



# **COUNTRY OPERATIONS PLAN**

## **OVERVIEW**

**Country: Greece**

**Planning Year: 2006**

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## **2006 COUNTRY OPERATIONS PLAN** **UNHCR REPRESENTATION GREECE**

### **Part I: OVERVIEW**

#### **1) Protection and socio-economic operational environment**

Greece, geographically at the external border of the European Union and neighbouring a region producing many refugees but also migrants, has become a major destination for undocumented migrants and asylum seekers alike. In Greece the number of economic migrants is exponentially greater than the number of refugees and asylum-seekers. Of the over one million “foreigners”, an estimated 13,000 persons are refugees and registered asylum-seekers. Added to the 13,000 figure would be considerable numbers of persons, numbering in the thousands, who have expressed their wish to seek protection in Greece and are awaiting official registration – or who view Greece as a country of transit and have no intention of registering. According to data received from the Ministry of Public Order (MPO) 4,469 asylum applications were officially registered in 2004 (against 8,178 persons in 2003). The number of asylum-applications lodged by nationals from Iraq, representing 2,879 or 35 % of all applications in 2003, amounted to 936 or 20 % of all applications in 2004. Another feature was the increase of asylum-seekers originating from African countries notably Sudan and Somalia, but also from Central and Eastern European countries. In general, UNHCR has noted that the number of genuine claims has also notably decreased, with a high percentage of asylum-applications falling in the “manifestly unfounded” category.

In line with the strategy for UNHCR offices in EU countries, the role of the UNHCR Representation in Greece has become largely one of advocacy, public information and awareness, monitoring, legal advice and training with regard to refugee protection and asylum issues, which continue to be major activities of the office following the adoption in 1998 -1999 of asylum-related legislation.. Since the establishment and gradual evolution of the asylum procedure by the Greek authorities in the late 1980s, the Athens Office has stopped the mandate procedure, and has largely entrusted all activities related to individual cases to its Implementing Partners, the Greek Council for Refugees (GCR, legal counselling and assistance) and the Social Work Foundation (SWF, social counselling and community services).

Following the March 2004 elections, a right-central government was appointed, leading to major changes in counterpart officials. While the new central authorities are yet to fully develop their migration and asylum policies, the fight against terrorism, irregular migration and increased security precautions related to the Olympic Games remained high on the political agenda and influenced the Government’s priorities and objectives. Meanwhile, with the enlargement of ten new members states in May 2004, Greece remained at the external border of the EU, while agreement on accession talks with Turkey was only arrived at by year end and its actual accession is not foreseen for the next several years. Also, Greece’s geographical proximity to the Middle East, a region currently affected by conflict, insecurity, insurgencies and ‘terrorism’, accentuate the above. This means that the pre-occupying asylum environment (including illegal arrivals through Turkey, new sophisticated border controls, difficult access to the Greek territory) will continue. Also in the context of EU policy on migration and asylum, a major challenge for Greece will be to achieve a balanced approach between migration control measures and safeguarding asylum by ensuring access to the territory and to the asylum procedure. Readmission arrangements with Turkey, and the perception of Greece as a transit country by migrants and potential asylum seekers who seek other EU destinations, will also pose challenges.

Meanwhile, in 2005 the asylum procedure continues to be characterized by a non-independent first instance process, resorting under the Ministry of Public Order and Police Force (“dual brief” as regards migration/security control and responsibility for asylum applications); major deficiencies in commitment and in a genuine interest to apply it properly with a zero percent eligibility rate in first instance; lack of adequate staff resources and specialized staff (and frequent rotation of staff dealing with asylum applications); delays in registrations of asylum-applications, a non-independent second instance phase with low refugee recognition rates; lack of -government funded- legal counseling

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mechanisms for asylum-seekers and inadequate identification, referral and protection mechanisms for vulnerable cases, including single women and separated children. Other protection concerns, including poor reception conditions and limited opportunities for local integration and/or voluntary repatriation negatively affected the prospects for solutions and assistance for asylum-seekers in Greece.

On the other hand, the new government wants to make progress on migration issues in general, and in fact needs to 'manage' migration, since one out of ten residents in Greece is a third-country national. Also, the government will have to find a way sooner or later to transpose EU asylum law, and has expressed its expectations that UNHCR could assist in lending its expertise and recommendations. Given the above, UNHCR Athens feels that there may be an opening in 2005 to 'kick-start' a debate on asylum in Greece, in co-operation with relevant stakeholders among refugee/human rights organizations, parliamentarians, diplomatic representations and members of Parliament, and through targeted media campaigns, with a view to influence the political environment and public opinion towards the improvement of the refugee protection regime in Greece. Such debate would inevitably focus on the appropriateness of institutions and structures in place. In connection to the above, UNHCR Greece has drafted a 'model' asylum law, encompassing relevant provisions of EU Directives and UNHCR standards on qualification, the asylum-procedure, reception conditions and in recognition of particular protection considerations applicable to refugee children and women. This draft will be presented to the government in 2005, in consultation with HQs and other partners in Greece, as a proactive and concrete UNHCR contribution towards the improvement of the asylum-system in Greece.

As regards refugee assistance programmes in Greece, the local NGO community faces continuous financial shortfalls, affecting the level of basic assistance and services to beneficiary populations, including vulnerable cases. With Government funding limited and unpredictable, implementing partners rely predominantly on (diminishing) EU and UNHCR funding for the reception and local integration of refugees in Greece. More recently, Greece is under close international monitoring as to its budgetary and financial practices and has been requested by the EU to cut down severely and rapidly on its public spending. This means that already limited funds available for refugee related services are also expected to be cut further in 2005/2006. Notwithstanding the above, and in line with the expected transposition of EU Directives on asylum, UNHCR aims for the Greek Government to accept increasing responsibilities for refugee assistance programmes in Greece, and continues to support the work of NGOs i.a. through its participation in EQUAL and the advisory committee of the European Refugee Fund.

## **2) Operational goals and potential for durable solutions**

In the context of strengthening asylum systems in Europe, UNHCR Athens will closely monitor asylum, reception and integration /policies and practices in Greece and will advocate for the adoption of UNHCR positions with the aim of upholding international standards in the process of harmonisation within the EU. The Office will also advocate and provide advice on the need for increased institutional capacity and enhanced coordination among governmental bodies charged with different aspects of asylum and refugee issues.

In particular, UNHCR Athens will monitor access to the asylum procedure through (joint) missions to border areas by IPs /other NGOs or other sites where large mixed group arrivals take place, and seek to ensure, in conjunction with authorities and NGO partners, that proper information on the asylum procedure will be made accessible to persons who wish to apply for asylum in Greece. UNHCR will also seek to positively influence the refugee eligibility process through its continued participation in the Appeals Board and will liaise with courts, prosecutors and the School of Judges. Apart from advocacy activities in the asylum procedure and EU harmonisation matters, UNHCR will also maintain its links with the Ombudsman, National Commission for Human Rights, Members of the Greek Parliament, MEPs and diplomatic missions, the Council of Europe (in particular the CPT) and other human rights treaty bodies and will advocate for Greece's accession to the 1961 Convention on statelessness. UNHCR will also provide guidance, and where necessary leadership, to NGO advocacy and coordination efforts.

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In 2003, Greece was reported to rank first in xenophobia among the EU countries. This phenomena appears to have been generated by a multitude of factors, including the presence of over 1 million, mostly illegal, migrants, and the difficulty within the public opinion to differentiate between refugees and migrants, the latter being held responsible for unemployment and increased criminality rates. This environment, in addition to existing protection challenges for asylum-seekers in Greece, calls for a targeted public awareness and media campaign to positively influence the media, government and the public at large on asylum in Greece. The long-term public awareness strategy, already well established and targeting local communities, schools and the general public through public awareness media campaigns, will be strengthened and intensified, to encourage tolerance, support Operational Partners, and to raise funds for refugees.

Apart from the potential future prospects of voluntary repatriation for, notably, Afghan and Iraqi refugees and asylum-seekers in Greece, UNHCR will continue the promotion of local integration as a key durable solution. However, the insufficiency of reception facilities and lack of state welfare and social support for newly recognized refugees and vulnerable asylum seekers is compensated only to a limited extent by support provided through NGO activities and UNHCR's assistance programme. Differences between Greece and other EU member states in reception and local settlement support, compounded by Greece's extremely low refugee recognition rate, may constitute a push factor encouraging would-be asylum seekers to transit through Greece for other EU countries. The adoption of the EU directive on reception conditions should compel some improvements in welfare provisions, although some time may be required for the application in Greece of any new provisions on welfare benefits for asylum seekers.

The above issues are summarized in the document, "UNHCR Position on Important Aspects of Refugee Protection in Greece", which will continue to be revised and refined. Recommendations in the paper will remain the basis for dialogue and action with governmental counterparts and other agencies in Greece.

➤ **UNHCR Policy Priorities on Refugee Women, Gender Equality, Refugee Children including Adolescents, Older Refugees, HIV/AIDS, the Environment and Security.**

***(a) Gender and Age Mainstreaming***

In 2004 Greece was selected among 10 countries to pilot the implementation of the "Gender and Age Mainstreaming" project. In co-operation with partner organizations in Greece key priority issues affecting women and children in refugee communities were identified, namely the need for improvement in screening, identification and referral of separated children and some groups of women upon arrival; Need for improved legal aid mechanisms, especially affecting access to legal aid by separated children and single women; Improved data collection and action on domestic violence involving refugees; Inadequacy of conditions in reception centres. Although the outcome of this pilot project may be considered successful as a process that has further strengthened UNHCR's co-operation with agencies and refugee communities in Greece, the substantive issues remain and will need to be further addressed through the implementation of a gender and age mainstreaming action plan, in 2005/2006.

***(b) women/gender equality***

In 2006, UNHCR Athens will continue its cooperation with the General Secretariat for Equality on the implementation of a Memorandum of Cooperation on refugee and asylum seeking women. NGOs and relevant state authorities will also be encouraged to ensure that female refugees participate in the design and implementation of projects or activities aiming at facilitating local integration. In addition, UNHCR Athens will seek to ensure that women asylum seekers are interviewed as provided for in Greek asylum legislation, and that women and children are hosted (or detained, as the case may be) in separate facilities from those of men. UNHCR will advocate for governmental guidelines on sexual and gender-based violence, and for trafficking victims who may have claims to refugee status.

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(c) **children and adolescents**

UNHCR Athens will continue to support training of public officials dealing with separated children during the asylum procedure as well as within designated accommodation facilities for such children with a view to sensitise all officials of the rights and special needs of refugee/asylum seeker children who are separated from their family. UNHCR will monitor the adherence by public prosecutors to the existing legal procedure for unaccompanied minors as well as advocate for legislative and/or administrative changes to improve provisions for guardianship and interim care arrangements. UNHCR will seek governmental legislation on separated asylum-seeker children. In connection to the above, in 2005 UNHCR Greece in co-operation with the office of the Ombudsman will finalize UNHCR Guidelines on the Treatment of Separated Children, as adapted from the Statement of Good Practice, which will be disseminated widely and with a view to have these adopted and implemented by the Greek Government.

(d) **beneficiaries with special needs including older refugees**

UNHCR Athens will advocate for asylum seekers who are physically/mentally disabled, or chronically ill to have easy access to and be referred to any state health facilities that provide appropriate support. Special attention will be paid to advocate for state support towards the subsistence of refugees / humanitarian cases who are unable to work and who formerly were beneficiaries of UNHCR emergency/subsistence allowances. In the case of indigent elderly refugees with no means of self-support nor access to welfare benefits, UNHCR will advocate for their state-subsidized referral to elderly people's homes.

(e) **environmental concerns**

Generally not applicable as the caseload is mostly urban. Environmental concerns relating to the establishment of camps will be included in training/presentation material on emergency preparedness.