

ASYLUM PROCESS IN GREECE - 14 STEPS AND ADVICE

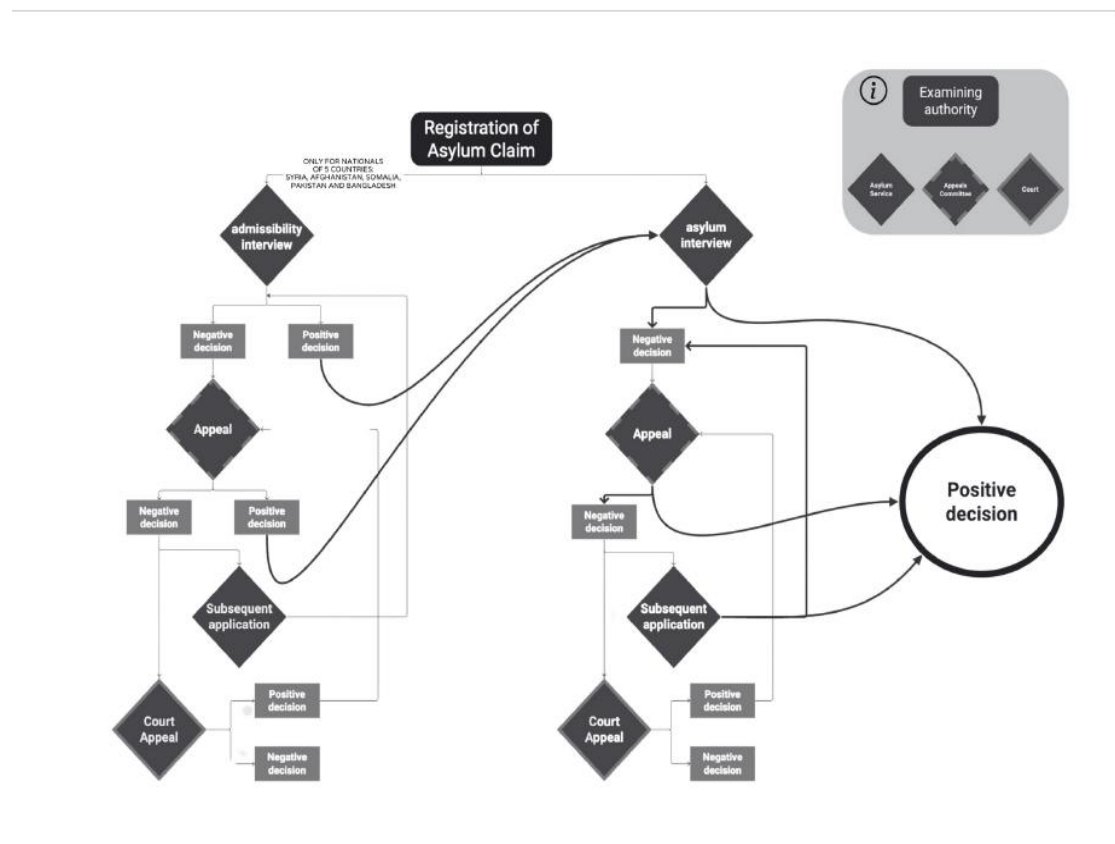


Image Source: "Information for refugee women in mainland Greece" booklet (p.s women, lgbtqi+ and others can find useful information)

Introduction

This leaflet is trying to give an overview about the asylum process in Greece and addresses persons who want to ask for asylum in Greece or are already in the asylum process.

Further detailed information is available in multiple languages on the following websites:

<https://www.refugee.info/>

<https://www.mobileinfoteam.org/>

<https://asylumineurope.org/reports/country/greece/>

<https://w2eu.info/en>

In order to receive asylum, you must prove that your life was in serious danger in your country.

The legal test for the refugee status is about the fear of persecution in the future. Fear of persecution is a particular reason mentioned in the law.

Proving Past Persecution

Proving past persecution might not be enough to be granted refugee status. The Greek State may state that in some cases, there is no ongoing need for protection, for example if the people who persecuted you are no longer in power or because enough time has passed and you might not be of interest to your persecutors and therefore not at risk anymore).

Subsidiary protection

There is a different legal test for subsidiary protection (risk of serious harm, but again you need to show a protection need for the future. For this, it is important to have strong evidences. It is not necessary to provide documents as evidence (it's good if you have anything like papers, photo or video to prove, and anything submitted should be checked for consistency by a lawyer before submission, if possible), but you should tell your story, mentioning the life-threatening events and your escape.

Reasons for fearing persecution if you return should be outlined, including any incidents of past persecution if you have already survived such experiences.

It is important to have a coherent narrative on your story and your reasons for asylum, without contradictions. Ask more experience people to advice you how you give an interview.

Phases of the asylum process in Greece

1. application -> fingerprinting- > registration -> asylum card -> you have to renew it -> interview (advice before interview)

If you did not arrive on the islands and registered there, you have to make your registration in Malakasa camp in Athens or in Diavata camp in Thessaloniki. After the registration, the law says that refugees can work legally after 60 days. In your asylum card, the PAAYPA number is written. It is the temporary social security number for asylum seekers which gives you access to public health care and work.

PAAYPA will deactivate each time that the asylum card expires, until you renew it. If you take negative decision for the asylum request, PAAYPA will deactivate, if you do appeal, it is activated again.

Your asylum card is a legal document proving your legal presence in Greece, while your claim for asylum is being processed.

The expiry date written on the card is meaningless as in case of non-renewal/rejection, the card is deactivated even before the expiry date written on the card. It will be written on the card how often you must renew - this is the important info to be aware of.

2. Decision and notification -> positive or negative?

3. If you have positive decision after the first interview ->

You send a mail (send to tallodathinon.anagnprof@astynomia.gr - for Athens only) for appointment and you attach to the mail the positive decision file.

For this appointment, you have to collect

- a) the document of the positive decision (you also need an ID card decision)
- b) 4 photocopies of yourself (around 10 euros, depends where)
- c) legal fee (around 85 euros for the Travel Document-when you send email, it is better to ask for the exact price. It must be paid in advance - "paravolo" - cost is 84.40 euros for adults and 73.60 euros for minors under 14)
- d) + asylum card. The asylum card should not be expired, otherwise you have to contact with asylum services to renew it before contacting for appointment. They also ask for declaration of the address.

In this appointment, you give fingerprints and the mentioned files. If you are a family, at the appointment time, all the members of the family should be present with the valid asylum card. All documents need to be submitted for each family member.

After fingerprints, by your asylum case number, you have to check the site migration.gov.gr, ΑΔΕΤ & Travel Documents -> residence permit, at the end of every week, to find your appointment date to pick up the ID and the Travel Document (they can be issued separately, you need to check 2 separate pages on the Ministry's website. Usually the ID is ready first, but sometimes TDV is ready first). for the first time, you may receive all your documents between a few weeks or 3 months. If you are living in a camp, you may receive them faster.

4. Renewing the documents

For renewing the documents, you need first to contact the asylum service and request another resident permit. You have to fill an application form and there are other requirements explained here: <https://migration.gov.gr/en/gas/aitoyntes-kai-dikaioychoi/adeies-diamonis/>. there will be no interview but based on your past interview and the situation of your country, asylum service will decide if you can still hold the resident permit or not. Legally, the authorities have the right to re-examine

the case including taking a new interview, in practice, at the moment, they generally do not.

After receiving the new decision, you must again contact (tallodathinon.anagnprosf@astynomia.gr) for appointment. **You should at least contact the asylum services 3 months before the expiration of your resident permit or travel document. You must apply before 30 days of expiry.** Otherwise, you may face some delay or legal problem in the process (- technically there is a fee of 100E for late applications, but this is bullshit and practically it not applied - the Ministry say you should justify why any app is made later than 30 days before expiry...)

Remember: residence permit is valid for 3 years (1 year if subsidiary protection) and for renewing the card, you don't need to pay any fee. your travel document is valid for 5 years (3 years for under 14 year olds), and to renew it, you have to repay the fee (85 euros see above for the fees).

For renewing documents, you may need to be patient about 6 to 9 months. Waiting times are often unpredictable.

5. If you have a negative decision a lawyer is necessary to continue. You have the right to have legal assistance.

You can take lawyer from the state for free, you make a demand even through internet, you go to migration.gov.gr, ->"applications", then you go "asylum applications" -> "application for legal aid, and you complete a demand"

If you have negative decision after the first interview, you continue as follows:

In order to do the appeal after the first rejection, you have to have a lawyer, and you have only **30 days from the notification of the rejection** for the regular procedure. There are also different deadlines depending on country of origin, what kind of rejection and even in regular procedure the deadline is counted differently depending on how the decision was served - by email / in person etc.

It is **very important** either to know your official address, or **to have provide the asylum service your right email** in order to check your email when you take the notification. Otherwise, a decision may have been sent and an appeal deadline passed, without you even knowing about it or ever having seen the decision.

It is also **very important** to do the appeal before the 30 days after the notification of the rejection of the first interview.

After the appeal, they give you an appointment to listen to your legal arguments. You will go to "Epitropi Prosfigon" (the Appeals Committees), location Nikaia. Your lawyer has to submit a statement of reasons. People usually dont give evidence at their own appeals, but must be present)

6. If they reject your appeal against the negative decision, according to the administrative law you can also do a second appeal against the negative decision. This second kind of appeal can happen after maximum 30 days from the rejection of the first appeal. You can start this process if there is an error of law and there are fees payable. Even if the lawyer works for free, the procedure can take years and you are only protected from deportation if the lawyer makes application for "suspension order" as well as the annulment application.

7. If you have negative decision for the first interview, apart from the appeal you can start, you can do a new demand for international asylum protection, which is called "subsequent request"

8. When you do this new asylum request ("subsequent demand"), you try to start again the whole process, you arrange a new appointment, via the online platform which gives you an appointment at the asylum office responsible to register your new application. You give again fingerprints, you do a new registration.

9. In order to have a positive decision now, you have to present "new and essential reasons" to take asylum, reasons that you didn't mention in your previous interviews.

You have a new, small interview, for the state service (at the responsible asylum service office) to examine your "new and essential" reasons for asylum.

10. If you have these conditions, you are accepted, you take new asylum card, you take again PAAYPA, they give new date for appointment and you do again a big interview, so you start the whole asylum process again.

11. when you do registration with this new demand ("subsequent request"), they have to give you a paper, not asylum card, which says that you have done the subsequent request. This paper is useful for police controls, but has only a short time limit, for example it can be from 2 weeks to 2 months.

12. if your new demand (subsequent demand) is rejected, you can do a new type of appeal against this negative decision. This appeal must argue why your reasons and arguments have been "new and essential". You must do this new appeal after maximum 5 days from the negative decision to the subsequent request.

13. if this appeal is accepted, you take an asylum card and you enter the asylum process. If you take negative decision, you are out of asylum process.

14. You can do a second subsequent request, with 100 euros per person (if you are a family). So you do the same process that you did with "subsequent demand". You have again to present "new and essential reasons" that you did not in the past interviews.

It is important for you to know that, after the rejection of the first subsequent request, you are not legally protected during police controls, and the police might detain you in a detention centre. It is important to know that you are not legally protected even after the first rejection of the subsequent request, for example if you are waiting to submit a subsequent application, even with proof of an appointment people can be detained. It is important to have a lawyer or social worker to intervene, if you are detained.