GREECE

ARRIVALS

1. Total number of individual asylum seekers who arrived, with monthly breakdown and percentage variation between years

Table 1:
Source: Ministry of Public Order

Month	2002	2003	Variation +/-(%)
January	589	615	+ 4.4
February	435	871	+ 100.2
March	508	760	+ 49.6
April	133	666	+ 400.7
May	192	1,047	+ 453.1
June	426	879	+ 106.3
July	555	390	- 29.8
August	708	239	- 76.3
September	589	1,325	+ 124.9
October	444	479	+ 7.8
November	616	577	- 6.4
December	469	330	- 29.64
TOTAL	**5,664**	**8,178**	**+ 44.38**

2. Breakdown according to the country of origin/nationality, with percentage variation

Table 2:
Source: Ministry of Public Order

Country	2002	2003	Variation +/-(%)
Iraq	2,567	2,879	+ 12.15
Pakistan	250	703	+ 181
Iran	411	632	+ 53.77
Afghanistan	1,238	593	- 52.10
Myanmar	8	496	+ 6,100
Nigeria	184	468	+ 154.34
Somalia	69	426	+ 517.39
Bangladesh	34	251	+ 638.23
Sudan	58	222	+ 282.75
Turkey	211	218	+ 3.32
Others	*634*	*960*	*+51.42*
TOTAL	**5,664**	**8,178**	**-44.38**

3. Persons arriving under family reunification procedure

No figures available.

4. Refugees arriving as part of a resettlement programme

Greece does not operate any resettlement programmes.

5. Unaccompanied minors (number of applications)

Table 3:
Source: Ministry of Public Order

Country	2002	2003
Afghanistan	121	81
Iraq	80	63
Nigeria	7	41
Myanmar	3	29
Somalia	1	21
Pakistan	4	20
Palestine	-	16
Turkey	1	6
Bangladesh	4	5
Iran	1	4
Others	*25*	*28*
TOTAL	**247**	**314**

RECOGNITION RATES

6. The statuses accorded as an absolute number and as a percentage of total decisions

Table 4:
Source: Ministry of Public Order

Statuses	2002		2003 (Jan-Nov)	
	Total decisions		Total decisions	
	Number	%	Number	%
No status awarded	9,278	98.44	4,523	99.92
Convention status	36	0.38	4	0.08
Humanitarian status (accorded + renewed)	111 (64 + 47)	1.17	-*	-*
TOTAL	**9,425**	**100**	**4,528**	**100**

* No figures available

The recognition rate in 2003 was the lowest ever in Greece. Figures concerning negative decisions issued in December 2003 are not available. No separate statistics are available for first instance and second instance decisions. It should be noted however that the number of first instance decisions granting Convention or humanitarian status are extremely rare and, as far as the Greek Council for Refugees is aware, they do not exceed one or two cases per year. It follows that most of the decisions awarding a status are second instance decisions. In 2003, no refugee status was granted at first instance.

Please note that many of the applications rejected in 2003 and counted as 'no status awarded' were still pending at the end of 2003.

7. Refugee recognition rates (1951 Geneva Convention) according to country of origin

Table 5:
Source: Ministry of Public Order

Country of origin	2002		2003	
	Total decisions		Total decisions	
	Number	%	Number	%
Guinea-Bissau	0	-	1	100
Eritrea	0	0	1	14.28
Democratic Republic of Congo	2	3.12	1	5.55
Ethiopia	0	0	1	1.64
Sudan	1	1.58	1	0.78
Serbia and Montenegro	4	23.52	0	0
Russian Federation	4	7.84	0	0
Morocco	1	5.26	0	0
Palestine	5	5.26	0	0
Sri Lanka	1	5	0	0
Bangladesh	1	2.77	0	0
Nigeria	1	0.84	0	0
Iran	2	0.41	0	0
Turkey	3	0.33	0	0
Iraq	9	0.21	0	0
Afghanistan	1	0.04	0	0
Sierra Leone	1	0.52	*0*	*0*
TOTAL	**36**	***0.38***	***5***	***0.08***
(Total decisions)	(9,425)		(4,528)	

In March 2003, the examination of asylum applications submitted by Iraqi nationals was suspended, while awaiting developments on the situation in Iraq. Iraqi asylum seekers are therefore not expected to be granted any status until the Ministry for Public Order resumes second instance decision-making.

RETURNS, REMOVALS, DETENTION AND DISMISSED CLAIMS

8. Persons returned on 'safe third country' grounds

All asylum applications are examined by the Greek authorities on their merits, regardless of whether applicants have transited through a 'safe third country' or not. However, if an asylum seeker has transited through a 'safe third country', his/her application can be rejected and an accelerated procedure for the substantive examination will follow. No figures are available to show the exact number of applications rejected on 'safe third country' grounds.

9. Persons returned on 'safe country of origin' grounds

All asylum applications are examined by the Greek authorities on their merits and no application is declared inadmissible on 'safe country of origin' grounds. However, if an asylum seeker does come from a 'safe country of origin', his/her application can be rejected on these grounds and an accelerated procedure for the substantive examination will follow. No figures are available to show the exact number of applications rejected on 'safe country of origin' grounds.

10. Number of applications determined inadmissible

There is no admissibility procedure in Greek law, all applications are examined on their merits.

11. Number of asylum seekers denied entry to the territory

No figures available.

According to Greek law, entry to Greek territory can only be denied if an application is submitted at a seaport or airport. Asylum applications submitted upon arrival at seaports or airports are examined under the accelerated procedure, during which asylum seekers are kept in so-called 'waiting zones' (or 'transit zones'). However, if the substantive examination of their application is not completed within 15 days, the legislation (Article 25 of Act 1975/1991, as amended by act 2452/1996 and Article 4 of Presidential Decree 61/99) provides that leave to enter Greek territory must be accorded to the asylum seeker.

12. Number of asylum seekers detained, the maximum length of and grounds for detention
No figures available.

If an asylum seeker is arrested for illegally entering the country and no charges are brought against him/her by the Public Prosecutor, an administrative deportation order is issued immediately (in most cases before an asylum application is lodged) by the police authorities. In 99% of cases the deportation order results in the issuance of an administrative detention order for a maximum period of three months (Article 44 of Act 2910/2001). The main aim of detention is to ensure that the deportation order is implemented. If a foreign national submits an asylum application while in detention, his/her deportation is suspended until a final decision on the claim is reached. If a final decision is not issued within three months, the applicant should be released.

No set time limit for detention is provided by law where a foreign national is detained following a court deportation order (for illegally entering the territory). If an asylum application is submitted after the deportation order is issued, the deportation is suspended pending the examination of the claim. When deportation cannot take place in due time for reasons related to: a) international embargo; b) violations of Article 3 of the European Convention on Human Rights and/or of Article 3 of the UN Convention Against Torture etc.; or c) other material obstacles to the deportation, an appeal against the deportation order can be submitted before the competent judicial authority (i.e. the first instance criminal court of the district where the alien is detained). Finally, Article 99(5) of the Penal Code and Ministerial Decision No.137954/16-10-2000 provide that the decision to suspend a deportation order and order the release of a detainee should be taken by the Public Prosecutor in all cases where deportation orders cannot be implemented.

13. Deportations of rejected asylum seekers
No figures available.

14. Details of assisted return programmes, and numbers of those returned
After the collapse of the Taliban regime, a voluntary return programme for highly-qualified asylum seekers of Afghan origin was proposed by the IOM and UNHCR. Unfortunately, this programme never saw the light of day, as there was no response or contribution by the Greek authorities to the proposal. No assisted return programme for Iraqi asylum seekers (rejected or voluntarily repatriated) has yet been implemented in Greece.

15. Number of asylum seekers sent back to the Member State responsible for examining the asylum application under the Dublin Convention (Dublin II Regulation)
No figures available.

SPECIFIC REFUGEE GROUPS

16. Developments regarding refugee groups of particular concern
As already mentioned, after the war in Iraq broke out in March 2003, the Ministry for Public Order suspended the examination at second instance of asylum applications submitted by Iraqi nationals. It should be noted that 28 Iraqis that had submitted their asylum applications before the outbreak of the war in Iraq were not awarded any status in second instance decisions.

LEGAL AND PROCEDURAL DEVELOPMENTS

17. New legislation passed
Acts 3146/2003 and 3202/2003, which modify some of the provisions of Act 2910/2001 (Aliens Act) were adopted in 2003. Article 31(2) of Act 3202/2003 provides that foreign nationals, who following a final rejection of their asylum applications have, nonetheless, entered the legalisation procedure, (Act 2910/2001) but who cannot obtain a passport from their respective consulates, can get an official certificate of 'legal residence' from the Greek authorities in order to pursue the legalization procedure which normally requires that they possess a valid passport.

The circular of the Chief of Greek Police, Mr Nasiakos, to all Police Directorates, Departments and Stations, issued on 4 July 2003 clarifies the rights and treatment of detainees by police authorities. As far as asylum seekers are concerned, the circular affirms the right of foreign detainees who wish to apply for asylum to receive a visit from UNHCR staff or NGOs authorised by UNHCR. This is more of an internal document than a general legal text, but it is of interest.

18. Changes in refugee determination procedure, appeal or deportation procedures
No significant changes in the procedures and practice of the Greek authorities were recorded in 2003. However, in an increasing number of cases, one-year residence permits on humanitarian grounds have failed to be renewed by the Ministry of Public Order. There is no apparent reason or justification for this. This practice is particularly affecting foreign nationals who have been living in Greece for over ten years or still have objective and compelling humanitarian concerns preventing them from returning home.

19. Important case-law relating to the qualification for refugee status and other forms of protection
There were no developments in 2003.

20. Developments in the use of the exclusion clauses of the 1951 Geneva Convention in the context of the national security debate
There were no developments in the use of the exclusion clauses in 2003.

21. Developments regarding readmission and cooperation agreements
The implementation of the readmission agreement between Greece and Turkey was still problematic. According to the Minister for Public Order, Greece has invoked the agreement on 2,500 occasions and in 2,486 cases, Turkey has refused to take back the migrants concerned, arguing that there was no sufficient evidence that they had travelled from Turkey.

THE SOCIAL DIMENSION

22. Changes in the reception system
In 2003, reception centres for asylum seekers for the first time accepted foreign nationals who did not hold a 'pink card' (a special document for asylum seekers), but had submitted their asylum application and had obtained an appointment for an interview with the authorities. After registration at the reception centre, files are transferred to the local aliens police department and an interview is carried out by the local police authorities. In the past, asylum seekers had to remain where they had originally submitted their applications and were not allowed to move to a reception centre until the interview was carried out and their 'pink cards' issued.

In December 2003, the reception centre for unaccompanied women and vulnerable cases in Pikermi was closed, following cuts to the centre's funding by the Greek Ministry of Health and Welfare.

23. Changes in the social welfare policy relevant to refugees
The First Instance Administrative Court of Athens (Decision No. 12231 of 7-10-2003), in application of the 1951 Geneva Convention, decided to extend a tax exemption that had previously only been available to Greek citizens to Convention refugees.

24. Changes in policy relating to refugee integration
Since December 2002, a programme funded by the European Social Fund called 'New Beginning' has started to be implemented. The aim of the programme is to provide asylum seekers and refugees with Greek language tuition and various training seminars to facilitate their integration into the labour market and social life. The Greek Council for Refugees has participated in the implementation of this programme offering logistic, social and legal support to the participants. The programme continued throughout 2003.

According to Law 2910/01, children of foreign nationals can be registered in public schools even if they or their parents do not have valid identity documents or a residence permit in Greece. Many asylum seekers in the early stages of the asylum procedure (i.e. before they receive the 'pink card') register their children under this provision. In September 2003, the Ministry of Interior issued a circular addressed to all public schools, ordering that no children be registered if their parents do not possess a valid identity document (i.e. passport, certificate of birth, residence permit). The circular was withdrawn after the Greek Children's Ombudsman intervened on 1 October 2003.

In some cases, asylum seekers are not officially registered in public schools, although they attend classes, because no instructions have been given to schools by the Ministry for Education concerning the procedure for registration, and especially the criteria to determine which class the newcomer should attend (no school certificates from the countries of origin are normally available for asylum seekers). No circular to solve the problem has been issued yet.

Finally, it has become even more difficult for an asylum seeker to get married in Greece, as most mayors now refuse to perform marriages in the absence of passports or of the necessary official certificates from the country of origin.

25. Changes in family reunion policy
The Greek authorities have been refusing to issue refugee travel documents to family members of refugees arriving in Greece under family reunion. According to a highly criticised interpretation of the Greek law provided by the Ministry for Public Order, family members are not refugees, but simply 'affiliated' to refugees, and thus do not have the right to travel documents under the 1951 Geneva Convention.

OTHER POLICY DEVELOPMENTS

26. Developments in resettlement policy
There were no developments in resettlement policy in 2003.

27. Developments in return policy
There were no developments in return policy in 2003.

28. Developments in border control measures
Following the announcement by the Greek government of its intention to strengthen border control, the number of policemen working at the 'Border Guard Police Stations' has been increased.

29. Other developments in refugee policy
There were no further developments in refugee policy in 2003.

POLITICAL CONTEXT

30. Government in power during 2003

The ruling Hellenic Socialist Movement (PASOK) remained in power throughout 2003.

31. Governmental policy vis-à-vis EU developments

In 2003, Greece has generally followed the policy of the European Union regarding asylum and immigration issues, especially in relation to border control and management of illegal immigration.

No legislative or other measures have been adopted in 2003 to implement the Council Directive 2003/9/EC on the reception conditions for asylum seekers.

32. Asylum in the national political agenda

The Greek government affirmed its will to prevent illegal immigration to Greece and did not seem particularly concerned that the measures taken to strengthen border controls may affect the entry and protection of asylum seekers in Greece.