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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Report of the Special Rapporteur on the the human rights of migrants, Mr Francois Crepeau, following his visit to Greece

Addendum

**Mission to Greece: comments by the State on the report of the Special
Rapporteur***

* Reproduced in the annexes received.

Annex

Comments of the Greek government on the report of the Special Rapporteur on the human rights of migrants, Mr Francois Crepeau, following his visit to Greece (25 November – 3 December 2012)

1. The Greek Government thanks the Special Rapporteur on the human rights of migrants, Mr Francois Crepeau, for his visit to Greece and for the constructive discussions held with the competent Greek authorities during this visit. The protection and promotion of democracy, human rights and fundamental freedoms constitute the defining principles of the Greek Constitution and an integral part of national legislation. Being party to almost all major relevant international instruments, Greece considers active involvement into the various international organizations as a cornerstone for the effective protection of all human rights, through openness, transparency and international scrutiny. Greece is fully aware of the need for constant efforts in the area of protection of human rights of migrants, bearing in mind that it faces a particularly strong mixed migratory pressure and carries a disproportionate burden, due to its geographic position at the external border of the EU, its extensive land and sea borders, its proximity with main countries of origin and transit of irregular migrants and asylum seekers. The Greek government strives to implement its obligation under international law to protect and promote the human rights of every person residing in Greece. Despite the extremely severe and unprecedented economic circumstances, the authorities make a consistent effort to protect the human rights of migrants. The Government of Greece would like to take the opportunity to submit certain comments on the Special Rapporteur's Report to the Human Rights Council, regarding Greece's position on a number of issues raised in that Report (Contributions by Ministries of: Public Order & Citizens' Protection / Justice, Transparency & Human Rights / Interior / Labour, Social Security & Welfare / Shipping, Maritime Affairs and the Aegean).

2. **Paragraphs 6 and 7.** The referred police operations under the code names "ASPIDE" and "XENIOS ZEUS" had as purpose the apprehension and the abduction of immigrants for various criminal offenses, who are either arrested for various penal offences or are detained with the intention of their administrative deportation, according to the relevant provisions and with the aim to seal the Turkish - Greek border, which is also the border of the EU, from where we receive the greater immigration pressure. The above mentioned police operations which were carried out in August 2012, have had a positive impact on the protection of human rights of the immigrants who enter and live illegally in our country, since the Greek Police and its competent services and bodies may, *mutatis mutandis*, handle, more effectively the needs of reception and management of illegal immigrants in conditions of absolute respect for human rights.

3. **Paragraph 8.** The dynamics of the phenomenon of racist and xenophobic violence which has been observed led the Greek Government to take additional measures in order to isolate behaviours that led to such phenomena (see par. 71 and 72).

4. **Paragraph 9.** The reported estimate is the minimum that can be given. Regarding the other points, we agree with the diagnosis, which, as stated in the text, is due to the relevant European policy on this subject (Dublin, etc.), which our country is trying to improve.

5. **Paragraph 10.** As part of our obligations under the Schengen Treaty, we are working closely with the Italian Authorities to prevent any illegal immigrants who want to leave Greece, the country of first entry, so as not to cross over to the rest of Europe via

Italy. On the assumption that Greece is an EU border-state, the key component of the Hellenic Coast Guard's strategy for the integrated maritime border management is to regard the Greek territory as a single border area i.e. to adopt a zone-centered rather than the borderline-centered approach when applying blue border control measures; hence, the HCG's maritime border management activities are developed in 3 basic zones: the Eastern Aegean zone, where intense migratory pressures are exerted mainly because of the close proximity with the Turkish coastlines; the Central Aegean zone, which comprises the rest of the Aegean islands and the Eastern seaboard of mainland Greece; and, finally, the western seaboard of Greece.

6. **Paragraphs 17 and 88:** It should be stressed that in the framework of decriminalization of immigrants as "victims of exploitation" by the organised crime networks that facilitate illegal migrants, the local public prosecutors abstain from prosecuting illegal migrants, thus placing special emphasis on the dismantling of organised crime networks and the imposition of penal and administrative sanctions on their members (carriers – traffickers). In this respect, we consider advisable to include in the report a reference to article 48 par. 4 of Law 3772/2009 (Official Gazette of the Hellenic Government 112 A /10-07-2009), replacing article of 88 Law 3386/2005, that foresees stricter administrative and penal sanctions on the carriers – traffickers and renders their criminal behaviour a felony.

More specifically, article 48 of Law 3772/2009 foresees penal sanctions of at least fifteen (15) years incarceration and monetary sanctions at least two hundred thousand (200.000 €) Euros for each transported person, if the action could expose the transported person to danger. Moreover, if the transported person dies, the said article stipulates life-term incarceration as well as monetary sanction of at least seven hundred thousand (700.000 €) Euros for each deceased transported person.

7. **Paragraph 19:** We request the correction of the title "Ministry of Merchant Marine" to the correct "Ministry of Shipping, Maritime Affairs and the Aegean.

8. **Paragraph 24:** We consider as one of the basic reasons for the increase of migratory flows at Greek-Turkish land borders in 2010 and as of August 2012 at the Greek-Turkish maritime borders, the VISA-liberalization policy of Turkey towards citizens of North and West Africa countries, which, in combination with low cost airlines connecting Turkey with these African countries, gave them the possibility of easier access -by air- to Istanbul, and therefrom to attempt to illegally cross the Greek-Turkish land and/or maritime borders.

9. **Paragraph 27:** Regarding the discontinuation of EU Joint Operation "POSEIDON-Maritime Borders", because of the deployment of Frontex RABIT teams at the Greek-Turkish land borders, we would like to clarify that the EU Joint Operation "POSEIDON-Maritime Borders", has developed uninterrupted ever since 5 May 2008. The EU Joint Operation "POSEIDON - Land Borders" was interrupted for the duration of Operation RABIT 2010 and continued after its termination.

Additionally, in the framework of EU Joint Operation "POSEIDON- Maritime Borders 2013" a Frontex Fundamental Rights Officer (FRO) is planned to visit the Headquarters of the Hellenic Coast Guard. His task is to submit comments – observations and give directions for inclusion in the operational plan of the said Operation, as regards the respect of human rights of migrants and the prevention of any behaviour that may violate their rights.

10. **Paragraph 29:** We highlight the major importance that the Hellenic Coast Guard attaches to the respect of human rights of nationals of third countries and the prevention of any degrading behaviour of its officers that violates or breaches this respect. In view of the forthcoming EU Joint Operation "POSEIDON- Maritime Borders 2013", appropriate orders shall be issued to HCG local Authorities requiring the full respect of human rights of

nationals of third countries and the prevention of actions or omissions threatening to violate them. The deterrence of entry from Turkey into Greece is conducted in compliance with the relevant procedures. Frontex which operates on the land and sea border of our country, in the context of joint operations, has not noticed anything related to those mentioned in the report.

11. **Paragraph 30.** The creation of the fence built by Greek resources is not the solution of the problem. But it is a measure, an option with a powerful symbolism, a message that shall reach nationals of third countries, smugglers and traffickers who want to use our country as a transit country for their migration to the countries of European Union.

12. **Paragraphs 31-32 (and in combination with paragraph 10):** We want to stress the fact that the modalities of application by the Italian Authorities, of the provisions of the Greek -Italian Readmission Protocol and the methodology of readmission of numerous third countries nationals, can be greatly improved, taking into consideration the fundamental principles of EU with respect to solidarity and burden-sharing, the respect of human rights (especially, of sensitive groups, such as minors), as well the respect of international provisions for asylum or international protection. In this context, we consider as advisable the examination of the possibility to revise the provisions of the Greek -Italian Readmission Protocol, so that both parties improve their performance on human rights issues and restore the reciprocity in the discharge of their responsibilities. For ease of reference, it is mentioned that the Italian Authorities returned to Greece, with the method of direct readmissions (outside the scope of the Protocol) 2.556 nationals of third countries in 2010, 1.984 in 2011 and 1.600 in 2012.

13. **Paragraph 33.** The Greek-Turkish Readmission Protocol under reference was already signed 11 years ago, and the cooperation of the Turkish authorities has disappointed the Greek side. Of course the Greek State, apart from those mentioned in the Protocol, respects the terms of international conventions on non-refoulement.

14. **Paragraph 35:** We would like to add that, besides the Greek – Turkish Readmission Protocol signed in 2002, the Prime Ministers of the two countries signed on 14-05-2010 a Joint Declaration, designating the ports of Mytilini (Greece) and the port of Dikili (Turkey), as readmission points for third country nationals arrested while crossing the maritime borders of the two countries (up to 40 persons every two weeks). However, the readmission procedure foreseen in the said Joint Declaration never took effect on a permanent basis, since it was put to practice only twice involving the readmission of a very limited number of third country nationals returned by boat to the port of Dikili (Turkey).

15. **Paragraph 38.** It is inaccurate that there is no possibility of judicial review of detention and deportation decisions. Under current legislation applied by our Authorities, every foreigner, upon the issue of the detention decision, has the right to appeal against it before the competent Administrative Court, and is also entitled to appeal against the expulsion decision, within five days before the competent police officer. Furthermore this decision can be challenged before the administrative courts. The presence of translators and lawyers is provided for. See also our answers below to paragraphs 54,56, and 58.

16. **Paragraph 40.** Regarding the voluntary repatriation of third country nationals, we would like to note the absence of reference to the important work being performed by the Greek Police Force in conjunction to that of the IOM. In particular, the number of assisted voluntary returns of illegal immigrants by the Greek Police Force for the year 2012 amounted to 4.236 persons.

17. **Paragraphs 42 – 47:** The Ministry of Labour (Directorate of Social Welfare & Solidarity) recognizing that the detention conditions need to be improved, finances in every annual program and emergency measures implemented under the European Refugee Fund (ERF), actions aiming to provide services to people held in those centers. (Specifically, we

mention all actions implemented in the detention centers for the years 2011, 2012 and 2013).

18. **Paragraph 42.** Law 3386/2005 applies to persons illegally entering our country. The European Directive aims at facilitating the return of illegal migrants, already present in the country under a regime of tolerance.

19. **Paragraph 43.** The reported “*less restrictive detention measures*”, are implemented through the service already established by the law 3907/2011, called the *First Reception Service*, which manages the newly arrested illegal aliens (identification, citizenship verification, registration, medical check-up, information about their rights, care for vulnerable groups etc.). The existing immigrants under tolerance, for which the return Directive applies, are detained, until the return process is completed (issuance of travel documents, consultation with the authorities of their country, international organizations etc.).

20. **Paragraph 44:** Concerning the health problems of the immigrants, investigations of the competent health authorities show that these are not related to detention but are due to chronic infectious diseases (tuberculosis, syphilis, skin diseases, etc.). In order to address problems in the detention facilities, patients under detention are provided with necessary medical care, including by NGOs, while serious cases are sent for treatment to Hospitals or other appropriate medical institutions, so as these patients do not become threat to public health.

21. **Paragraph 45:** One of the key principles of the policy of the Ministry of Public Order and Citizen Protection and of the Hellenic Police Headquarters is the establishment of new standards, regarding the conditions of the Centres, capable of addressing the needs of reception and detention of illegal immigrants entering or residing in our country, with due respect to human rights. The long-term detentions which are mentioned in the text, are mainly a result of the delays which occur due to the lack of cooperation of the embassies of the countries of origin of the detainees.

22. **Paragraph 46:** In accordance with the aforementioned legal provisions, “*the maximum detention period may not exceed six months, which can be extended for a limited time, not exceeding twelve (12) months, in cases where, despite the reasonable efforts of the competent authorities, the removal process is likely to last longer because: (a) the third country national refuses to cooperate or (b) there are delays in obtaining the necessary documentation from third countries*”. The reference in the draft report of eighteen (18) months is therefore inaccurate.

23. **Paragraph 47:** Whenever it becomes obvious that there is no prospect of removal of detainees for legal or other reasons or when the terms of Article 30§ 1 (*risk of escape, etc.*) cease to apply, the detention measure is lifted and the third country national is immediately released (and a certificate of postponement of removal is provided). According to articles 24 and 37 of Law 3907/2011, third-country nationals whose removal has been postponed, may enjoy a temporary right of residence in Greece. Moreover, in case the competent authorities fail to ensure minimum decent conditions of temporary accommodation in appropriate facilities, those third country nationals may be granted a permit for employment in specific sectors and regions. A Presidential Decree proposed by the Ministers of Interior, Labour and Public Order and Citizen Protection will specify the sectors and regions of employment, as well as the terms and conditions for the issuance of residence permits, for insurance matters and any other relevant issues.

24. **Paragraphs 48 and 49:** Despite the serious financial difficulties, Greece is making serious and significant efforts in order to protect human rights of detainees and all other rights which are provided for. The creation of pre-departure detention Centers of foreigners contributes among others:

- (a) to increase dramatically the capacity of detainees (the efforts of apprehensions and prevention made daily by the Border Guard Stations and Immigration Services inside the country).
- (b) to achieve uniform and orderly operation of the detention centers, with respect for the human rights of those detained.
- (c) not to detain foreigners entering or persons living illegally in our country in police stations, but in detention centers with facilities that meet standards for lengthy detention.
- (d) To have yard facilities and to provide a programme for carrying out activities for them.
- (e) To have exact listings of detention registers and registers of movements of detainees.
- (f) To have proper facilities (toilets, showers) which serve directly the needs of persons under detention without delay.
- (g) To have a continuous and uninterrupted presence of doctors in order to ensure that necessary health care and psychosocial diagnosis and support by medical, nursing and other professional staff of public or non-governmental organizations or other organizations and agencies is provided.

25. In March this year, an “*Internal Regulation of Operation of the Security Services of Immigration Detention Facilities*” has been created in order to achieve a uniform and smooth operation of these centers and in order to regulate in the most convenient manner the needs arising from the detention of migrants.

26. **Paragraph 50:** In the Aegean islands it was decided to reopen the detention centers of Chios and Samos islands. Transitional units of First Reception will operate in these centres. The contractual works of maintenance and repair of these facilities have been completed, and the centres will reopen depending on the volume of migration flows.

27. **Paragraph 51:** In the facilities of guard detention at Petrou Ralli there exists a wing for women and temporary residing children (until transferred to juvenile facilities in Amygdaleza or to reception structures of the Ministry of Health and of non-governmental organizations) so as to ensure conditions of detention "that guarantee the safety, health and protection of the personality of the detainee" and care is taken "for avoiding mixing men with women, minors with adults, to the maximum possible degree".

28. **Paragraph 52:** Detainees are allowed to circulate in to a specially formed yard, on a daily basis.

29. **Paragraph 53:** The important issue of vulnerable groups is getting careful consideration (for example women, single-parent families) and especially refugee minors (by implementing the provisions of Law 3907/2011 by which Greek legislation was adjusted to the provisions of the European Directive 2008/115/EC), and is a subject of particular concern for our Services, in the context of the social role and mission they perform, so that the required protection is always being provided, with care and sensitivity. Special attention is given to training police officers on human rights and vulnerable groups issues. For this purpose training seminars are being conducted annually, co-financed by the External Borders Fund and the Return Fund.

30. **Paragraphs 54, 56 and 58:** The presence of a lawyer is provided for in every part of both penal and administrative procedures, according to the provisions of our National Legislation. The detained migrants are visited by relatives and friends, and also by representatives of Diplomatic and Consular Authorities of their country of origin.

Designated representatives of the Greek Council of Refugees are granted access in every detention facility every day, they communicate with the illegal migrants and provide them with legal assistance, in order to ensure their access to the asylum procedure. Their legal representation is assured throughout the procedure of the request examination. The above-mentioned procedure is also being applied to representatives of international organizations (UNHCR etc.), as well as of other non-governmental organizations that deal with migration issues. The presence of an interpreter is also provided for and effort is being made to cover the needs of interpretation in every Service involved, by making use of interpreters appointed by the Greek State or interpreters provided by non-governmental organizations. In the annual programs of 2009-2010-2011-2012 of the European Return Fund, actions for employing interpreters to inform the detainees in a language they understand, have been, are being and will continue to be implemented. At the same time, scientific personnel (psychologists, social workers, interpreters) have also been employed by the Hellenic Police in order to cover the huge needs which arise daily. All the above mentioned actions are being implemented according to the international obligations of our country and the best practices that are applied by other countries, to serve the purpose of the security of the detainees and the personnel.

31. **Paragraph 55:** Detention is normally taking place in special facilities and separately from prisoners of Common Criminal Law. Every apprehended migrant is being given an “information sheet”, by which they are informed about their rights (in a language they understand), on detention and the asylum procedure. The relevant and competent national, international and non-governmental Organizations and Bodies, can visit the facilities in which migrants under removal are being detained. The detained migrants are being systematically informed about the internal regulation of the detention facility, as well as about their rights and obligations, including their right to communicate with the above mentioned Organizations. Therefore, in every detention facility, relevant informative documents are being posted in a conspicuous position. It is noted that the procedures of removal are subject to external monitoring taking place with the care of the Independent Authority of the “Greek Ombudsman”, which cooperates, for this purpose, with International and non-governmental Organizations.

32. **Paragraph 59:** According to applicable rules, for safety reasons, the possession and use of mobile phones and any other electronic device by the detainees, is forbidden. The detained migrants can use card-phones that are placed in the detention facilities, with care of the competent Service. In case of an emergency that concerns relatives of the detainees, after the confirmation of the fact by the Service, the detainee concerned is facilitated to communicate by phone with their relatives, at any time.

33. **Paragraph 60:** In the framework of the utilization of the European Funds (External Borders, Return and Refugees) educational seminars on readmission, expulsion and return (escorted or not), the treatment of vulnerable groups and the protection of human rights, are being conducted (see last sentence of comments to par. 53).

34. **Paragraph 61:** With respect to the ratification of the Optional Protocol to the Convention against Torture (OPCAT), we would like to note that the process of submission of a draft ratification law to the Greek parliament has already been initiated.

35. **Paragraph 63:** In case of massive arrivals of illegal migrants in the area of North Aegean, especially in view of the upcoming summer season, the reopening of Chios and Samos Detention Centers, in which transitional first reception services will operate, will serve the needs of reception and detention of the newly arrived irregular migrants, for the island of Lesbos as well.

36. **Paragraph 66.:** First Reception Centers constitute the competent authority for the screening procedure of all irregular migrants and accommodation centers at the same time.

By no means, do they constitute detention centers; the irregular migrants who are hosted within the premises of First Reception Centers, can only stay there up to 15 days, that is the maximum number of days that is required for the referral to be issued. By all means, an immigrant may leave the centre earlier if all procedures have been completed. Only in exceptional circumstances for which due reasons have been given, can the time of residence be extended up to 25 days. They are guarded centers, yet all accommodated migrants have the right to apply for a leave at any time, so FRCs cannot be characterized as closed centers.

37. **Paragraph 67.** All matters concerning the guarding of First Reception Centers – that is code of conduct and disciplinary measures – are to be included in the services contract that private security companies will sign. The contract will explicitly indicate the role, the scope and the tasks of the personnel working for the security company but also the limits of their competence and the measures to be applied towards the personnel or the company in case of inappropriate behavior. A draft Ministerial Decision that lays down training issues, emphasizing on human rights, of such personnel is ready to be signed.

38. **Paragraph 71:** The observed dynamics of the phenomenon of racist and xenophobic violence led the Greek state to adopt additional actions in order to isolate the behaviour that led to this kind of phenomena. In particular, the actions developed so far by the Greek police to deal with the racist phenomena can be summarized in the following:

- (a) The creation of a network for the registration of alleged incidents of racist violence
- (b) The establishment of criteria for ascertaining the existence of a racist motive and the provision of special instructions to the police staff for the relevant investigation
- (c) The coordination with local and non-governmental entities and training of police staff
- (d) The existence of an operational action plan for dealing with the racist phenomena
- (e) Departments dealing with racist violence have been created through the whole country.
- (f) From 25-01-2013 to 02-02-2013, 200 members belonging to the department of confrontation of racist violence have been trained.
- (g) By Order of the Greek Police Chief, a competent monitoring Office examines relevant complaints as a matter of utmost priority.
- (h) Also for the effective protection of the rights of the citizens against arbitrary actions of state organs, on the one hand, criminal provisions have been created which provide strict sentences for possible violations of human rights. On the other hand, there is constant administrative control of police staff, which is guaranteed by the particularly strict disciplinary law (Presidential Decree no. 120/2008) and the punishment of delinquent behaviours takes place with the greatest possible speed. All cases with suspected racist motive, such as the above, have been registered by the competent services of the Greek police and have been referred to the prosecuting authorities. As far as the alleged risk of detention and deportation faced by illegal migrants if they report racist crimes is concerned, we would like to note that Greek law and practice provide effective protection to all racist and other hate crime complainants for as long as the criminal proceedings are pending. Pursuant to the "Fourth Article" of Law 3875/2010 (amending Article 44 of immigration law 3386/2005), complainants and victims of criminal offences are exempt from forced removal and granted a residence permit. This provision (and the implementing Ministerial Decision 21897/11) provides that a residence permit may be granted to victims of criminal offences provided for by Law 927/1979, on condition that a prosecution has been initiated.

The residence permit may be valid until the delivery of a court's decision on the case or until the termination of the victim's medical treatment as applicable. It is also to be noted that under Article 79 par.3 of the Penal Code, as amended by Article 66 of Law 4139/2013, when a criminal act is committed on grounds related to ethnic, racial or religious hatred, the sentence imposed may not be suspended. Furthermore, the legislative framework on the prosecution of racist and xenophobic offences is currently being reinforced with the impending adoption of a law implementing the EU framework decision on combating racism and xenophobia through penal law in the member states of the EU.

39. **Paragraph 72:** See above. The use of the phrase "illegal immigration" is provided for in Treaties and legislative acts of the European Union (ex. Art. 63a of the Treaty of Lisbon)

40. **Paragraph 74:** The issue of family reunification is very complicated because many minors wish to go to another European country where their relatives reside. However, in every case measures are taken which aim to satisfy the best interests of the minors and their families.

41. **Paragraph 75:** The determination of the age of the unaccompanied foreign minors is confirmed by the doctors who work in the detention centres of immigrants in coordination with the non governmental organizations and after proper interview with specialized police staff. The creation of permanent and stable structures of reception and detention of immigrants will solve the problem of verification of age effectively with sole criterion the best interests of the child.

42. **Paragraph 77:** For the unaccompanied minors Criminal Law no 220/2007 applies, which incorporated Directive 9/2003, and provides specific information to prosecutors of misdemeanours whether asylum application is submitted or not. The prosecutor is designated as temporary legal guardian, and afterwards in coordination with non governmental organizations and social services the Permanent Legal Guardian is designated, who usually is a social worker. If the designated Guardians do not meet expected duties, they can be replaced by order of the Prosecutor. In cooperation with non governmental organizations and the ministry of health, minors are transferred to special accommodation areas for minors, which they nevertheless sometimes abandon arbitrarily after some time. The issue of guardianship is of great concern to the Greek government and a topic under consideration in the Action Plan on Human Rights, which is being drafted. We cooperate on this issue with the UNHCR, the Ombudsman and NGOs working with unaccompanied minors. We would like to note that on 20 March 2013 the General Secretariat of Transparency and Human Rights of the Ministry of Justice, Transparency and Human Rights organized a one-day Conference on 'Unaccompanied minors'. The conclusions thereof are expected to shed light, on a first level, on the imminent solutions available in these children's best interest.

43. **Paragraph 78 and 110:** It should be underlined that national legislation on migration ensures the exercise of fundamental migrants' rights and their specificities within a system based on social justice, with particular respect for children rights. Specifically, the national legislation concerning migrant children may be summarized as follows: According to Art. 72 and 84 of law 3386/05 not only children who legally reside in Greece, but also children under refugee status or under the protection of the UNHCR or asylum seekers or just living in Greece, even if their legal residence status is still pending, are able to access education and have full access to the health care system, without any restrictions, regardless of their residence status or that of their parents.

44. **Paragraphs 82 and 116:** The Greek authorities do not share the view that CSOs should be financed directly from the EU budget. The decision and distribution of EU funds among Member States follow very strict financial Regulations. These funds are used to

finance both EU and national multiannual projects in the framework of migration and asylum policies for which (projects) Member states are primarily responsible and co-contributors. Consequently, the liability for the proper use of EU budget should remain with the Member States, independently of any possible improvement of the bureaucratic discrepancies.

45. **Paragraph 88 until 112:** Finally it is known that according to the preliminary recommendations of the Special Rapporteur, our country, despite the observed deficiencies, is moving to the right direction making every effort to keep and improve situations which ensure the necessary respect of human rights, according to the provisions of international treaties and regulations.

46. **Paragraph 109:** (and the Special Rapporteur's proposal for having all resources dealing with migration management rigorously trained in human rights issues):

The Hellenic Coast Guard is in the process of incorporating the Frontex Common Core Curricula in the educational programme of its Schools of Basic Training and at the same time it takes advantage of every educational opportunity to train its officers in the relevant thematic object, provided either from Frontex or from any other national and/or Community institution.

Contribution provided by the newly established Greek Asylum Service

47. **Returns:** The number of Dublin II returns increased in 2012 in comparison to the previous year. More specifically, the Dublin Unit of the Aliens Division of the Hellenic Police Headquarters processed 739 outgoing requests and 314 persons were transferred to other EU Member States. In addition, the sum total of non-Dublin returns also increased from 17,279 in 2011 to 22,117 in 2012. Of the returns in 2012, 10,531 were voluntary, and of these 6,324 were assisted by the IOM (**an impressive jump from the 760 IOM assisted returns in 2011**). This significant increase is a consequence of the vigorous return programmes operated by IOM and the Greek government, and the high interest shown by the irregular migrants themselves, who are stuck in Greece, to return to their countries of origin.

48. **Staffing – recruitment of new Asylum Service and Appeals Authority:** A crucial decision was taken in the last quarter of 2012: the assignment to the Asylum Service and the Appeals Authority of 145 newly appointed civil servants from the register of candidates together with the budgetary allocation for their salaries. This decision, which was taken in conditions of unprecedented economic depression and fiscal austerity and which will address the staffing gaps of the two new services, is a powerful and eloquent sign of Greece's commitment to the complete reform and rationalization of its asylum system. As of 6 March 2013, **of the total of 292 posts for both services, 122 have been filled**. By the end of March, the staffing level is expected to reach 187.

49. A multiplicity of ERF funded projects were implemented in Greece in 2012. The **total funding attached to these projects was in excess of € 11 million**. These projects were implemented by a large number of Greek NGOs, international NGOs (e.g. Doctors Without Borders), the Greek Refugee Council, the Greek Red Cross, the UNHCR, and Greek state actors. The implemented projects concerned a whole raft of activities targeting refugees, asylum seekers and irregular migrants, and included among others: the provision of reception and hostel facilities, of medical care, of psychosocial support, of language education and vocational training, of legal aid and advice. The ERF funded projects were centred on Athens, the port city of Patra, other large cities, and the Evros region adjoining the Greek-Turkish border.

Contribution provided by the Hellenic Ministry of Labour, Social Security and Welfare / Directorate of Social Solidarity

(see comments on par. 42-47)

V.B. Detention conditions (para. 42-47).

The Directorate of Social Welfare & Solidarity recognizing that the detention conditions need to be improved, finances in every annual program and emergency measures implemented under the European Refugee Fund (ERF), actions aiming to provide services to people held in those centers. Specifically, we mention all actions implemented in the detention centers for the years 2011, 2012 and 2013.

ERF 2010 (Annual Program)

Final Beneficiary	NGO Medical Intervention
Action	Medical- Psychological- Social Support and Recreation services to underage refugees and immigrants, kept at the detention facilities of P. Rally (men and women), Amydgalega (unaccompanied minors), Airport "El. Venizelos" Elliniko and Aspropyrgos

Implementation period: 1/7/2011-31/3/2012

Budget	200.000,00€
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ERF 2010 (Emergency Measures)

Final Beneficiary	Hellenic Center for Disease Control and Prevention (KEELPNO)
Action	Provision of medical care and psychological support at the five detention facilities of Evros by two mobile medical units.

Implementation period 1/3/2011-31/7/2011

Budget	980.100,00€
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Final Beneficiary	NGO Medical Intervention
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Medical- Psychological- Social Support and Recreation services to underage refugees and immigrants men, women and unaccompanied minors, kept at the detention facilities of P. Rally, Amydgalega and Airport “El. Venizelos”

Implementation period 01/01/2011- 30/06/2011

Budget 266.454,32€

Final Beneficiary NGO Medical Intervention

Action Medical-Psychological- Social Support and provision of hygiene kits at the detention centers of Elliniko and P.Rally

Implementation period 31/1/2011-30/7/2011

Budget 148.521,80€

ERF 2011 (Annual Program)

Final Beneficiary NGO Medical Intervention

Action Medical-Psychological- Social Support and Recreation services to asylum seekers and immigrants men, women and unaccompanied minors, kept at the detention facilities of P. Rally, Amydgalega, Airport “El. Venizelos”, Elliniko and Aspropyrgos

Implementation period 01/09/2012-31/01/2013

Budget 111.111,11 €

ERF 2011 (Emergency Measures)

Final Beneficiary	NGO Medical Intervention
Action	Provision of Medical care - Psychological & Social Assistance - Creative Activities for minors in Amygdaleza-distribution of hygiene kits, clothing, mattresses and bedding in the detention centers of P. Ralli, Elliniko, Aspropyrgos, Amygdaleza and Airport "El.Venizelos"
Implementation period	01/03/2012 – 31/08/2012
Budget	536.511,62 €

Final Beneficiary	Hellenic Center for Disease Control and Prevention (KEELPNO)
Action	Provision of medical and psychosocial care to third country national kept at the five detention facilities of Evros by two mobile medical units.
Implementation period	01/03/2012 – 31/08/2012
Budget	1.056.100,00€

ERF 2012 (Emergency Measures)

Final Beneficiary	Hellenic Center for Disease Control and Prevention (KEELPNO)
Action	Implementation of actions to order to cover medical and psychosocial needs of third country nationals without legal documents that might need international protection in the regions of Evros, Xanthi and Rodopi.
Implementation period	1/2/2013 – 30/4/2013
Budget	458.200€

Final Beneficiary	NGO Medical Intervention
Action	Medical Care – Psychological and Social Assistance and Creative Activities (for minors) as well as distribution of hygiene kits and clothing for men, women and children asylum seekers in detention centers of Elliniko, Aspropyrgos, Amygdaleza, Airport “El. Venizelos” and P. Ralli
Implementation period	1/11/2012 – 30/4/2013
Budget	285.000,00€

VII. C. Migrant Children

The Directorate of Social Welfare & Solidarity implemented under the European Refugee Fund (ERF), implements actions for unaccompanied minors (accommodation, legal aid, medical and social services etc). Recognizing that a number of children never find shelter in the accommodation centers or willingly leave the shelter and end up in the street, actions for the protection of those children were also implemented, as described below.

ERF 2010 (Emergency Measures)

Final Beneficiary	NGO Medicins of the World
Action	Support persons who may need international protection in cities of Western Greece by two mobile medical units
Implementation period	1/2/2011-31/7/2011
Budget	371.190,00€

Final Beneficiary	NGO PRAKSIS
Action	Operating two mobile units (one for the islands of the North Aegean (Chios, Samos, Mytilene) and one for Thessaloniki / Bulwark) in order to provide medical, psychosocial and legal support to asylum seekers, with special emphasis on supporting vulnerable groups such as unaccompanied minors, pregnant women, people with disabilities, victims of trafficking and violent conflict.
Implementation period	31/1/2011-30/7/2011
Budget	606.070,00€

Final Beneficiary	NGO ARSIS
Action	Actions in order to approach and provide psychosocial support, hospitality, primary healthcare etc for newcomers unaccompanied minors □ The project was implemented in the region of Evros, Athens and Thessaloniki in collaboration with the NGO Praxis.
Implementation period	01/04/2011- 30/06/2011
Budget	160.000,00€

ERF 2011 (Annual Program)

Final Beneficiary	HELLENIC RED CROSS
Action	Mobile Intervention Unit in the region of Patras in order to identify vulnerable groups and provide them legal aid
Implementation period	1/5/2012-28/2/2013
Budget	18.000,00 €

Final Beneficiary	NGO PRAKSIS
Action	Provision of Medical support of unaccompanied minors at the Polyclinic of PRAKSIS in Athens and Thessaloniki, as well as in places such as hostels and open living areas of unaccompanied minor (street work interventions)
Implementation period	01/09/2012-31/03/2013
Budget	53.333,33€

Final Beneficiary	HELLENIC RED CROSS
Action	Mobile Intervention Unit, in the area of Patras, in order to identify vulnerable groups and provide them social and psychosocial support
Implementation period	1/5/2012-30/11/2012
Budget	25.690.00 €

ERF 2011 (Emergency Measures)

Final Beneficiary NGO PRAKSIS

Action Provision of primary health care, psychosocial support and legal aid to person who may need international protection in the region of Northern Greece (Thessaloniki, Alexandroupolis and Promachonas)

Implementation period 01/03/2012 – 31/08/2012

Budget 187.785,00€

Final Beneficiary NGO ARSIS

Action Actions in order to approach, assist and provide hospitality to newcomers unaccompanied minors in the region of Northern Greece

Implementation period 01/03/2012 – 31/08/2012

Budget 376.185,00€

Final Beneficiary NGO Medicins of the World

Action Operation of a Mobile unit aiming to provide primary health care social assistance, legal aid and related consulting services (with emphasis on vulnerable cases)

Implementation period 01/03/2012 – 31/08/2012

Budget 337.070,00€

ERF 2012 (Emergency Measures)

Final Beneficiary NGOs: Medicins of the World-Praksis-Medical Intervention

Action Medical Units aiming to provide services and identify and support vulnerable groups in need of international protection at the entry points, as well as areas with a large accumulation of the groups □ target (Lesvos, Dodekanisa, Samos, Lesvos, Attica)

Implementation period 1/2/2012 – 30/4/2013

Budget 654.000,00€

Final Beneficiary NGOs: Medicins of the World-Praksis

Action Medical Units aiming to provide services and identify and support vulnerable groups in need of international protection at detention centers of Korinthos and Drama and Mobile Medical Units in Patras, Athens and Thessaloniki

Implementation period 1/11/2012 – 30/4/2013

Budget 150.000,00€
