

**The Asylum Seekers' perspective,
Access to Information
and to Effective remedies**

**Country Report 2010
GREECE**

July 2010

Thematic Study for FRA

THE ASYLUM-SEEKERS'
PERSPECTIVE:
ACCESS TO INFORMATION AND TO
EFFECTIVE REMEDIES

Greece
RAXEN NFP

HLHR-KEMO/i-RED

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May 2010

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*With the support of the **Greek Council for Refugees (GCR)** for providing its lawyers' and interpreters' team for identifying and contacting asylum seekers and its premises to hold some of the focus groups www.gcr.gr*

*With the support of **Athens Yoga** for providing culturally adequate and neutral premises to hold focus groups www.athensyoga.gr*

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Executive summary

During the last years a heated discussion emerged on the historical centre of Athens as a 'ghetto' inhabited mainly by irregular immigrants and presumably degraded by criminality linked to ethnic groups. This widely diffused discourse, often built around stereotypes and misrepresentation of migrants and refugees, challenged the RAXEN NFP in surveying the perspective of the asylum seekers (a/s) living independently in the centre of Athens.

The most striking finding of the survey is that the asylum system in Greece as described by the asylum seekers appears to be almost inexistent, or at least far less than what is provided by national and EU law provisions.

Results were an eye-opener in revealing stories of disrespect and violation of rights, but also of resilience and of a very shaky, insecure, nevertheless enduring hope for asylum and fundamental rights protection.

The main patterns emerging from focus group discussions irrespective of gender, age or nationality are as follows:

- There is a shocking absence of information either in early or later stages of an asylum application. As a result asylum seekers are not aware of their rights and obligations. Some asylum seekers ignored or misunderstood their status and time limits.
- None of the 49 persons interviewed for this survey have never had an interview by the authorities on their asylum claim. Only one of the interviewed asylum seekers whose application have been rejected in the first instance did participate to a non-completed hearing once.

Information on asylum procedure

- In the early stages of an asylum application almost nobody has ever even seen a leaflet or any other written information on the asylum procedure. Only few received one, only two received a paper in a language they understood.
- This was also reported by a/s who were detained for considerable time before being released and told to go to Athens. A/s reported also very bad detention conditions and complete lack of interpreters.

“When I first arrived in Samos, I asked a lady at the detention centre in Samos but she did not give me any information. She told me «Fige, fige» (“Go away, go away”). She told me “go to Athens and you will get the information from Athens”.

- The only information provided to a/s once arrested and detained at the country’s borders is the address of the Aliens Police Directorate in order to go there and apply for asylum. The Alien Police headquarters do receive a very limited number of asylum applications (recently up to 20 per week) and submitting an application is a very hard task.

“ I went there (Petrou Ralli = Aliens Police Directorate) two times and after I did not go again. I could not enter. I do not want to go again. I hated that”

- A/s receive most information by friends and social networks of nationals and by the specialised NGO (Greek Council for Refugees, GCR). Police authorities by denying information on asylum procedures, direct a/s to request information by GCR.

- “When I came at the airport, I asked some questions. The policeman told me “Malaka, gamoto” and I said “what the hell are you talking about”. He slapped me. From the airport, they called an Arabic interpreter and he told me that I have to go to Allodapon to get the pink card”. (“Malaka, gamoto” = “jackass, fuck”) (Allodapon = Aliens Police Directorate)

- “At the airport prison they told me “go out, do not ask another question”

Remedies

- Most of the asylum seekers whose application has been rejected in the first instance got on the very same day both the ‘pink card’¹ and the rejection letter.
- All of them received a rejection decision written in Greece. No translation or interpretation was provided and no one was told the reasoning of the rejection. Instead the police advised them to go to GCR for information and appeal.

¹ Received upon completion of the examination for the asylum application, a *pink card* holder is a registered *asylum-seeker*)

“The police gave me the pink card and the rejection the same day”.
“The police told me to go to GCR. The police did not tell me anything”.
“I have been waiting for two years”.

- In all cases, GCR was the organisation which assisted asylum seekers with legal advice and prepared the appeal papers for them. Some a/s confused GCR with state authority and others with United Nations.
- Almost nobody (just one) has ever attended a hearing. In the only case an a/s had a hearing it could not be completed, and was postponed, because of the lack of interpreters. The a/s was told to ask GCR to provide one, which did not occur.
- After submission of the appeal a/s wait for a period between 1,5 and 2 years.

Proposals for improvement

Many asylum seekers believe that the situation in Greece is so bad that nothing will change even if they were well informed.

“This country cannot solve the problem. (...) this country has a lot of problems. For this I left this country and I went to another country but they asked me to come back to Greece because I have fingertips here”. (Dublin II procedure)

- In some cases, the stress of being in Greece and the need to abandon this country was intense. It was explained to the research team that one a/s (returned under Dublin procedure) tried to commit suicide when he was told that he would be deported to Greece as he knew what would follow and how hard is life for a/s in Greece.

“(...) they told me you should run away from this country. Otherwise you will be crazy or drug user. So it is better as soon as possible to get away from here”

The main negative points reported by the a/s concern the inhumane conditions in detention and the intolerant and aggressive behaviour of the police authorities. In particular it was stressed that it is important to correct immediately the dire conditions at the airport detention area.

“I do not want to stay in this country. I want to go to another country”.
“I took the pink card to be legal and that the children could go to school. I want to go to another country because my son is now in Italy and my children here could not go to school”.

Despite the general disappointment about the asylum system in Greece some proposals were made:

- Information should be given in written in their language, urging that Greece should follow the example of other European countries, as experienced by the returned a/s under the Dublin II Regulation.
- The asylum procedure should be implemented by social workers, and not by the police. Location and system for submitting an asylum application should change.

“Not to go to the police because when a policeman comes in front of you, you are frightened”. “They should change the place where we request asylum, because it is a very difficult place. I went there at 4 o’clock at night.”

- To have a strict procedure on substantial examination of asylum claims aiming at protecting the real asylum-seekers.

“Let everything be difficult. Let the procedure be more difficult so that the right refugees get their rights because immigrants use the rights of refugees.”

1. Field research – Focus group reports (Template)

Attached focus group reports and moderator forms

2. Methodology

The main points of interest regarding the methodology adopted concern:

- The asylum seeker sample size and composition
- The sampling process
- The location where focus groups were held
- The focus group discussion scheme and roles-tasks distribution
- The overall building of trust and confidence, as well as support to the aims of the survey by the asylum seekers

2.1. Size and Composition

Which asylum seekers? The main criterion for sampling was the one of the a/s accommodation type. It goes noted that most a/s in Greece are living independently, since few posts in NGO run reception centres are available. Moreover, the heated discussion on the historical centre of Athens as a ‘ghetto’ inhabited mainly by irregular immigrants and presumably degraded by criminality linked to ethnic groups, challenged the RAXEN NFP in pursuing an insight of the a/s population in this area.

Half of the interviewed a/s were women, while a/s from Afghanistan were the most represented ethnic group for both men and women. The second and third a/s ethnic groups were respectively the ones from Somalia (almost exclusively men) and Ethiopia (almost exclusively women). Below follow tables regarding size and composition of focus groups:

Table 1: Focus groups implemented - nationalities and month of implementation

Focus group	Nationalities	A/S	Date
I (newly arriving)	Afghanistan, Somalia, Sudan	12	May 2010
II (F) (newly arriving)	Afghanistan, Iran, Eritrea, Ethiopia, Somalia	6	May 2010
III (F) (rejected)	Afghanistan, Iran	8	April 2010
IV (F) (rejected appl)	Ethiopia, Eritrea, Nigeria	10	April-May 2010
V (rejected appl)	Afghanistan, Iran	6	April 2010
VI (rejected appl)	Somalia	7	April 2010
TOTAL		49	

Table 2: Focus group discussions implemented per nationalities and date of implementation

Focus group	Nationalities	A/S	Date
I ¹	Afghanistan	7	7.5.2010
I ²	Somalia	3	7.5.2010
	Sudan	2	7.5.2010
II ¹ (F)	Iran	1	7.5.2010
	Afghanistan	1	7.5.2010
II ² (F)	Eritrea	1	8.5.2010
	Ethiopia	2	8.5.2010
	Somalia	1	8.5.2010
III (F)	Afghanistan	7	17.4.2010
	Iran	1	17.4.2010
IV ¹ (F)	Nigeria	3	24.4.2010
IV ² (F)	Ethiopia	6	8.5.2010
	Eritrea	1	8.5.2010
V	Afghanistan	4	17.4.2010
	Iran	2	17.4.2010
VI	Somalia	7	24.4.2010
TOTAL		49	

Table 3: Nationalities of interviewed Asylum Seekers in all Focus Groups

Nationalities	A/S
Afghanistan	19
Somalia	11
Sudan	2
Iran	4
Eritrea	2
Ethiopia	8
Nigeria	3
TOTAL	49

Table 4: Nationalities of interviewed newly arriving Asylum Seekers

Nationalities - newly arriving	A/S
Afghanistan	8
Iran	1
Somalia	4
Sudan	2
Ethiopia	2
Eritrea	1
TOTAL	18

Table 5: Nationalities of interviewed Asylum Seekers with a first instance rejection of application

Nationalities - rejected	A/S
Afghanistan	11
Somalia	7
Iran	3
Eritrea	1
Ethiopia	6
Nigeria	3
TOTAL	31

Table 6: Nationalities of interviewed Female Asylum Seekers

Nationalities - Women	A/S	newly arriving
Afghanistan	8	1
Somalia	1	1
Iran	2	1
Eritrea	2	1
Ethiopia	8	2
Nigeria	3	0
TOTAL	24	6

Table 7: Nationalities of interviewed Male Asylum Seekers

Nationalities - Men	A/S	newly arriving
Afghanistan	11	7
Somalia	10	3

Sudan	2	2
Iran	2	0
TOTAL	25	12

2.2. Sampling process

The major constraint in building the sample for focus group discussions is an inherent problem of the asylum process in Greece. In particular, no more than 20 asylum applications are accepted for submission each week by the Greek Police authorities, therefore it proved hard to find and compose linguistically and/or ethnically homogeneous groups for discussion of a/s who had recently applied for an asylum application.

Moreover, most of the a/s who recently applied have not arrived recently in Greece but they just managed, usually after many problems and obstructions, to finally submit an asylum application.

Additionally, as explained above, the main focus of the research has been the a/s living independently in Athens. According to our prior existing information and in consultation with UNHCR-Greece the NGO Greek Council for Refugees (GCR) provide the most appropriate channel of contact with the a/s population. As the survey proved later, in almost all cases this has also only been the only organisation which provided any information to a/s during their adventure into the Greek asylum system. In many cases it is confused to be a UN agency or a government one.

Therefore, an agreement was reached between the RAXEN NFP and GCR, according to which GCR was subcontracted in order to use its lawyers and interpreters' team to identify, contact and invite a/s to focus groups at the location indicated by the NFP. It goes noted that the entire process was closely monitored by the head of research, RAXEN NFP Director, such contact and invitation was done after training of the GCR team and according to set standards in order to avoid confusions about the organisation conducting the survey and expectations of the participants.

GCR performed ideally its subcontracting tasks, despite its heavy financial problems, due to long delays of public funding, to be attributed to financial

management problems of the EU Refugee Fund by the Health Ministry administration.²

There have been additionally contacts with the hosting reception centres run by NGOs Medecins Du Monde and Praxis, which are members of the RAXEN NFP Network. It has been however extremely difficult to compose linguistically and/or ethnically homogeneous groups for discussion, unless for a/s of whom the application had been rejected in the first instance (a focus group already implemented with a/s living independently for the reasons explained above).

2.3. Location and settings of focus group discussions

The first four focus group discussions were hosted in a culturally adequate neutral setting, a yoga studio (Athens Yoga), which had offered in the past free yoga classes to immigrants and refugees. A/s were invited to reach on their own the focus group venue, situated next to a central Athens metro station (Panormou), while the head of research and research team met with the participants in the open surface metro square, in order to guide them to the meeting venue some meters away. Additionally, a/s were offered after the focus group discussions four public transportation tickets each and they were invited to join a dinner with the research team at the area's taverns. In all cases, a/s visited the place for the first time. They sat on the floor, on zafu pillows, and were served tea, both of which increased the level of confidentiality. In one case Muslim asylum seekers one by one proceeded to the evening prayer in a private area of the yoga studio.

The remaining five focus group discussions were held in a meeting room of the most known NGO dealing with asylum issues, the Greek Council for Refugees (GCR), after hours on Friday and Saturday afternoon and evenings, and without the presence of any of its staff. This was deemed necessary for those ethnic groups that were hard to reach and did not compose a full-numbered focus group and even less they were able to find and reach a venue in the city under any indications or instructions. This was especially true for a/s who recently arrived and/or applied for an asylum status. It goes noted that most of all a/s irrespective of ethnic groups and status, were not acquainted with the Athens metro and were hardly familiar with bus public transportation, indicating therefore, a strong connection to the city centre as gravitational epicentre. Given that in this case (multiple focus groups discussions with small numbers of

² Pananou D., *Απέλασαν 6.000.000 € (6 mil.euros deported)*, Real news,p.42 (29.3.2010). 8 NGOs funded by the Fund have been paralysed in their a/s support actions being unpaid for large part of 2009 activities.

participants and diverse ethnic composition) free joint dinner was not an option, a/s were informed that they would receive 15 public transportation tickets each. This solution provided easy access and motivation for these hard to reach groups, but came with a cost. In some individual cases false or high expectations were created by the fact that GCR is a point of reference for the majority of a/s and they had been invited there for an “interview”.³ During a focus group discussion held in GCR some Somali a/s (under Dublin procedure), came in and demanded to go back to Norway, thinking that the research team were members of a Norwegian agency.

2.4. Focus group implementation

The roles and tasks of different members of the research team were distinct and explained in detail to the participants prior to the discussion. Under the overall coordination of the head of research who provided the welcoming and introductory information on the survey, the moderator-interviewer explained the structure, the rules of the discussion and coordinated the focus group, in close cooperation with the note-taker and the interpreter.

The interpreter was a key figure in the focus group as intercultural mediator.

The interpreters in most cases were or have been asylum-seekers. Therefore, they were familiar with asylum system and acted as intercultural mediators to the benefit of trust building and to a more in-depth focus group discussion.

2.5. Confidence building and consent

The level of confidence was high among all participants (a/s, moderator, interviewer, interpreter, note-taker). This was especially true during the first half set of focus group discussions held in a culturally adequate and neutral setting, Athens Yoga. Additionally, introductory information, explanation of purpose, method and context, and distinct research team roles, as well as granting of consent for taping discussions was performed smoothly according to set standards, assuring strict confidentiality and discretion, which made a/s relax. Only then, the moderator-interviewer proceeded to questions through the

³ This was especially problematic in view of the fact that almost none of the 49 interviewed a/s had a proper asylum application first instance interview by the authorities. At the end of one session, one a/s asked the interviewer for a loan of 200 Euros. They also asked for extra transport tickets (it was said in advance that they would be given 15 transport tickets each). Another participant said that as he was being deported from Sweden, a Swedish policeman took 700 Euros out of his pocket; he then asked if we, Greeks, could “reimburse” half the amount. While at the end some understood the aim of our research asking us to incorporate their requests for improving the outcome of our study, others hoped for practical help (i.e. loan, additional tickets).

assistance of the interpreter. In one occasion Muslim a/s from Somalia asked to leave the room temporarily and return after some minutes, one after the other, for their afternoon prayer. After the sessions held in the Panormou area, the head of research invited all participants (both a/s and research team) for dinner which benefited greatly the atmosphere of cooperation and mutual understanding. In the following weeks, the survey was discussed positively among a/s in Athens and aspiring participants presented themselves on their own initiative at the team for identification and invitation to focus groups, which led also to an extra focus group discussion in the last day of research. During the dinners the research team blended with the a/s discussing in depth personal stories and concerns and exchanging views and sharing common values on human rights, living together and expectations for a more inclusive society. In one occasion, one of the a/s said he had a very good time and could not believe that there are people who treat him as equal.

“If you see me tomorrow on the street, will you smile and be as friendly as you are today”?