line with the agreement reached with the Commission	1076 places in Open Accommodation Centres for Asylum Seekers and UAMs in several parts of Greece, already in operation	Contracts signed for the awarded projects.	2015	- Funding: - 272 from EEA Grants - 95 from State Funding - 709 for which state funding is ensured until the end of 2015 and then are planned to be financed by AMIF
	The new planning for reaching the 2500 places agreement goes as following: 25 places for asylum seekers in Athens (Private donors+AMIF) 60 places in Agiasos, Lesvos 80 places in Konitsa 28 places in Thessaloniki 36 places for asylum seekers in Ilion (EEA Grants) 20 places for asylum seekers in Penteli (EEA Grants) 24 places for asylum seekers in Sparti (EEA Grants) 74 places in Eastern Macedonia 183 places in Central Macedonia (back-up plan: Rodopolis) 80 places in Thessaly 50 places in Epirus 26 places in Western Macedonia 29 places in Central Greece 76 places in Peloponnesus	The Ministerial Decisions establishing the OACs published in Government Gazette. Equipment to be delivered and operate properly Contracts signed with public or private (NGOs) entities	By the end of 2015	ERDF AMIF ESF State Budget EEA Grants Donors

GOAL OBJECTIVE	ACTION	INDICATORS	TIME FRAME	RESOURCES
	183 places in Central Macedonia 36 places in Ionian islands 37 places in North Aegean 81 places in Crete 325 places in Attika (backup-plan: Skaramagkas) 30 places in South Aegean 78 places for asylum seekers in Thrace (protective apartments for asylum seekers – ESF // equal contribution of all prefectures was formally requested by the Ministry of Interior).			

Unaccompanied minors

GOAL OBJECTIVE	ACTION	INDICATORS	TIME FRAME	FINANCIAL RESOURCES
Development of a comprehensive national strategy ensuring full protection of unaccompanied minors, including an effective guardianship system	A Task Force assigned to review the current guardianship system and present a national Action Plan regarding UAMs. The task force runs under the auspices of the Ministry of Justice in cooperation with the Ministry of Migration Policy and the participation of other stakeholders.	The Task Force has already undertaken the elaboration of a strategic plan on guardianship which includes training, certification and supervision of guardians – including privates- as well as the cost analysis and relevant funding. A first meeting has already been in place, and the proposal will be ready within a period of two months. The proposal will be included in the relevant PD in which EU Directives 32/2013 and 33/2013 will be transposed in the National Legal Framework until July 2015.	2 nd Quarter of 2015	National Budget
Guarantee that unaccompanied minors are immediately referred to special accommodation centres and assisted by specialized personnel	Project for escorting minors to open accommodation centres - Safe transportation of UAMs from place of entry into the territory to accommodation facility	Contracts signed with public or private (NGOs) entities for the outsourcing of services	2015	ERF State Budget EBFX EEA Grants AMIF

CHAPTER 2. Asylum Procedure in Greece

Summary

2.1. Management of the backlog

The implementation of the asylum procedure according to Presidential Decree 114/2010 of 22 November 2010 is still ongoing. This Presidential Decree introduced procedural guarantees for the asylum seekers, which are foreseen in the EU asylum Acquis.

The Hellenic Police, through its competent Services, was up to 7 June 2013 responsible for the registration and examination at 1st instance and the 20 independent Appeal Committees are responsible for the examination, in fact and in law, of the appeals submitted according to P.D. 114/2010.

In support of the backlog clearance various activities, which are foreseen in the Presidential Decree, are carried out by the Hellenic Police in close cooperation with UNHCR and other public and independent entities.

During 2013-2014, the Hellenic Police developed new activities, continued those already undertaken and enhanced the existing cooperation with the above mentioned key partners.

At the end of 2014 the number of pending cases at second instance was 27.012, out of which 25.598 correspond to active cases.

Furthermore, during 2015 the Hellenic Police and the relevant Appeal Committees will continue working on reducing all backlog cases (1st and 2nd instance). The government is working on a plan to grant protection status to persons whose claim has been pending for too long and they fall into the category of people who have the right to acquire residence permit for humanitarian or other exceptional reasons, according to the Migration Code. It is estimated that around 10.900 cases will be cleared this way in a “fast-track” procedure, apart from the rest of the cases whose examination will carry on the “normal” procedure.

A thorough description of this goal objective and action is presented in the Table 2.1 below.

2.2. Asylum System

The asylum system in Greece was, for years, characterized by many deficiencies including limited access to the asylum procedure and registration of new asylum applications, extremely high time consuming procedures and low recognition rates (especially at 1st instance). In 2011, with Law 3907/2011, Greece introduced a new asylum procedure by establishing a civil Asylum Service. Challenges, mostly related to staffing and identifying adequate infrastructure proved a time-consuming process. On 7 June 2013, the Asylum Service began operations. Regional Asylum Offices in Athens, Alexandroupoli, Orestiada, Lesvos, Rhodes started operating in 2013, while in 2014 claims for international protection were registered also in Thessaloniki, Patras and Chios.

Within eighteen months, the Asylum Service has registered over 13.500 asylum seekers. The recognition rate at first instance is about 25%, mainly for refugees from Syria, Eritrea, Somalia, Afghanistan and Sudan. At second instance, the recognition rate is approximately 19.6%. On average, the duration of the examination of a claim at first instance is 90 days, while at second instance is 49 days.

In response to the increase by 315% of the Syrian nationals entering or staying irregularly in Greece, in the second quarter of 2014, the Asylum Service put in place an emergency response plan. A fast-track procedure for registration and examination of claims for international protection from Syrian nationals within one working day is implemented in the Regional Asylum Office of Attica since September 2014. The Asylum Service is developing a plan to further extend implementation of this procedure in other Regional Asylum Offices, with Asylum Units to be deployed mainly in the islands of the Eastern Aegean, to be funded within the framework of the Emergency Assistance of the AMIF, according to the implementing modalities foreseen in the annual work programs.

Under the EEA Grants the Asylum Service has safeguarded funding for a range of activities to be implemented in 2015, for instance enhancing human resources for its Regional Asylum Offices, provision of interpretation services and psychosocial support, referral to medical examination for victims of torture and a pilot program on legal aid.

The state budget, increased by 49% in the years 2014 and 2015 in comparison to 2013, is expected to cover salaries of 210 permanent staff-members, the remuneration of the members of the Appeals Committees, a significant number of travel costs for the reunification of asylum seekers with members of their families in other Member States, under the Dublin III Regulation, and running costs of the Central Asylum Service, its Regional Asylum Offices and the Appeals Authority.

Under the AMIF, within 2015, the Asylum Service is expected to facilitate access to its Regional Asylum Offices, by increasing the number of the RAOs in operation, further facilitation of the family reunification through the Dublin III system and provision of free legal aid for all asylum seekers at second instance. As will be seen below in Table 2.2, the new Asylum Service within 2015 will aim to staff and set-up more Regional Asylum Offices and put in place procedures for the provision of free legal aid, in accordance to the provisions of the Directive 2013/32/EU.

Matrix 2.1

Management of backlog

GOAL OBJECTIVE	ACTION	INDICATORS	TIME FRAME	FINANCIAL RESOURCES
<p>Clearance without further delay of the 'backlog' of pending applications for international protection submitted to the Hellenic Police under the previous legal regime (at the appeal stage)</p> <p>Grant of protection status to persons whose claim has been pending for too long and they fall into the category of people who have the right to acquire residence permit for humanitarian or other exceptional reasons, according to the Migration Code. (This process will take place in parallel to the “normal” procedure of examining cases).</p>	<p>Clearance of the backlog of pending applications for international protection under the previous regime (the appeal stage)</p> <p>Clearance of cases examined in fast track procedure not by personal presence of applicant, but from grant protection status to persons whose claim has been pending for too long and they fall into the category of people who have the right to acquire residence permit for humanitarian or other exceptional reasons, according to the Migration Code.</p>	<p>Full clearance of the remaining pending / active appeals according to PD 114/2010</p> <p>Clearance of approximately 10.900 cases</p>	<p>End of 2016 (The coordinator of the backlog appeal committees and UNHCR consider that the timeframe of May 2016 for the clearance of backlog is not a realistic achievable goal and another 6 months may be required)</p> <p>End of 2015</p>	<p>National Budget</p> <p>UNHCR Budget</p> <p>ERF Community Actions</p> <p>AMIF</p>

Matrix 2.2

Asylum Procedure

GOAL OBJECTIVE	ACTION	INDICATORS	TIME FRAME	FINANCIAL RESOURCES
Guarantee that all required personnel and infrastructure are in place for ensuring an effective access to the asylum procedure, an adequate first instance procedure and full respect for applicants' rights, as well as respect for the right to an effective remedy. Establishment and operation of the remaining eight out of the total thirteen Regional Asylum Offices agreed upon in the revised Action Plan	Staffing of AS and AA, in accordance with Organogram	Full staffing according to Organogram, i.e. employees by category (university, secondary, technical education), by department, by central or regional asylum offices.	<ul style="list-style-type: none"> - End of 2015, for positions to be funded under State Budget. - May 2015, for the positions funded under EEA Grants. - June 2015, for the positions funded under AMIF Emergency Assistance. <p>* Procedures for recruitment of personnel with Temporary Employment Contract may last 4-6 months.</p>	<p>Staff expenses to be covered by:</p> <ul style="list-style-type: none"> - AS State budget for the current staff and the 53 pending positions. - EEA Grants for the 33 positions - AMIF Emergency Assistance 2014 for the 35 positions.
Guarantee as appropriate the right to effectively access free legal assistance both in law and in practice, including by making available adequate interpretation services.	Provision of legal aid for asylum seekers.	Legal aid available to asylum seekers at the second instance , according to the provisions of the Directive 2013/32/EU and to certain instances at the first instance and for the cases falling under P.D. 114/2010.	July 2015	<p>AMIF</p> <p>EEA Grants</p>

ANNEX

Goal/Objective includes the overall goal as indicated at the Com. Staff Working Document.

Actions include all the activities to be implemented in order to achieve the overall goal set in the first column. Every action is linked with at least an indicator of success.

Indicators measure the success in reaching the single actions' goals as well as the overall objective. They are the quantitative or qualitative factor or variable that provides a simple and reliable means to measure achievement.

Timeframe is the time needed for the implementation of the action or the time indicating the duration of the action.

Financial Resources are the funding sources of the action.