



Submission by the United Nations High Commissioner for Refugees
for the Office of the High Commissioner for Human Rights' Compilation Report
- Universal Periodic Review:

GREECE

I. Background and Current Conditions

Greece is a State party to the major international human rights treaties. The country ratified the *1951 Convention Relating to the Status of Refugees* in 1960 and acceded to its *1967 Protocol* in 1968 (henceforth jointly referred to as the 1951 Convention). Greece also acceded to the *1954 Convention Relating to the Status of Stateless Persons* in 1975, but not to the *1961 Convention on the Reduction of Statelessness*.

Greece ratified the *Convention for the Protection of Human Rights and Fundamental Freedoms* and its amending protocols in 1974 and signed the *Council of Europe Convention on Action against Trafficking in Human Beings* in 2005. In September 2010 Greece ratified the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing the *United Nations Convention against Transnational Organized Crime*.

Greece is a Member State of the European Union and as such bound by EU legislation, including the *EU asylum acquis*. The following Presidential Decrees adopted between 2007 and 2009, which transposed the European asylum legislation, regulate asylum in Greece:

- i) P.D. 90/2008 transposing Council Directive 2005/85/EC from December 1, 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status
- ii) P.D. 81/2009 modifying the P. D. 90/2008 transposing Council Directive 2005/85/EC from December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status
- iii) P.D. 96/2008 transposing Council Directive 2004/83/EC from April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as

refugees or as persons who otherwise need international protection and the content of the protection granted

iv) P.D. 220/2007 transposing Council Directive 2003/9/EC from January 2003 laying down minimum standards for the reception of asylum seekers.

Important social rights of asylum-seekers and international protection beneficiaries are included in the aforementioned P.D. 220/2007 and 96/2008, but generally they are scattered across various laws (P.D. 266/99, P.D. 189/1998, L. 3454/2006, L.3631/2008, L. 3838/2010, L. 3842/2010, P.D. 167/2008 (transposing the Family Reunification Directive 2003/86/EC), etc.).

As regards the implementation of EU legal standards on asylum in Greece, it should be noted that, at the end of June 2010, the European Commission confirmed the initial step of an infringement procedure initiated against Greece for non-compliance with EU law before the Court of Justice of the EU (CJEU), by sending Greece a supplementary letter of formal notice. This supplementary letter followed an initial letter of formal notice sent on 3 November 2009, which covered the issues of access to the asylum procedure, respect of fundamental rights including the principle of *non-refoulement* when conducting border controls and treatment of asylum-seeking unaccompanied minors. In the supplementary letter, the European Commission reportedly sought clarification on the implementation of provisions of the Reception Conditions Directive, the Qualification Directive and the Asylum Procedures Directive.

II. Achievements

In August 2010, Greece adopted a “National Action Plan for Migration Management” setting out a complete strategy of the Greek Government for managing migration. The Action Plan will bring legislative changes as regards the screening of irregular entrants, the new asylum system, detention, repatriation and returns. The strategy also includes initiatives directed at vulnerable groups, which have been planned in partnership with the Ministry of Health. The Action Plan generally aims to ensure that the migration challenges created by the large influx of irregular migrants are met with a fair and efficient system that is in conformity with international human rights standards and other international obligations of the State. The Action Plan was submitted to the European Commission, which committed to assist Greece in the implementation of the Plan through identification of EU funding sources. The Action Plan proposes concrete areas for UNHCR’s intervention.

III. Challenges and Recommendations

In the context of massive mixed migration flows into Greece, currently the main entry gate of the EU, Greece faces complex human rights challenges regarding persons in need of international protection. Areas of concern include: the respect of the *non-refoulement* principle; equality; access to asylum for persons in need of international protection; the

proper assessment of asylum claims (which entails interpretation services, legal assistance, referral mechanisms for asylum-seekers, unaccompanied and separated minors, and other vulnerable groups); detention conditions; reception standards, in particular accommodation capacity and quality of services; racism, xenophobia and ill-treatment by law enforcement organs; and prospects for local integration.

The adoption of the above-mentioned “National Action Plan for Migration Management” and discussions on reform of the asylum system started immediately after the Panhellenic Socialist Movement (PASOK) won the elections on 4 October 2009 and formed a Government led by Prime Minister George Papandreou. Despite this initiative, more than a year later, the situation for people seeking asylum in Greece has not improved. With numbers of land arrivals having increased significantly, UNHCR monitoring missions have found that detention conditions in the Evros region have significantly deteriorated. Asylum-seekers and other irregularly present people face difficulties in their attempts to survive on the streets of Athens, without shelter or any other form of reception support. In addition, there are increasing reports about tensions between irregular migrants (including those who may have protection needs) and groups made up of local residents in Athens.

Effective change will require long-term, sustained commitment, not only by the Greek authorities, but also by the European Commission, EU Member States and other stakeholders. UNHCR is committed to supporting this process. In the meantime, however, the position as expressed in UNHCR’s document of December 2009, “Observations on Greece as Country of Asylum”¹, remains applicable. UNHCR continues to oppose transfers to Greece under the Dublin Regulation and encourages other states participating in the Dublin system to determine such claims in their national asylum processes, pursuant to Article 3(2) of the Dublin Regulation.

In this context, it is relevant to note that UNHCR was invited by the European Court of Human Rights to submit written observations and to intervene orally as a third party in the case *M.S.S. v. Belgium and Greece*. In the oral intervention,² UNHCR repeated the view that the Greek asylum system does not, at present, adequately protect asylum-seekers, including Dublin transferees, against return to territories where there is a risk of persecution or serious harm. The intervention submits that “this assessment is largely based on the fact that even in cases where individuals manage (against all odds) to have access to the asylum procedure in Greece, they are not afforded a fair and effective examination of their claims, and they are not, as a result, identified as being in need of international protection and would risk onward removal to danger. Lack of protection from refoulement is related to, and compounded by, inadequate reception and detention conditions for asylum-seekers that do not guarantee the standard of treatment foreseen under the 1951 Convention and European law.”

¹ Available at web link: <http://www.unhcr.org/refworld/pdfid/4b4b3fc82.pdf> This document is attached to this submission.

² Please see web link <http://www.unhcr.org/refworld/pdfid/4c7fbf052.pdf> This document is also attached to this submission.

The specific issues raised by UNHCR in the M.S.S. case (risk of refoulement, access to asylum, quality of the asylum procedure, detention, reception), concerns relating to racism, xenophobia and ill-treatment, and to the integration of refugees and beneficiaries of subsidiary protection are described in more detail below.

Issue 1: Non-refoulement

The Government should fully respect the principle of non-refoulement.

During 2010, while unofficial push-backs appear to have ceased or diminished, other forms of removal, such as the application of the Readmission Protocol with Turkey, have been more intensely applied. The Readmission Protocol is a means of removal that applies to persons who have transited through Turkey and who are not asylum-seekers (*stricto sensu*, namely not registered). As it sets specific timeframes, the Protocol applies to persons newly arriving in Greek territory, including potential asylum-seekers, who have not been given the opportunity to apply for asylum. Prior to their return, individuals are detained. Others can be subject to return, if the deadlines for the procedure with Turkey are met. According to statements of the Greek authorities, the practice of the Turkish side through the Agreement is to accept, almost exclusively, nationals of its neighbouring countries (Iraqis, Iranians, Syrians, Georgians).

UNHCR is concerned that potential asylum-seekers who are not given the chance to apply for asylum due to problematic detention conditions may be subject to return without having had their asylum claims properly registered and examined.

Moreover, in UNHCR's view, the Greek asylum system does not adequately protect asylum-seekers against return to territories where there is a risk of persecution or serious harm. This is because, even in cases where individuals manage to access the asylum procedure, they are not afforded a fair and effective examination of their claims. As a result, they are not identified as being in need of international protection and risk refoulement. A person, whose asylum claim has been rejected, is in danger of forced return at any time. Being subject to a deportation order can, of itself, give rise to degrading and inhuman treatment, as such a person is treated as though he/she had no rights and so is likely to face continuous cycles of arrest, detention and release.

Recommendations by UNHCR:

- Respect the principle of *non-refoulement* fully for aliens entitled to international protection. No deportation measure should be taken before assessing the protection needs of aliens who have indicated in any manner a need for international protection and processing their asylum applications. This is valid both for "informal summary deportations," which have been denounced in the past, as well as for the Readmission Protocol with Turkey. These procedures must be applied only after an individual has had access to an asylum procedure (that includes the provision of full information, interpretation and legal aid) and a full and fair assessment of any claimed protection needs has been made.

Issue 2: Access to asylum

The Government should ensure access to the asylum procedure. Screening mechanisms should be developed to identify persons in need of international protection and efforts should be made to meet the needs of particularly vulnerable persons.

Greece is considering changes to its migration policies through plans to create screening centres at the border areas for the reception of mixed groups, to identify international protection needs and refer vulnerable cases accordingly. If these plans were to be implemented, which would require investment of very significant resources and targeted capacity-building, this would be a change from the automatic detention and indiscriminate treatment applied currently. However, the existing situation regarding access to asylum remains a serious concern for UNHCR.³

Asylum-seekers in Greece face major obstacles in accessing the asylum procedure. There are no functioning screening mechanisms at the Greek border areas, as a result of, amongst other reasons, a shortage of interpreters, a shortage of state-funded legal aid and the fact that no information concerning the asylum procedure is provided. All aliens entering Greece irregularly, including those in need of international protection, are treated as “illegal immigrants” and issued with deportation and detention orders. Those who are released and who manage to reach Athens face further obstacles in accessing the asylum procedure.

According to UNHCR, the situation in the Central Asylum Police Department (Petrou Ralli Str.), which receives around 70% of asylum applications in the country, has deteriorated during the past months. Currently, only 20 asylum claims are accepted for registration every week at Petrou Ralli, while some hundreds of asylum-seekers wait in queues to submit their applications. Moreover, due to Greece’s highly dysfunctional asylum system with protection rates close to zero per cent, aliens in need of international protection often refrain from submitting asylum applications and try to move on to other European countries. This decision is made due to lack of confidence in the system, and despite a serious fear of being returned to their country of origin. This group of unregistered asylum-seekers is highly vulnerable, since they remain in the country without enjoying any protection rights.

Recommendations by UNHCR:

- Ensure, at points of entry, unhindered access to the asylum procedure (including all relevant guarantees, such as information, interpretation and legal assistance), immediate registration and fair and efficient processing of asylum applications. Eliminate all obstacles to the asylum system and practices that deter asylum-seekers at the borders.
- Create screening mechanisms at the main points of entry in Greece to identify persons in need of international protection and those with specific protection needs. New arrivals should only stay in these facilities for a few days. They should then be transferred to other locations for further treatment according to the requirements of each group (for example

³ See also UNHCR report *Observations on Greece as a country of asylum*, December 2009, attached.

accommodation centers for asylum-seekers, special centers for unaccompanied children, support facilities for victims of torture or human trafficking, or detention centers as a last resort for those migrants for whom deportation is allowed and feasible).

(It should be noted that the above proposals are part of the report of the Experts' Committee on First Reception Centres (KEPY), which was set up by decision of the Deputy Minister of Citizen's Protection (December 2009-February 2010) and were also included in the National Action Plan.)

Issue 3: Quality of the asylum procedures

The Government should ensure a fair, speedy and effective asylum procedure. In order to do so, the Government should implement reforms to the legal framework.

Greece's asylum system is characterized by poor procedures. For those claimants whose applications are successfully registered and examined, the quality of the assessment of asylum claims and decision-making is extremely poor. This is mainly due to untrained and unqualified personnel and a lack of procedural safeguards. Legal aid is generally absent and language interpretation resources are severely inadequate. As a result, nearly all asylum applications in Greece are rejected at first instance. In 2009 and 2010, less than one percent of cases decided at first instance were granted refugee status or subsidiary protection. In this context, it is worth noting the findings of the UNHCR Comparative Analysis on the application of the Procedures Directive in 12 EU Member States, including Greece.⁴

In addition, asylum-seekers do not have access to an effective remedy against negative decisions at first instance. Presidential Decree 81/2009, which entered into force in July 2009, abolished the former independent appeals procedure. It created a new, non-independent administrative appeals procedure dealing exclusively with the backlog of around 45,000 appeals, in which UNHCR refused to participate, because of the lack of independence. Since July 2009, the only existing legal remedy against a new negative first instance decision is an appeal to the Council of State. Such an appeal does not have automatic suspensive effect on deportation orders and may only consider points of law, not of fact. Currently, as the appeals committees were not functional for most of the year, the backlog of cases stands at 46,000.

Recommendations by UNHCR:

- Ensure a fair, speedy and effective asylum procedure by:
 - (a) Restructuring the asylum procedure radically, removing it from the competence of the police and transferring it to a new, autonomous, civilian authority, with sufficient and properly trained staff;
 - (b) Setting up an independent appeals authority, and;
 - (c) Ensuring basic safeguards throughout the procedure, such as specialized and unbiased interpretation and free state-funded legal aid.
- Promote changes to the existing legal framework proposed by the Minister of Citizen's Protection, which are supported by UNHCR. Two key initiatives are the establishment of

⁴ Available at <http://www.unhcr.org/4ba9d99d9.html>

an Asylum Service with its own administrative structure and Regional Asylum Offices, with competence to examine applications at first instance, and the creation of an independent Appeals' Authority.

Issue 4: Detention

The Government should ensure that detention is used only as a last resort in accordance with the requirements of international law. Conditions in detention facilities should be substantially improved.

The detention conditions in Greece, including those for asylum-seekers, fall short of international and European standards. UNHCR has systematically documented this in field visits and other reports on this subject are available.⁵ At the end of his fact-finding mission to Greece in October 2010, the UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment made a statement, in which he noted the following: *“I fully support the recommendation of the UN High Commissioner for Refugees and human rights institutions to halt all returns under Dublin II due to the inadequate protection against refoulement and the inhuman detention conditions for migrants in Greece.”*⁶

Overcrowding and poor conditions in migration detention facilities and police and border guard stations have worsened since the entry into force, in summer 2009, of the new law on administrative detention of irregular migrants. This law extended the maximum detention period to six or possibly twelve months, which has led to an increase in the number of persons detained. This deterioration is significantly more evident at border locations (Evros in particular), but similar conditions are observed in many urban settings, particularly in Athens (Athens Aliens Directorate detention facilities – Petrou Ralli, Athens International Airport and the various police stations).

Issues of great concern are the overall lack of information detainees have on the duration of detention and their entitlements in detention, the inability of detainees to communicate with the outside world and their limited ability to access legal aid (not least because the resources of NGOs providing legal aid are overstretched). In those circumstances, filing an asylum claim while in detention is almost impossible. UNHCR has received a number of reports of police violence, insults or degrading and inhuman treatment suffered by persons in detention.

An indication of the worsening detention conditions is provided by UNHCR's observations in the Evros region in October 2010. Evros has seen a dramatic increase in the number of irregular arrivals this year. According to most recent figures provided by the local police authorities, the number of arrivals reached 34,000 persons, compared to almost 9,000 persons in the same period in 2009. In addition, as many as 44 persons have been officially

⁵ See i.e. National Commission for Human Rights' and Amnesty International' reports of 2010, as well as Press Statement by UN Special Rapporteur on Torture 10/2010

⁶ The full statement is available at: <http://www2.ohchr.org/english/issues/torture/rapporteur/index.htm>

registered as having died while attempting to reach the Greek side of the Evros River in the first 10 months of 2010. The actual number of persons drowned is believed to be higher.

During its visit to Evros, UNHCR observed a severe deterioration of the detention situation for new arrivals in Greece due to overcrowding of existing detention centres. Men, women and children were crammed together with little space, in dire hygiene conditions and without access to yards. Essential services such as information to persons in detention, language interpretation and legal counseling on the asylum procedure were completely absent. Access to medical treatment or care was very limited. The situation was particularly serious for persons with special needs, such as unaccompanied and/or separated children and single women with small children. UNHCR called for urgent measures to address the detention conditions and the absence of functioning screening procedures, including for persons in need of international protection. UNHCR has characterized the current situation at the borders as a humanitarian crisis.

Recommendations by UNHCR:

- Cease imposing administrative detention as a standard practice for all new irregular migrants. Detention of irregular migrants should only be used as a last resort for the shortest possible time in the context of deportation, when this is feasible and does not violate international rules. The detention of asylum-seekers should be banned, unless exceptionally required in accordance with limited permissible ground as elaborated in UNHCR's Guidelines on Detention.⁷ In general, detention conditions should be improved to ensure they reach international human rights standards.
- Ratify and implement the Optional Protocol of the Convention against Torture and establish an independent and effective national preventive mechanism mandated to carry out unannounced visits to all places of detention.

Issue 5: Reception

The Government should renovate existing reception facilities and construct new ones. Particular attention should be paid to the needs of children.

Some efforts have been made by the Greek authorities during the past years, especially regarding the increase (though very limited) of reception facilities for unaccompanied and/or separated children (UASCs). However, the situation regarding reception conditions of asylum-seekers, including UASCs and other vulnerable groups, is dramatic. UNHCR has characterized the situation in Greece, also as regards reception conditions, as a humanitarian crisis. Many asylum-seekers and UASCs are homeless, sleeping in parks and public squares together with unregistered asylum-seekers and other migrants. In other cases, they live in precarious conditions that offend human dignity and raise concerns for their safety and survival as well as for public health.

Most asylum-seekers in Greece have no material support. There are just 865 reception places available for asylum-seekers in Greece. 16,000 asylum applications were lodged in

⁷ UNHCR's Revised Guidelines on Applicable Criteria and Standards relating to the Detention of Asylum-Seekers, 26 February 1999, available at: <http://www.unhcr.org/refworld/docid/3c2b3f844.html>

2009, and 4,701 during the first six months of 2010. Therefore, it is clear that reception capacity is grossly insufficient. Most of the existing eleven reception centres are run by NGOs, and depend on unstable funding from the national programme for the implementation of the European Refugee Fund. There is no financial allowance granted to asylum-seekers in Greece, despite the national legislation providing for such an allowance.⁸

As a result, asylum-seekers and refugees are homeless or live in squalid apartments in appalling conditions. Unfortunately, the number of asylum-seekers, as well as those unregistered asylum-seekers refraining from submitting asylum claims in Greece, who are homeless or who live in unacceptable conditions is not registered, as the Greek State has not attempted to collect and register such data.

At times, the Greek authorities take suppressive measures and initiate government operations with the aim of removing “illegal” immigrants. These actions include “sweep” operations with mass arrests, evacuations of occupied buildings and increased police patrols in central locations as well as in the areas with high concentration of immigrants. The makeshift camp in Patras was dismantled in 2009 in one of these actions.

In 2010, although sweep operations have become less frequent, the authorities have initiated other types of operations that make life even more difficult for irregular migrants, including people with protection needs. These mainly include evacuations of buildings, basements or apartments where immigrants, including asylum-seekers, reside. The evacuations are performed because the living conditions pose a risk to public health, but no alternative accommodation is offered, not even for individuals with specific needs. These evictions take place mostly in central Athens where, during the last year, dozens of sites were sealed by police operations and the residents were literally thrown onto the streets. Among them, there were asylum-seekers and families with young children.

All the above results in vast numbers of asylum-seekers, unregistered asylum-seekers and refugees living on the streets or in deprived neighbourhoods with increased criminality, thus exposing them to the risk of different types of violence. In a recent incident recorded by the press, a three and a half year-old Afghan homeless boy was seriously molested (alleged attempted sexual harassment), while he was sleeping in the park with his family (three children overall, 10, 3.5 and 1 year old respectively, while the mother was pregnant), after being evicted from a derelict building in Athens following a joint municipality/police operation.

Recommendations by UNHCR:

- Create new reception facilities and increase the number of spaces in already existing structures, while ensuring adequate conditions in those facilities.
- Apply and reinforce the institution of guardianship for UASCs. Children should be immediately referred to special accommodation centres. Facilities and services provided by the centres should be improved, particularly with an increase in specialized personnel.

⁸ P.D. 220/2007 on the transposition into the Greek legislation of Council Directive 2003/9/EC from January 27, 2003 laying down minimum standards for the reception of asylum seekers.

- Guarantee a minimum State budget available for the reception of asylum-seekers and UASCs, in order to create more sustainable reception structures and services.

Issue 6: Racism, xenophobia and ill-treatment

The Government should investigate incidents of racist crimes and punish the perpetrators. It should draft a comprehensive social policy that includes all aspects of security, public health, human rights, decent living conditions, etc. In addition, the Government should create a provisional status for undocumented irregular aliens.

During the last few years, there has been an increase in ill-treatment against immigrants, asylum-seekers and refugees in Greece. UNHCR is concerned that ill-treatment and racial discrimination can threaten the protection of asylum-seekers and refugees at subsequent stages in the country of asylum. To that end, UNHCR keeps record of cases reported by refugees themselves, NGOs and/or the press, to highlight the particular vulnerability of asylum-seekers and refugees to ill-treatment, racism and xenophobia in Greece.

Phenomena of racist violence have taken place in various areas of Greece. Cases are most common in the area of Agios Panteleimonas in central Athens and the surrounding neighbourhoods, where there is a high concentration of immigrant and refugee populations. Racist attacks or threats against immigrants and refugees by so-called “angry citizens”, including members of the extreme right organization ‘Chrisi Avgi’ are increasingly reported. The reports are often coupled with allegations of impunity, indifference and tolerance towards perpetrators and incidents by the police. There has been a gradual swing of the local residents and the public, which favours actions by extreme right elements, against all immigrants indiscriminately, regardless of legal status and needs. Among the homeless are often registered asylum-seekers, families with small children and UASCs, for whom the State is unable to provide housing or the financial and social support required by law.

During 2009 and 2010, incidents have been reported in the press, including attacks on immigrants’ residences, arson attacks on places of worship, attacks on refugees’ shops, beatings and stabbings of immigrants and asylum-seekers in the streets, as well as racist demonstrations organized by extreme right elements leaving some migrants injured. To the best of the Office’s knowledge, racist attacks are rarely reported, either to NGOs or to the police, due to alleged indifference by the authorities and an expectation that no action will be taken resulting in impunity of the perpetrators. Moreover, many of the victims are undocumented migrants or refugees who fear arrest and deportation, if they approach the police authorities. Therefore, the Office has reason to believe that the reporting of incidents is the exception rather than the rule.

UNHCR has received reports of cases of ill-treatment by law enforcement officials, either in detention facilities or during other interactions with asylum-seekers. Again, it is important to note that fear of arrest combined with a lack of confidence in redress mechanisms result in limited reporting of such incidents. Important cases that have reached the Greek courts have not yet been decided. Crucial reports have been produced by the

Greek Ombudsman on issues relating to impunity and the severe shortcomings in redress mechanisms.

Recommendations by UNHCR:

- Investigate incidents of racist violence effectively and objectively and punish those responsible in accordance with the law.
- Draft a comprehensive social policy, in cooperation with refugee and migrant organizations/communities. It should include all aspects of security, public health, human rights, decent living conditions, etc., and not be limited to police measures.
- Take measures for undocumented irregular aliens (especially for those whose deportation is unfeasible) so as to allow registration and provide access to basic social services. These steps will create safeguards against marginalization.
- Establish an independent body in charge of examining in a fair and efficient procedure allegations of ill-treatment or torture by law enforcement organs.

Issue 7: Integration of refugees and persons granted subsidiary protection

The Government should ensure access to social rights of asylum-seekers through practical measures and promote the integration of refugees and beneficiaries of subsidiary protection. It should also adopt specific measures for refugees with special needs and ensure the participation of refugees in the context of the elaboration, implementation and evaluation of integration policies.

Generally, according to the Greek implementing legislation of the 1951 Convention, refugees should be treated in the same way as Greek citizen as regards access to employment, education, vocational training, health and social assistance.

Despite this equality clause, there are deficiencies in the integration policy and a lack of important integration tools and mechanisms. This has resulted in serious problems for recognized refugees or persons granted subsidiary protection in relation to their inability to enjoy a number of civil, social and economic rights. Consequently, their integration into Greek society is seriously hampered.

Legislation in Greece explicitly grants access to the labour market for beneficiaries of international protection and asylum-seekers, provided that they acquire a work permit and a fiscal number, in addition to their residence permit. In the context of the issuance of work permits, asylum-seekers and refugees enjoy equal treatment to Greek workers, and are in a better position than other categories of foreigners: persons in need of international protection benefit from an exemption of fees for work permits; do not need to present an employment contract; and are not subject to control of social security obligations.

Nevertheless, Greek authorities often impose practical barriers, as they are not always correctly applying the law. For instance, asylum-seekers' applications are often rejected claiming that according to the labour market research "there are unemployed Greek nationals and EU citizens." It is worth to point out that research on the labour market

continues to be conducted to analyze the situation as regards the most common professions among asylum-seekers, like construction workers or domestic workers.

It has become increasingly difficult for all categories of persons in need of international protection to find stable jobs due to the impact of the economic crisis. Refugee women suffer disproportionate levels of un- and under-employment. Although there are no statistics on asylum-seekers' and refugees' unemployment rates, information provided by NGOs indicates a deplorable situation, as most of asylum-seekers and persons granted international protection are unemployed and destitute.

As regards access to health, the respective legislation provides that both indigent and uninsured beneficiaries of international protection and asylum-seekers have access to free hospital and medical care. Special allowances for "large families" are granted to those who have refugee status or benefit from subsidiary protection. Persons with special needs may be granted specific allowances. However, in practice, there are many obstacles to accessing such support due to discrimination and inconsistent application of the legal provisions. Some persons with identified special needs have not been granted their entitlements, such as allowances for public transport.

As concerns citizenship, following an important legislative initiative L. 3838/2010 a series of amendments was introduced which promote the integration of long-term legally residing third country nationals in Greece. The most important innovation is the fact that it partly adopts the "*jus soli*" principle in addition to "*jus sanguinis*" principle, which had been applied previously. As regards refugee protection, the new law is in conformity with Article 34 of the 1951 Convention, urging States to facilitate the naturalization process for refugees. Refugees have the right to apply for Greek citizenship after residing legally in Greece for three years, and the naturalization fee amounts to €100. The law also establishes new procedures for acquiring Greek citizenship for refugee children who were born in Greece or who have attended Greek schools for at least six years.

Furthermore, according to the same law the right to vote in the municipal elections is established for refugees and subsidiary protection beneficiaries. Nevertheless, it is notable that due to bureaucratic obstacles and the lack of coordination between the competent Greek authorities, beneficiaries were not registered in the electoral lists and will consequently have been denied the right to vote in the current municipal elections of November 2010.

Recommendations by UNHCR:

- Ensure access to social rights, including employment, of asylum-seekers through practical measures.
- Promote the social integration of recognized refugees and beneficiaries of subsidiary protection.
- Respect of the principle of equal treatment, in conformity with European and Greek legislation, between nationals, recognized refugees or beneficiaries of subsidiary protection in their enjoyment of civil, social and economic rights and prevent any form of discrimination.

- Create specifically targeted programs to promote the employment and housing of refugees, and provide opportunities for vocational training.
- Adopt specific measures for refugees with special needs, such as elderly refugees, handicapped persons, families with many children etc.
- Ensure refugees' effective involvement in planning, implementing and evaluating integration policies and promote their active participation in the country's political life.

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