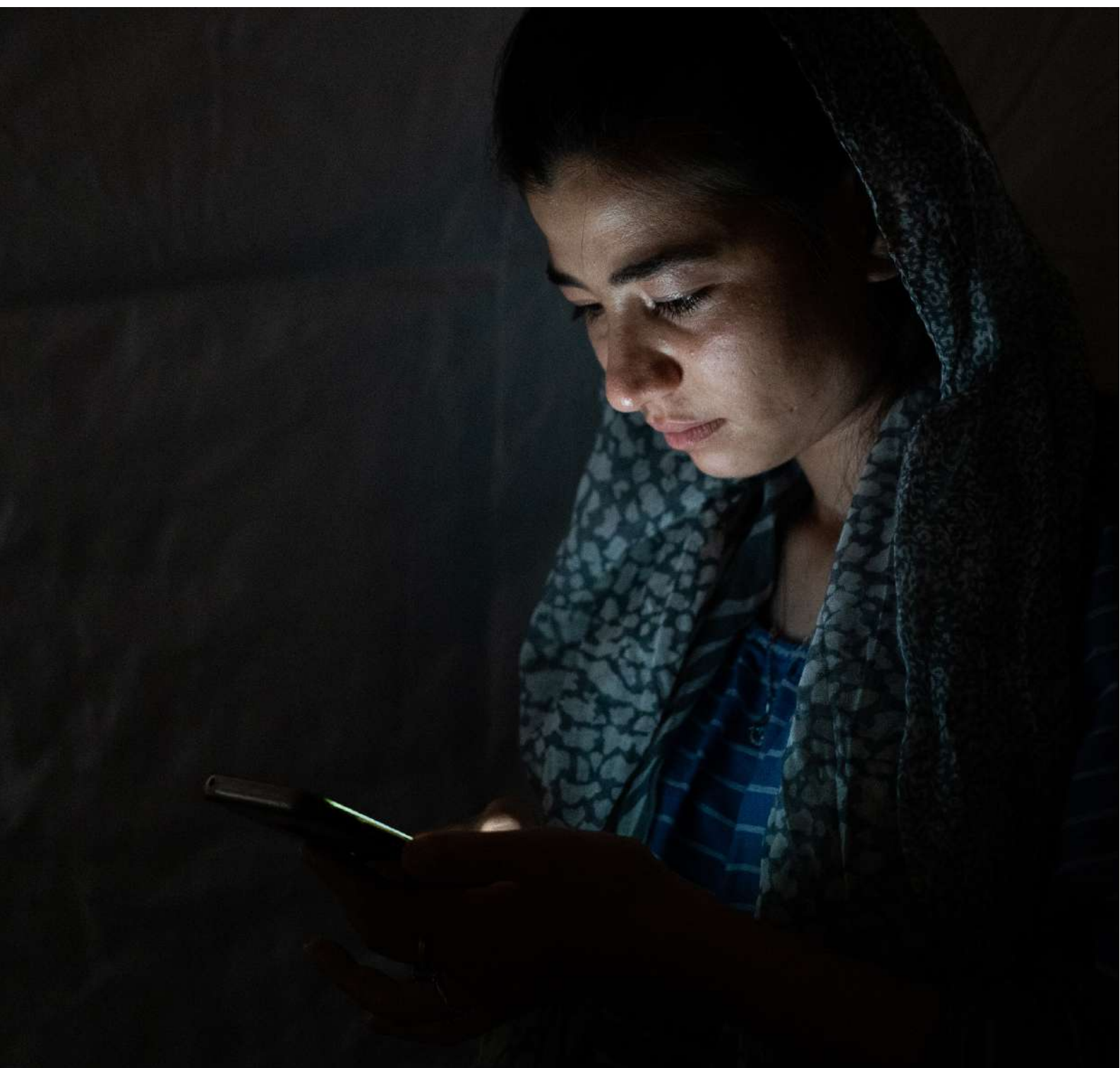


OCTOBER 2022

DIGITALISATION OF THE GREEK ASYLUM PROCEDURE

A way into the future or a barrier to human rights?



Credit: Regis Defurnaux

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EXECUTIVE SUMMARY

Digitalisation is often lauded as a stepping stone into the future. Unsurprisingly, many European countries, including Greece, have incrementally digitalised government services, including those pertaining to asylum. This means, that the initial contact with the Greek Asylum Service (GAS) has to be made digitally (first via Skype, now through an online form), updates about the application are sent via email, and supporting documents must be uploaded on a slow platform which is prone to malfunctions, just to name a few aspects of the process that have been digitalised. As a result, communication with the Greek asylum authorities necessitates a digital device, a functioning internet connection and digital literacy: a triad many asylum seekers do not possess.

Irrespective of the fundamental challenges that arise with eliminating many in-person services for the vast majority of asylum seekers, the Greek government has not provided the necessary infrastructure to enable effective and speedy access to asylum procedures. This includes a lack of resources such as printer ink, up-to-date digital software and sufficient personnel for the GAS. Moreover, many asylum seekers lack the necessary tools to navigate the digital asylum process, like access to free wifi, a computer, and digital literacy training.

This paper demonstrates how the alleged modernisation of the Greek asylum system is actually making matters worse, primarily for asylum seekers, but also for the organisations dedicated to supporting them. The system as it currently stands has hindered access to the vital procedure which is a necessary prerequisite for legalising the status of those on the move. Through digital means, the Greek government is thus obstructing the right to asylum, the cornerstone of refugee protection.

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DISCLAIMER

This report in no way reflects the view of Sciences Po and is the sole responsibility of the authors.



INTRODUCTION

"This is a disaster, the Skype....I have lost seven years here [in Greece]. I have nothing here. I will ask to be deported if no one answers on Skype."

- AHMED* (PSEUDONYM), IRAQI ASYLUM SEEKER IN GREECE ¹

Several European countries have digitalised parts of their asylum procedures under the premise of simplifying and streamlining the process of submitting an asylum claim.² However, the practice of making part or all of the asylum registration procedure solely accessible by digital means has, more often than not, further restricted access to asylum. In Greece, digital transformations to the asylum procedure have been particularly problematic. Many aspects of the asylum procedure now necessitate a digital device, a functioning internet connection, and above all, digital literacy: a triad that not all asylum seekers possess. Moreover, even when an asylum seeker does have the ability to make the requisite digital contact with asylum authorities, all too often their calls and emails go unanswered, and their digital requests remain unacknowledged.

As an example, Skype has for many years been the sole avenue through which asylum seekers could begin the process of registering their asylum claim in mainland Greece. While the requirement to "pre-register" through Skype was introduced to regularise the legal status of the countless asylum seekers waiting to register their asylum claims amidst the massive case backlogs of 2015 and 2016, Skype has in practice perpetuated and even further complicated their situation. Many have waited for years calling the Greek Asylum Service (GAS) without ever receiving a response³ and have been left in a state of legal limbo.⁴ As remarked by one of the legal coordinators at ELPIDA, a Thessaloniki-based NGO, Skype functioned as the "gates to access asylum": gates which have remained firmly closed for far too many asylum seekers.

This situation stands in stark contrast to the guarantees made under international law by states, including Greece, to protect and uphold the right to asylum. First introduced in the 1948 Universal Declaration of Human Rights,⁵ the right to claim international protection has since been enshrined by the 1951 Geneva Convention and incorporated in various international and regional treaties.⁶ The European Union's Charter of Fundamental Rights,

[1] Interview, 31 May 2022, ELA Offices, Thessaloniki, Greece.

[2] France and the UK both have adopted "pre-registration" procedures solely accessible by telephone, while in Italy asylum seekers are generally instructed to email to obtain an appointment with the competent authorities. The Netherlands and Norway, meanwhile, have introduced digital self-registration mechanisms. Source: Asylum Information Database (AIDA), Digitalisation of asylum procedures: risks and benefits (2021), 9-12

[3] See for instance the MIT report: <https://www.mobileinfoteam.org/livesonhold>.

[4] "The state of "legal limbo" is a term invented by a legal anthropologist Heath Cabot, which identifies "precarious position between undocumented, paperless illegality, and "refugee" status" of an individual". See: <https://howmovementmakesmeaning.hemi.press/chapter/legal-limbo/>

[5] Universal Declaration of Human Rights (adopted 10 December 1948 UNGA Res 217 A(III)) (UDHR) art 14

[6] For instance: Art. 22(7) of the American Convention on Human Rights, Art. 12 (3) of the African Charter on Human and Peoples' Rights. However, it is not included in the European Convention on Human Rights.

for instance, holds that “the right to asylum shall be guaranteed”⁷, with due respect to the 1951 Geneva Convention, its 1967 Protocol, and the EU treaties. Thus, while the lack of jurisprudence regarding Article 18 of the Charter has left the prevailing interpretation of the right to asylum somewhat nebulous under EU law,⁸ the right to asylum nonetheless remains firmly anchored in the international legal regime. Accordingly, all States Parties to the 1951 Convention, its 1967 Protocol and the EU Charter are bound by law to uphold and protect the right to seek, if not necessarily to be granted, asylum.⁹ In addition, the EU has created a Common European Asylum System which, inter alia, stipulates that every asylum seeker should have “an effective opportunity to lodge [their application for international protection] as soon as possible.”¹⁰ However, the manner in which the digitalised Greek asylum system has been implemented since 2019 calls into question whether it currently meets the mandated standard of providing “effective access to procedures.”¹¹ Recognizing that “the design of [asylum] registration systems through the use of digital tools may have significant consequences on the applicants’ access to rights guaranteed by international and EU law,” this report sets out to demonstrate the implications of digitalisation on the asylum process and, consequently, on asylum seekers themselves.¹² The scope will be limited to what is happening in mainland Greece due to the significantly diverging asylum process on the islands.¹³

[7] European Union: Council of the European Union, Charter of Fundamental Rights of the European Union (2007/C 303/01), 14 December 2007, C 303/1, art. 18

[8] Salvatore Fabio Nicolosi, ‘Going Unnoticed? Diagnosing the Right to Asylum in the Charter of Fundamental Rights of the European Union: The Right to Asylum in the EU Charter’ (2017) 23 European Law Journal 94. ; Gabriel N Toggenburg, ‘The 18th of All EU-r Rights: Asylum and How the Charter Contributes’ (EURAC Research). <<https://www.eurac.edu/en/blogs/eureka/the-18th-of-all-eu-r-rights-asylum-and-how-the-charter-contributes>> accessed 23 May 2022

[9] Michael Lysander Fremuth, ‘Access Denied? – Human Rights Approaches to Compensate for the Absence of a Right to Be Granted Asylum’ (2020) 4 University of Vienna Law Review 79.; contrast with: -T. Gil-Bazo, ‘The Charter of Fundamental Rights of the European Union and the Right to Be Granted Asylum in the Union’s Law’, (2008) Refugee Survey Quarterly, 34–52

[10] Art. 6 (2) Directive 2013/32/EU

[11] Preamble, Recital 25, Directive 2013/32/EU

[12] Asylum Information Database, Digitalisation of asylum procedures: risks and benefits (2021), 8

[13] The scope of the report is limited to mainland Greece due to the distinct asylum process in place on the Greek islands, where digital changes in the asylum procedure have had a lesser impact. This is primarily due to the fact that almost all asylum seekers on the islands remain in Reception and Identification Centres (RICs) or other camps, where asylum services are present physically, in contrast to the mainland, where many asylum seekers do not reside in camps.

For the purposes of this report, digitalisation is defined as “the way many domains of social life are restructured around digital communication and media infrastructures.”¹⁴ With respect to asylum procedures, digitalisation can take many forms but always involves moving processes, such as registration of asylum claims and communication of application progress, to the digital sphere. In many cases, digitalised asylum procedures in EU countries have taken a hybrid format with certain steps being online and others being in-person.

In Greece, as will be discussed in greater detail, the following elements of the asylum procedure have been digitalised: pre-registration (statement of intent to claim asylum made via Skype call), registration (the GAS platform provides an online registration form which can replace in-person registration at the asylum office), administrative updates and requests (asylum applicants are urged to use the GAS platform to, inter alia, update their contact information, submit documentation (medical, etc.) to support a claim of vulnerable status, request to disjoin their application from another asylum seeker’s, and request a copy of their registration interview transcript) and communication with the GAS (asylum seekers are generally informed of their application decision by email or phone, and asylum seekers themselves are often forced to rely on email for general communication purposes due to limited access to asylum offices).

[14] J. Scott Brennen and Daniel Kreiss, “Digitalization”, *The International Encyclopedia of Communication Theory and Philosophy* (23 October 2016)

METHODOLOGY

This report is informed by qualitative data sourced from secondary document analysis, expert interviews, and fieldwork in the Thessaloniki area.

Desk research was carried out from October to December 2021 and primarily consisted of reports from prominent Greek and international NGOs, ombudsman reports, academic articles, news articles, and official government communication. This information survey resulted in the identification of priority areas for further research and informed the elaboration of interview guides used in the second phase of data collection.

To gain primary source data reflecting the most updated state of affairs in mainland Greece, a series of fourteen interviews were conducted between December and April 2022 with organisations working in the area of refugee assistance and asylum aid in mainland Greece. The GAS and other government-affiliated entities did not respond to requests to participate in the interview process. These interviews were semi-structured with an interview guide¹⁵ which was provided to interviewees in advance of the interview upon request. Interviewees were chosen based on their knowledge of and proximity to the asylum-seeking situation in mainland Greece. Interview data was then qualitatively coded by subject matter to guide analysis and policy recommendations found in this report. All direct quotes in this report have been approved for publication by the interviewees to ensure their technical and contextual accuracy.

Finally, a research trip undertaken between May and June 2022 provided an opportunity to cross-reference the data obtained remotely with field observations and in-person interviews. The research trip included meetings with local actors and asylum-seekers in Thessaloniki and site visits close to nearby camps (Nea Kavala, Diavata, and Kavala).

Following these three phases of research, the report was finalised between June and September 2022 under the immediate guidance and support of ELA's in-house legal experts. Substantive policy recommendations made in this report are the result of data analysis conducted in light of Greece's obligations under national, European, and international law to respect asylum-seekers' fundamental rights, most notably, the right to claim asylum.

[15] The interview guide and the list of interviewees can be found in the Annex of this report.

II. Legal Framework and Political Context

The core of Greek asylum law is the International Protection Act (IPA; L-4636/2019 amended by L-4686/2020 and L-4939/2022), which entered into force on January 1st, 2020. It has been lauded as a comprehensive act which transposes the relevant EU asylum *acquis*, such as minimum reception and protection standards into one domestic legislation.¹⁶ However, the law has also been heavily criticised by civil society actors and organisations including UNHCR and HIAS since its introduction for enabling the imposition of draconian measures against migrants, leading to, amongst other things, increased detention and barred access to asylum.¹⁷

The IPA, for example, stipulates that an asylum claim can be rejected for failure to attend one's asylum hearing or failure to renew one's registration prior to its expiry on the grounds that such behaviour infers an implicit withdrawal of the asylum application.¹⁸ However, this measure demonstrates a blatant disregard for the lived realities of asylum seekers who have limited means of communicating with the GAS and even more limited financial means to travel to attend sudden and/or faraway appointments. Many asylum seekers have attested to receiving notification of asylum interviews in locations far from their registered address, in Athens for example while living in Thessaloniki. Occasionally, asylum seekers are given as little as three days' notice of such appointments. In other scenarios, the notification of appointment is sent to an incorrect email address, leading to non-attendance due to no fault of the asylum seeker(s) themselves. Measures like these illustrate how "the Greek law is increasing asylum seekers' vulnerabilities, while limiting access to their fundamental right to seek asylum and be protected from serious risks."¹⁹

Such legal measures have developed in a political environment that has become increasingly hostile to migrants, particularly since the election of Greece's New Democracy government in 2019. Months after the party's election, for example, the Greek Prime Minister, Kyriakos Mitsotakis publicly stated that "waves of immigrants and refugees besiege countries."²⁰ Meanwhile, in that same year, the incumbent Minister of Migration and Asylum, Notis Mitarakis, framed the goal of his ministry as, first and foremost, "the substantial reduction of migration flows."²¹ Recent changes in Greek asylum law and policy, such as the introduction of a new deportation law and declaration of Turkey as a "safe third country" for nationals of Syria, Afghanistan, Pakistan, Bangladesh and Somalia in 2021, have²²

[16] Such as the Reception Condition Directive (Recast)

[17] Natalia-Rafaella Kafkoutsou and Spyros-Vlad Oikonomou, 'Diminished, Derogated, Denied: How the Right to Asylum in Greece Is Undermined by the Lack of EU Responsibility Sharing' (July 2020), GCR & Oxfam

[18] Ibid., 12

[19] Ibid., 16

[20] Nikolia Apostolou, 'Briefing: How will Greece's new asylum law affect refugees?' The New Humanitarian (4 November 2019)

[21] Natalia-Rafaella Kafkoutsou and Spyros-Vlad Oikonomou, 'Diminished, Derogated, Denied: How the Right to Asylum in Greece Is Undermined by the Lack of EU Responsibility Sharing' (Greek Council for Refugees & Oxfam, 2 July 2020), 5

[22] JMD 42799/03.06.2021, Gov. Gazette 2425/B/7-6-2021, available in Greek at: <https://bit.ly/3zbSojR>

evidenced the government's intention to reduce not only the number of asylum seekers arriving but also those *remaining* in Greece.²³ Reports of pushbacks²⁴ at the Turkish border have been common, while the rapid processing of asylum applications in recent months has left asylum seekers with little time to prepare for their interview and collect the necessary documentation to support their claim. Several organisations interviewed who work with camp communities near Thessaloniki have attested to dwindling numbers of asylum seeker and refugee residents in the past year, an observation which likely reflects the Greek government's intention to reduce the asylum seeking population in the country. Overall, while Greece has implemented EU law and bears a disproportionate burden of refugee reception compared to other European countries, the "policies and practices [of its asylum services] have fallen short of normative and legal standards and have attracted widespread criticism by human rights organisations."²⁵

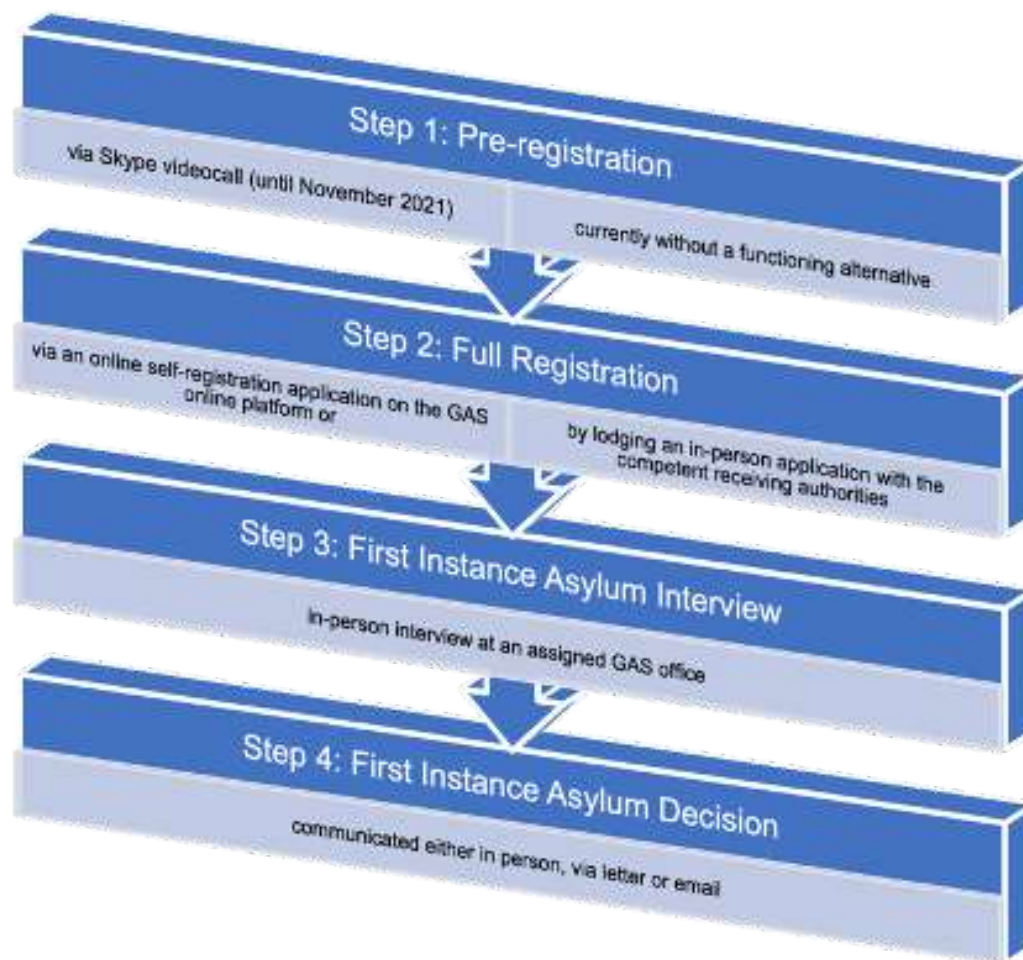
[23] Greek Council for Refugees 'Safe Third Country' (30 May 2022)

[24] understood as those state measures by which refugees and migrants are forced back over a border – generally immediately after they crossed it- > see 'Pushback' (European Center for Constitutional and Human Rights, n.d.)

[25] Lena Karamanidou, 'Migration, Asylum Policy and Global Justice in Greece' in Michela Ceccorulli, Enrico Fassi and Sonia Lucarelli (eds), *The EU Migration System of Governance: Justice on the Move*, (Palgrave Macmillan 2021), 90

III. Procedure: Lodging a Claim for Asylum in Mainland Greece

SIMPLIFIED FLOW CHART OF THE ASYLUM PROCESS

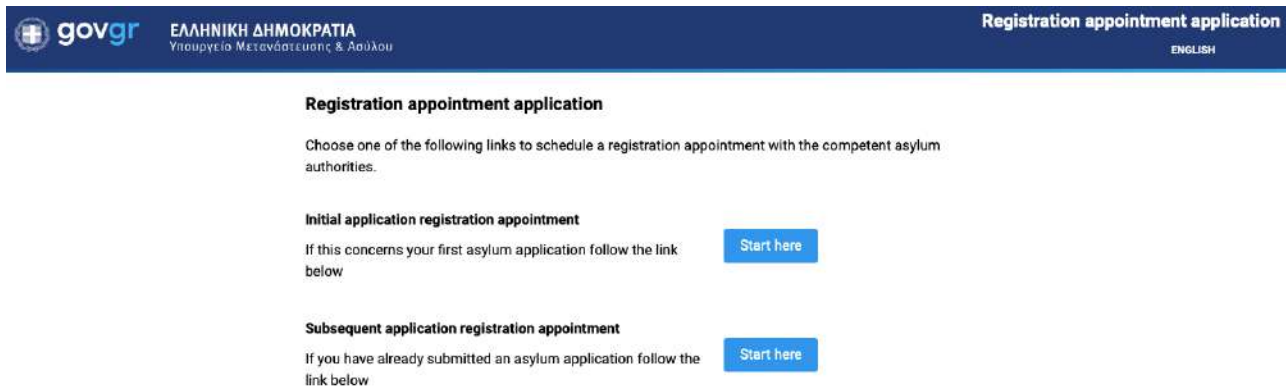


Step 1 - Pre-Registration: Skype Videocall (until 2021) / Special online platform (2022)

Prior to the issuance of a highly controversial circular in November 2021 which abolished the Skype procedure for first-time applicants,²⁶ asylum applicants on the mainland were obliged to contact the Greek Asylum Service via Skype video call to “pre-register”. At the end of the appointment, the GAS official would give the asylum seeker and his or her family their

[26] Charlotte Boitiaux, ‘En Grèce, demander l’asile est devenu (presque) mission impossible’ (InfoMigrants 13 April 2022) <<https://www.infomigrants.net/fr/post/39834/en-grece-demander-lasile-est-devenu-presque-mission-impossible>> accessed 19 June 2022; GAS, ‘Διαδικασία Υποβολής Αιτημάτων Ασύλου | Υπουργείο Μετανάστευσης Και Ασύλου’ <<https://migration.gov.gr/en/diadiakasia-ypovolis-aitimatou-asyloy/>> accessed 30 June 2022

pre-registration number as well as the date and location of their “full registration” appointment. Despite being pre-registered, asylum applicants at this point are not yet legally considered “asylum seekers” nor do they have legal documentation regularising their legal status in Greece.²⁷ In July 2022, the Greek government announced a replacement for the obsolete Skype procedure by introducing an online platform dedicated to applying for asylum.²⁸



Picture of the starting page of the new asylum application platform, which is available in eleven languages.

Step 2 - Full-Registration: First Instance Asylum Application

Full-registration can either be done by submitting an online self-registration application provided on the GAS online platform, or more commonly, by lodging an in-person application with the competent receiving authorities (the Regional Asylum Offices, the Autonomous Asylum Service Units, the Mobile Units of the Asylum Service and the Reception and Identification Centers).²⁹ The GAS determines a date for the applicant’s asylum interview and issues the applicant’s “international protection applicant card”, also known as an “asylum seeker’s card”. The international protection seeker card confers legal “asylum seeker” status upon the asylum applicant(s), thus temporarily regularising their legal status and allowing them to live legally, seek employment, access healthcare, housing, and cash assistance, and move freely in Greece until a final decision is given.³⁰

[27] Asylum Information Database (AIDA), Country report: Greece (December 2020), 55

[28] Available at: <https://apps.migration.gov.gr/international-protection-registration?lang=en>

[29] Greek Ministry of Migration and Asylum, “The Asylum (International Protection) Application”, accessible at: <https://migration.gov.gr/en/gas/diadiakasia-asyloy/i-aitisi-gia-asylo/>

[30] UNHCR (Greece), “Rights and Obligations of Asylum Seekers”, accessible at: <https://help.unhcr.org/greece/rights-and-duties/rights-and-duties-of-asylum-seekers/>

Step 3 : First Instance Asylum Interview

Asylum seekers must attend their in-person interview appointment at the competent GAS office on the date assigned following full registration. If the interview is missed without justification, then the asylum seeker is considered to have withdrawn their application and the case will be closed. At the in-person appointment, the asylum seeker with his or her family meets with a receiving authority caseworker to explain the reasons why they seek to claim asylum. The caseworker first asks admissibility questions to those asylum seekers for whom Turkey has been declared a safe third country.³¹ Once an asylum seeker's admissibility has been established, the caseworker listens to the asylum seeker's story and assesses the reasons for which the asylum seeker has fled their country and what would happen if they returned to their home country.³² Based on the information provided, the caseworker determines whether the criteria to be recognized as a refugee or a person entitled to subsidiary protection are met.

Step 4 : First Instance Asylum Decision and Appeal (Second Instance Procedure)

A first instance decision on an asylum claim will be communicated either in person to the asylum seeker or to their legal representative, via registered letter or email, or uploaded to the GAS digital platform.³³ If the application is rejected or subsidiary protection is given, the decision can be appealed with the appeals authority, the Independent Appeals Committees.³⁴ The written appeal must be submitted within the limited time frame stated in the application decision, and the GAS is obligated to provide the asylum seeker with a lawyer to submit the appeal.³⁵ The Appeals Committee will summon the asylum seeker to an oral hearing only when (i) the appeal is lodged against a decision which withdraws international protection status, (ii) issues or doubts are raised relating to the completeness of the appellant's interview at first instance, or (iii) the appellant has submitted substantial new elements.³⁶ When an asylum application is rejected in the second-instance, the person no longer benefits from the legal status of "asylum seeker"³⁷ and thus loses "access to the labor market and healthcare services."³⁸

[31] On 7 June 2021, the Greek government announced its decision to list Turkey as a 'safe third country' for asylum seekers from Syria, Afghanistan, Pakistan, Bangladesh and Somalia. With the decision, applicants from one of the specified countries who enter Greece via Turkey will be considered inadmissible based on the assumption that Turkey could offer protection and that the applicant should be returned.

[32] Greek Ministry of Migration and Asylum, "The Interview", accessible at: <https://migration.gov.gr/en/gas/diadikasia-asyloy/i-synenteyxi/>

[33] Asylum Information Database (AIDA), "Country report: regular procedure (Greece)", 30 May 2022 <<https://asylumineurope.org/reports/country/greece/asylum-procedure/procedures/regular-procedure/>>

[34] Ibid.

[35] A state-funded legal aid scheme operates for the appeal procedure, on the basis of a registry of lawyers managed by the Asylum Service.

[36] Article 97(3) IPA as amended by Article 6(1) L.4686/2020 <<https://migration.gov.gr/en/appeals/b-vathmos/>>

[37] Ibid.

[38] Greek Ministry of Migration and Asylum, "Second Instance Procedure", accessible at: <https://migration.gov.gr/en/appeals/b-vathmos/>

Amended Mainland Asylum Procedure as of November 2021

A circular³⁹ released by the Greek Secretary General of Immigration Policy of the Ministry of Migration and Asylum on 22 November 2021⁴⁰ immediately suspended the Skype pre-registration system for first-time asylum applicants.⁴¹ Pre-registration by Skype has henceforth been restricted to subsequent applicants.⁴² Asylum applications could only be submitted in the RICs on the Aegean island hotspots of Samos, Chios, Kos, Lesvos, and Leros and in the Evros border region at the Fylakio RIC between November 2021 and July 2022.⁴³ Then, the government introduced the aforementioned online application platform reserved for making a first application.⁴⁴

IV. WHAT HAS BEEN DIGITALISED

The manner in which asylum systems have been digitalised has varied across the European Union. Some countries have implemented telephone (France) or email (Italy) pre-registration protocols, for example, while others have introduced optional online self-registration forms (Norway and the Netherlands). From the registration of asylum requests to their processing, digital tools can be difficult to understand for asylum seekers. They can create additional obstacles in the procedure, including lack of access to adequate equipment, illiteracy or the protection of personal data. In addition, digital tools may draw funds and manpower away from other areas of work, since they require additional human and financial resources, training and significant IT infrastructure and maintenance.⁴⁵

As the EU asylum acquis is silent on the use of digital tools, Member States have significant discretion to design digitalised procedures as they see fit, resulting in the largely unmonitored application of the digital "pre-registration systems" or "self-registration systems" cited above.⁴⁶ In Greece, digitalisation has impacted all phases of the asylum procedure through the introduction of mediums such as Skype and the GAS online platform.

[39] Greek Ministry of Migration and Asylum, 'Εφαρμογή του άρθρου 39, παρ 1 του ν. 4336/2019' (22 November 2021), available at: https://www.efsyn.gr/sites/default/files/images/2021/11/egrafo1_1.jpg

[40] Along with a Clarification by the Commander of the Asylum Service Greek Asylum Service: 'παροχή διευκρινίσεων αναφορικά με την Εφαρμογή του άρθρου 39, παρ 1 του ν. 4336/2019' (22 November 2021), available at: https://www.efsyn.gr/sites/default/files/images/2021/11/egrafo2_1.jpg

[41] Mobile Info Team, MIT Quarterly Presentation (December 2021)

[42] A subsequent applicant is an asylum seeker whose initial claim for asylum has been finally rejected by the Greek asylum authorities and is eligible to submit a new application for international protection based on new circumstances or evidence relevant to the claim.

[43] Asylum Information Database (AIDA), Country report: Greece (December 2021), available at: https://asylumineurope.org/wp-content/uploads/2022/05/AIDA-GR_2021update.pdf

[44] As of August 2022, the GAS has also eliminated the use of Skype for subsequent applicants and begun using the new online platform for both initial and subsequent applications: <https://apps.migration.gov.gr/international-protection-registration?lang=en>

[45] 'Vers une digitalisation des systèmes d'asile dans l'Union européenne ?' (Forum Réfugiés, 12 May 2022) <<https://www.forumrefugies.org/s-informer/publications/articles-d-actualites/en-europe/1062-vers-une-digitalisation-des-systemes-d-asile-dans-l-union-europeenne>> accessed 26 July 2022

[46] Asylum Information Database (AIDA), Digitalisation of asylum procedures: risks and benefits (2021)

Accordingly, the great extent to which the Greek government has introduced digital tools in its asylum proceedings merits an assessment of the impact such measures have had, in practice, on the right to seek asylum. The subsequent sections seek to examine and illustrate how the Greek government has digitalised its asylum procedure in recent years and how these changes have affected asylum seekers in Greece.

A. Pre-Registration: Skype and Digital “White Cards”

The introduction of pre-registration systems has been the most common way in which the asylum procedure has been digitalised across Europe.⁴⁷ Pre-registration mechanisms, typically an online or telephone appointment system, have been introduced to address backlogs in national asylum systems by registering an individual’s intent to seek asylum prior to the actual lodging of an asylum claim.⁴⁸ In Greece, Skype has served as the platform through which asylum seekers on the mainland undertook the mandatory pre-registration process. However, rather than improving access to asylum, the seven years of the Skype preregistration system’s existence (between 2014 and 2021) created grave challenges for those seeking asylum in mainland Greece, Crete, and Rhodes.

The introduction of a digital pre-registration system in Greece was initially viewed with optimism by asylum seekers and NGOs working in asylum and refugee aid in light of its potential efficiencies. According to a legal officer from Refugee Support Aegean (RSA)⁴⁹, the Skype system was meant to be a solution for individuals to avoid long queues outside of GAS offices, following recurrent reports of an inability to enter the asylum office. A Greek lawyer from Equal Legal Aid similarly stated that the virtual pre-registration system was presented as a “better way to handle the large numbers of incoming asylum seekers” which peaked in the 2015-2016 period.⁵⁰ According to the interviewee, the Skype pre-registration system also seemed poised to provide a way in which undocumented asylum seekers could access the asylum system without having to first obtain a willingness number from the police.

However, in practice the requirement for all individuals seeking asylum to contact the GAS via Skype before being provided with a full-registration appointment became an unavoidable barrier, rather than a bridge, to lodging an asylum claim. From its very inception, the implementation of the Skype pre-registration system presented intractable problems including unreasonably long wait times and highly restricted time slots based on the native language of the asylum seeker. Some asylum seekers reported waiting for two or more years before successfully connecting with a GAS official via Skype.⁵¹ Only those who could prove that they were vulnerable as defined by law were exempt from Skype pre-registration.⁵²

[47] Ibid.

[48] In addition to mainland Greece, pre-registration via Skype was also mandatory for asylum seekers on Crete and Rhodes. Source: Mobile Info Team, *Lives on Hold* (2021)

[49] Interview with Minos Mouzourakis, Refugee Support Aegean (28 January 2022)

[50] Interview with Athina Kalogridi, Equal Legal Aid (17 February 2022)

[51] Mobile Info Team, *Lives on Hold* (2021)

[52] Vulnerable status refers to those suffering from psychological trauma (e.g., PTSD), persons with disabilities and/or preexisting medical conditions, unaccompanied minors, etc.

Skype Program after 10/08/2020

Hours	Monday	Tuesday	Wednesday	Thursday	Friday
08:00 – 09:00	Arabic Athens/Patras	Albanian Thrace/Leros/ Patras	Albanian Crete/Athens	Albanian Lesbos/ Thessaloniki	Albanian Thessaloniki/ Rhodes
09:00 – 10:00	Arabic Crete/Leros	Kurmandji Crete/Thessaloniki/ Athens	English/French Athens/Crete	Pashto Thessaloniki/ Crete	English/French Thessaloniki/ Athens
10:00 – 11:00	Farsi/Dari Thessaloniki/ Crete	Russian/Ukrainian Thessaloniki/ Athens	Urdu/Punjabi Thrace/Leros	Farsi/Dari Athens/Patras	Georgian Thessaloniki
11:00 – 12:00	Arabic Athens	Arabic Thessaloniki/ Rhodes	Arabic Syria Fast Track	Arabic Athens	Bengali Athens/Patras
12:00 – 13:00	Urdu/Punjabi Athens/ Thessaloniki	Urdu/Punjabi Crete/Rhodes/ Patras	Sorani Athens/ Thessaloniki	Hindi Thrace/Athens/ Patras	Russian/Ukrainian Crete/Thrace/ Patras
13:00 – 14:00	Georgian Thrace/Patras/ Crete	Georgian Lesbos/Athens	Chinese Thessaloniki/ Crete/Athens/ Patras	Bengali Thessaloniki/ Thrace	Bengali Crete/Rhodes

Skype line timetable, taken from the Greek Asylum Service website⁵³. The Skype line was available in 17 languages for 29 hours a week, and a weekly schedule was published to indicate the time slots available for each language⁵⁴.

Language limitations further exacerbated the difficulty of reaching the GAS via Skype. Oftentimes, even commonly spoken languages such as Arabic and Pashto were only allotted a one-hour slot to call per week. Not only were the time slots allocated for each language few and far between, but they were also inconsistent, often being changed on a monthly to weekly basis.⁵⁵ Since asylum seekers could only call the Skype number corresponding to their native language (even if fluent in any other language offered)⁵⁶, the few time slots and unreliable scheduling presented very real obstacles to asylum seekers making contact with the GAS on Skype. Asylum seekers had to know when and where to check the most up-to-date Skype schedule, and they needed a digital device with Internet access to do so.

The Skype pre-registration system also excluded certain languages like Turkish, despite Turkey being among the top five countries of origin of asylum seekers in Greece. Applicants whose languages were not offered by the GAS on Skype would either have to go to their nearest Regional Asylum Office in the hopes of registering their claim in-person, which has been described by the interviewee from Refugee Support Aegean to be “not something that worked well at all,”⁵⁷ or otherwise they would have to write an email requesting an in-person appointment, which would often go unanswered.⁵⁸

[53] Skype Programme after 10/08/2020 (2020)

https://static1.squarespace.com/static/597473fe9de4bb2cc35c376a/t/5f45062b281d306f45bcc24e/1598359083831/Skype_10.08.2020.pdf

[54] Asylum Information Database, Digitalisation of asylum procedures: risks and benefits (2021)

[55] Greek Council for Refugees (GCR), ‘Limited Access to the Asylum Procedure’ (19 April 2016)

[56] Mobile Info Team, Lives on Hold: Access to Asylum on Mainland Greece, Crete and Rhodes (2021)

[57] Interview with Minos Mouzourakis, Refugee Support Aegean (28 January 2022)

[58] Mobile Info Team, Lives on Hold

These challenges to completing pre-registration in mainland Greece had significant consequences for undocumented asylum seekers, who were left in a legally precarious position at risk of arrest by the Hellenic Police and/or prolonged detainment in pre-removal centres.⁵⁹ Moreover, in the absence of valid legal documentation, asylum seekers cannot access essential services such as healthcare, employment, and education prior to pre-registration.⁶⁰ For these reasons, the Skype pre-registration system was viewed negatively by all the NGOs interviewed for this report, alternately being described as “difficult from the beginning,”⁶¹ “inefficient and discriminatory,”⁶² and “extremely problematic.”⁶³

“Skype was not good, but they managed to create an even worse system.”

SENIOR CASEWORKER, MOBILE INFO TEAM⁶⁴

The November 22 circular⁶⁵ gave rise to much confusion among asylum-seekers and NGOs alike in mainland Greece. Newly-arrived asylum seekers in the mainland, being uninformed and/or desperate, fruitlessly continued to call the GAS via Skype in attempts to pre-register. Meanwhile, even for legal aid organisations it was initially unclear whether the circular represented a temporary or indefinite change to the asylum procedure in the mainland. Interviews with Greece-based NGOs in the months following the circular’s announcement attested to this confusion, with several organisations admitting that they were unsure at that time of how best to advise asylum seekers. One lawyer from the Greek Council for Refugees described “the situation right now for those who are already in the mainland [as] unclear.”⁶⁶

Subsequent applicants (those applicants who have tried and failed to claim asylum at least once) were still required to use Skype to pre-register from November 2021 until July 2022, however, they faced the same challenges which were endemic to the system prior to the issuance of the circular: limited time slots and chronic unresponsiveness. That such problems persisted despite there being drastically fewer applicants using Skype since late November 2021 indicates that the problems with the digital pre-registration system could not be solely attributed to a lack of human resources.

[59] GCR 2016

[60] Ibid.

[61] Interview with Eleni Tsaousakou, KEM (15 February 2022)

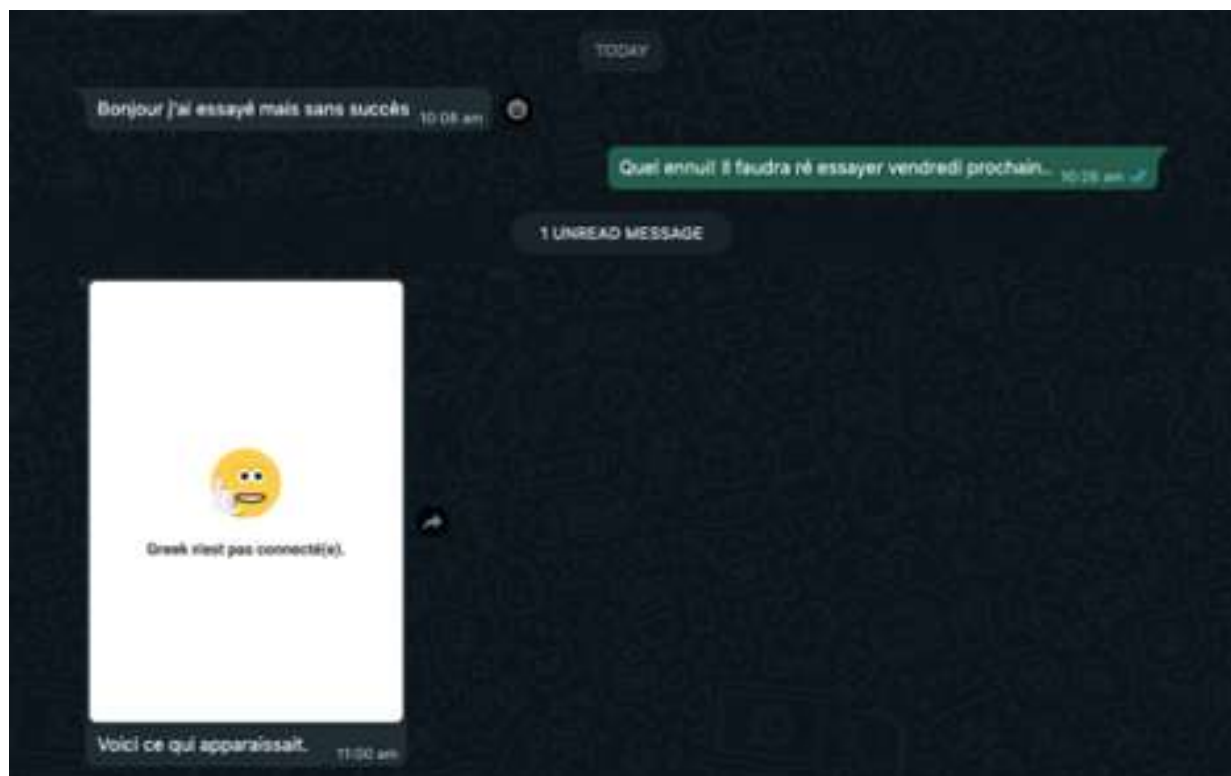
[62] Interview with Agapi Chouzouraki, Greek Council for Refugees (18 January 2022)

[63] Interview with Minos Mizourakis, Refugee Support Aegean (28 January 2022)

[64] Interview with Valentin Scholl, Mobile Info Team (7 February 2022)

[65] GAS, ‘Διαδικασία Υποβολής Αιτημάτων Ασύλου | Υπουργείο Μετανάστευσης Και Ασύλου’ <<https://migration.gov.gr/en/diadiakasia-ypovolis-aitimatou-asyloy/>> accessed 30 June 2022.

[66] Interview with Agapi Chouzouraki, Greek Council for Refugees (18 January 2022)



Screenshot of a WhatsApp conversation between a legal officer from ELA and one of ELA's clients in May 2022 who tried to reach the GAS via Skype without success. When the asylum seeker attempted to call throughout the hour allocated, it would not ring and the display on Skype showed that the GAS was not even online ("Greek n'est pas connecté(e)").

Furthermore, the new pre-registration policy has major implications for asylum-seekers on the mainland in particular. Namely, it gives rise to well-founded "concerns that the procedure will lead to a generalised use of *de facto* detention" since the circular anticipates the "restriction of liberty within the premises of a reception and identification centre"⁶⁷ for those arriving to make their asylum claim. Moreover, since the only RIC on the mainland, RIC Fylakio, is located near the Turkish border, first-instance asylum seekers face a high risk of being pushed back into Turkey by travelling back towards the border area to lodge their asylum claim.⁶⁸ The risk is more acute for asylum seekers for whom Turkey has been declared a "safe third country" by the Greek government, namely those from Syria, Somalia, Bangladesh, Pakistan, and Afghanistan.

On a more practical level, the sole RIC on the mainland does not have the capacity to accommodate all first-time asylum seekers in humane conditions. The Greek government has announced plans to identify two sites on the mainland to host asylum registration, however, there have been no updates on whether this would be implemented through the repurposing of existing facilities or the construction of new facilities. In any case, these plans remain distant, at best, while the circular went into effect immediately. The result is that "there has therefore been no access to asylum for the majority of people on mainland Greece since 24 November 2021."⁶⁹ Many asylum seekers in mainland Greece are now left in an even more precarious situation than before, with the lingering threat of detention and pushbacks obstructing access to all practical avenues of lodging an asylum claim.

[67] Asylum Information Database (AIDA), Country Report: Greece (European Council on Refugees and Exiles, 2021), 19

[68] Melissa Pawson, 'Greece accused of using migrants to push back other migrants' (Al Jazeera, 17 June 2022)

<<https://www.aljazeera.com/features/2022/6/17/greece-accused-of-using-migrants-to-push-back-other-migrants>> accessed 17 July 2022

[69] AIDA, Country Report: Greece, 19

In addition, the international protection seeker cards issued to asylum seekers after their full registration have also been digitised. Formerly known as “white cards”, these registration cards were for many years physical documents which had the date of the asylum interview written in the corner. However, as of October 1, 2020⁷⁰, these cards have taken a virtual form lacking an interview appointment date, further complicating matters for asylum seekers.

B.Registration: Online Self-Registration Form and Virtual Interviews

In June 2020, the Greek government established an electronic self-registration form as a new digital tool to lodge an asylum claim.⁷¹ A so-called self-registration link⁷² available in Greek and English gives access to the form, which is accompanied by login instructions⁷³ available in 18 different languages. The elements required to fill in this form include, *inter alia*, an asylum precase number, which is given “by the competent authority during the pre-registration procedure.”⁷⁴ Consequently, online self-registration is only available for those applicants who have already pre-registered, either via Skype, the new online platform, in-person with the Reception and Identification Service (RIS) at an RIC or with Hellenic police during a period of administrative detention.⁷⁵ Self-registration mechanisms like the one offered by the GAS may be cost-efficient and capable of fostering trust in the procedure by enhancing applicants’ responsibility and ownership over the information provided, as seen in Norway and the Netherlands⁷⁶, however, in Greece many challenges to using this new digital tool have emerged.

The first and foremost of these is the lack of clarity regarding the objectives and functioning of the online self-registration tool. Both asylum-seekers and asylum aid NGOs in Greece have testified to having limited knowledge of the existence of the online self-registration form and how to properly use it. This can be attributed in part to the fact that there is no explanation on the Greek government’s website regarding the purpose of the form. Hence, it is up to the applicants to retrieve this information on their own. Moreover, the GAS fails to provide any clarification of how online self-registration fits into the normal Greek asylum procedure. For example, once a self-registration form is submitted, “applicants are not informed on the next steps they have to follow concerning their asylum procedure.”⁷⁷ Two interviewees corroborated this finding, and several organisations interviewed, in addition to ELA, reported having very limited experience with the online self-registration process, indicating that it currently provides little utility for asylum seekers.

[70] ‘Greece to Replace Printed Asylum Cards with Digital Ones’ (InfoMigrants, 15 June 2020) <<https://www.infomigrants.net/en/post/25369/greece-to-replace-printed-asylum-cards-with-digital-ones>> accessed 19 June 2022

[71] Ibid., 53

[72] Available at: <https://apps.migration.gov.gr/selfregistration/login>

[73] Available at: <https://applications.migration.gov.gr/en/instructions18/>

[74] Hellenic Government (n.d.). Asylum Service Authentication. Retrieved from: <https://apps.migration.gov.gr/selfregistration/login?lang=en>

[75] Asylum Information Database, Country Report: Greece, 2021, 53

[76] Asylum Information Database, Digitalisation of asylum procedures: risks and benefits (2021), 11

[77] Asylum Information Database, Country Report: Greece, 2021, 55

ASYLUM SERVICE

AUTHENTICATION

Asylum Pre-case Number ⓘ

Surname ⓘ

Name ⓘ

Birthdate ⓘ

Mobile number ⓘ

I'm human ⓘ

05888

Refresh captcha

Login

Ελληνικά

Contact: selfregistration@migration.gov.gr

[Login help](#)

Information required to access the self-registration form, shown above in English, on the GAS platform includes a pre-registration or "pre-case" number and basic personal data (name, birthday, and mobile⁷⁸ number).

Furthermore, several NGOs interviewed provided conflicting information regarding how to access the online self-registration form, demonstrating that even amongst those familiar with the Greek asylum process the tool remains not well understood. For example, eight interviewees linked the self-registration form with a willingness number recorded on a "police note" obtained from the Hellenic police.⁷⁹ However, a pre-registration number (alternatively referred to as a "pre-case number"), not a willingness number is needed when filling in the self-registration form. Evidently, the inconsistency of information regarding the online self-registration form further calls into question the utility of this tool for both organisations and asylum-seekers on the mainland.

[78] <<https://apps.migration.gov.gr/selfregistration/login>> accessed 19 June 2022

[79] A police note is given to undocumented asylum seekers detained by Greek authorities (the Hellenic police) which includes a deportation date and a "willingness number", which certifies intent to lodge an asylum claim. The holder of a police note cannot be detained in a pre-removal centre or deported while it remains valid. For more information: <https://www.mobileinfoteam.org/police-note>

Many interviewees who were familiar with the Greek asylum system raised concerns over the government's intentions when using this form to assess a claim. For instance, an advocacy officer interviewed from Mobile Info Team explained that the information provided on the registration form has a significant impact on GAS's assessment of one's asylum claim, and asylum seekers who complete it entirely on their own face a greater risk of being "tripped up" by the form and their own responses. It is important to note that the information provided will function as the foundation for the assessment of the asylum claim. As such, it is highly recommended that asylum seekers fill in the self-registration form with the assistance of a trustworthy person experienced with the Greek asylum procedure, such as a lawyer or caseworker, since "the asylum authorities...can use small mistakes to the disadvantage of the applicant."⁸⁰

Thus the online self-registration tool, in its current form, does not benefit asylum seekers in Greece, and in fact it presents potential risks to the submission of a successful asylum application. In theory, "the quality of the information provided through self-registration is not less than when conducting the registration face-to-face."⁸¹ However, this presumes that asylum seekers understand how to use the self-registration mechanism and that it is available in their native language, or else an interpreter is provided. In the Netherlands, for example, applicants who choose to use the self-registration procedure are assisted by an asylum service (IND) employee who opens the digital application form, installs the correct language (17 languages are offered), and guides the asylum seeker (in person) if they have any questions.⁸² These essential safeguards, which are absent from the Greek self-registration mechanism, ensure that the information asylum seekers provide through self-registration is accurate and complete.

The failure of the Greek government to provide detailed information on the use of the self-registration platform or to provide adequate assistance while self registrations are carried out has in practice hindered access to the asylum procedure. The fact that the platform is only available in two languages also calls into question the effectiveness of the tool.⁸³ Thus, it seems that digital self-registration presents no added-value for asylum seekers, and may have been put forward by the Greek government to serve other interests.

The Greek government also began using a remote format for interviews after the start of the pandemic in 2020. According to the Greek Council for Refugees, "interviews were regularly conducted through video conferencing in 2021, either with the interviewer or the interpreter (or often with both) participating through digital tools."⁸⁴ This was especially common for asylum seekers in camps on the mainland.

[80] Interview with Erika Kalantzi, Danish Refugee Council (12 January 2022)

[81] According to the European Asylum Support Office - known now as European Union Agency for Asylum (EUAA), as recorded in AIDA, Digitalisation of asylum procedures (2021), 11

[82] Asylum Information Database, Digitalisation of asylum procedures: risks and benefits (2021), 11

[83] Ibid.

[84] According to the Greek Council for Refugees, as recorded in AIDA, Digitalisation of asylum procedures (2021), 59

Applicants are asked for their oral consent to carry out the interviews via videoconferencing, but in 2021, they were not informed that the interview could be rescheduled in the event of a refusal to participate in the interview digitally. According to AIDA, "Other issues arising from the use of digital tools include technical issues such as poor internet connection and inadequate sound quality. Even under the best of conditions, video conferencing may negatively affect the quality of the interpretation and possibly the interview due to the loss of non-verbal communication cues."⁸⁵

This digital interview format has the impact of limiting the asylum seeker's privacy and ability to clearly communicate his/her situation. Despite the Ministry of Migration and Asylum describing the video conference interview format as "excellent," civil society actors and lawyers have expressed concern over technical issues during asylum interviews, lack of confidentiality, and a "lack of access to transcripts of interviews for applicants without a lawyer."⁸⁶

C. Remote Communication with the GAS

The dematerialization of the asylum procedure in Greece has not only created an inefficient digitised system which few asylum seekers on the mainland can access in practice; it has also foreclosed other avenues of contacting the Greek Asylum Service, leaving asylum seekers with little to no human assistance while pursuing their asylum claim.

Prior to the introduction of the mandatory Skype pre-registration, asylum seekers would frequent GAS offices in person to complete all formal steps of the asylum process as well as to obtain information and assistance filing outstanding documents. However, relegating the first step of the asylum procedure to the digital realm has left asylum seekers on their own to navigate the complicated process of claiming asylum — including all of the challenges specific to the Greek procedure.

The COVID-19 pandemic has further hindered contact with the GAS authorities. In a system which had already become increasingly digitalised, COVID further accelerated the Greek government's extant measures to dematerialise asylum procedures.⁸⁷ Due to the necessity of limiting in-person contact during the early stages of the pandemic, all GAS offices were closed for 11 weeks, which in turn significantly limited asylum seekers' ability to get in contact with Greek authorities.⁸⁸ The asylum offices briefly reopened until the second nation-wide lockdown,⁸⁹ at which point the offices could only be accessed by appointment or in the event of an important deadline, such as the appeal of a rejection. All other non-essential procedural deadlines were extended in this period, further delaying the process of submitting an asylum claim. Even as GAS offices have reopened, in-person contact with GAS officials remains limited because many GAS employees have continued to work remotely and an appointment is still required to access the offices in person in most cases.

[85] Ibid.

[86] Asylum Information Database, Digitalisation of asylum procedures: risks and benefits (2021), 24

[87] Asylum Information Database, Digitalisation of asylum procedures: risks and benefits (2021)

[88] 'Greece: Asylum service reopens after 11-week pause' (InfoMigrants, 19 May 2020)

<<https://www.infomigrants.net/en/post/24843/greece-asylum-service-reopens-after-11week-pause>> accessed 16 June 2022

[89] The second lockdown lasted from November 2020 to May 2021.

In the spring of 2022, the GAS offices created an infopoint which now enables asylum seekers to visit the office for assistance without an appointment as long as they have a valid vaccination certificate or negative COVID test. However, even with this positive development, obtaining access to GAS offices remains difficult: asylum seekers have to spend hours waiting in line, and even then they may be denied access for lacking certain paperwork or failing to present a valid COVID certificate or rapid test. Moreover, unregistered asylum seekers are often unable to access health services in order to receive a COVID test or vaccination. Asylum seekers with vulnerable status are generally granted greater access to the asylum office without having to make appointments in advance, however, they face the same challenges in obtaining assistance to establish their vulnerability status in the first place.



Asylum seekers wait outside of a GAS office on a hot summer day in Thessaloniki (2022)

Credit: ELA

Further limiting all asylum seekers' access to in-person support at the asylum offices is the fear of pushbacks without consideration of the risks they might face after refoulement and without any possibility to apply for asylum. While pushbacks most often occur at the land border shared with Turkey, they have also taken place through the arrest and planned deportation of undocumented asylum seekers who are in the process of making their asylum claim.⁹⁰ During such pushbacks, there have been many instances documented of police taking and destroying asylum seekers' possessions, including cell phones.⁹¹ As a result, people may face the difficulty of not having an internet-enabled device to pursue their asylum case if/when they make it back to Greece.

[90] In the spring of 2020, for example, there were reports of undocumented persons in Diavata refugee camp and the Drama Paranesti Pre-removal Detention Centre in the region of Thessaloniki being summarily removed and pushed back into Turkey.

[91] Human Rights Watch (HRW), "Their Faces Were Covered: Greece's Use of Migrants as Police Auxiliaries in Pushbacks", 7 April 2022 <<https://www.hrw.org/report/2022/04/07/their-faces-were-covered/greeces-use-migrants-police-auxiliaries-pushbacks>>

Moreover, the Greek government's deportation policy and pushback practices have rendered the asylum system not only *de jure* but also *de facto* dematerialized since asylum seekers are now afraid to approach the Greek authorities in person. The fear of pushbacks has, according to another interviewee from MIT, led many asylum seekers to not only fear the police, but even fear waiting outside the asylum office.⁹² These fears are not unfounded – the new deportations and returns law (September 2021) has been criticised for aiming to accelerate migrant deportations. Undocumented asylum seekers who are transferred to pre-removal centres are indefinitely detained while awaiting deportation without access to the asylum procedure.⁹³

The obstacles to visiting asylum offices have often left asylum seekers with no choice but to attempt to remotely contact the GAS through phone or email. Case workers and lawyers from several Greek and international NGOs interviewed stated that in practice they rely on contacting GAS officials through email to complete key procedural steps such as pre-registering asylum claims or having an asylum seeker's vulnerable status formally recognized. Multiple interviewees expressed that asylum seekers are more likely to get a digital response from GAS if they contact them through a lawyer. However, even lawyers report that they infrequently receive responses from the Greek Asylum Services; in the vast majority of cases, they fail to either answer the phone or respond via email.

"It's not a matter of 'delayed', it's a matter of not answering people."

CASEWORKER, MOBILE INFO TEAM⁹⁴

In sum, the ineffectiveness of digitised asylum services, such as Skype and the GAS online platform, combined with restricted access to asylum offices and a lack of responsiveness by GAS, has left many asylum seekers stranded. As a consequence, asylum seekers have become more dependent on legal aid and NGO services than ever before.

[92] Interview with Corinne Linnecar, Mobile Info Team (31 January 2022)

[93] Anadolu Agency, "Greece's Deportations and Returns Law comes into effect despite criticism", 08 September 2021
<<https://www.aa.com.tr/en/europe/greece-s-deportations-and-returns-law-comes-into-effect-despite-criticism/2358953>>

[94] Interview with Valentin Scholl, Mobile Info Team (8 February 2022)

D. Administrative Updates and Requests: the Virtual GAS Platform

Since the start of the pandemic, asylum seekers have been encouraged by the Greek Asylum Service to use the online platform provided on the GAS website (in English and Greek) for all procedural actions. However, while asylum seekers can use the GAS online platform to conduct certain routine administrative procedures, the functionality of the platform is quite limited in practice.

The GAS online platform enables asylum applicants and registered asylum seekers to update their contact information (phone number and home address) and personal data⁹⁵, set an appointment at the regional asylum office, renew their asylum seeker cards, submit supplemental documentation, access the electronic self-registration form, apply for legal aid, request copies of one's personal file, request to disjoin asylum applications, request a statement of application status, request to postpone or expedite one's asylum interview date, and request a notification of being allocated a provisional social security and health care number. Providing a way to complete these administrative actions without having to physically attend the regional asylum office is theoretically a positive development which can enable greater efficiency and transparency in the asylum process. However, as has been the case for other elements of the asylum procedure, such digitalisation only represents progress when it properly functions and is used to enhance rather than obstruct access to asylum.

In the case of the online platform, many of the functionalities offered do not operate in an efficient or timely manner, if they operate at all. For example, there is often a very long delay before information submitted on the platform is processed, which can cause major complications in the case of updating one's personal contact information. If a new mailing address is not processed when an asylum decision is made, the decision may be mailed to an old address causing the asylum seeker to never be notified and irrevocably miss their appeal deadline in case of a negative decision. Moreover,⁹⁷ the platform itself is not constructed to handle files of a small to moderate size, despite it being promoted as the primary means of submitting official documentation to asylum authorities. This results in long waiting times when uploading required documents, such as medical documents verifying an applicant's vulnerability status.

Furthermore, certain administrative functions are conspicuously missing from the GAS platform. This entirely administrative procedure currently must be done through the time-consuming process of email, where it is notoriously difficult to receive a response, or by attending the asylum office in person, where it is likewise difficult to gain entry without an appointment. The transcript is an essential document for asylum seekers and, notably, their legal representatives to review when filing an appeal against a negative first instance decision. As such, the time taken to request and receive interview transcripts cuts into valuable time needed to compose and submit a thoughtful appeal within the legal deadline.

[95] <https://applications.migration.gov.gr/en/ypiresies-asylou/>

[96] As of June 2022, the link to update personal data on the platform was not active.

[97] Interview with Athina Kalogridi, ELA (17 February 2022)

In any case, the digitisation of asylum procedures and communication with Greek asylum authorities has promoted efficiencies in some respects, such as being able to complete certain simple administrative transactions without waiting in long lines at the asylum office. However, these are far outweighed by the severe inefficiencies of such digital services, which hinder access to the asylum procedure in the first place. Asylum seekers have to be literate and able to access an internet-enabled phone or computer to complete administrative tasks or schedule an in-person appointment with the GAS to move forward with their asylum application. Moreover, because of the high demand, these appointments often have to be scheduled far in advance. These changes - taken together with the prolonged closure of the asylum offices to the inefficiency of the online platform insisted upon by the GAS - have prevented countless asylum seekers from submitting their asylum claim and thus left them in the highly vulnerable situation of being at worst, legally undocumented, and at best, lacking access to the fundamental rights and entitlements of legal asylum seekers.



An unaccompanied minor who is trying to apply for asylum on Skype without any success, surrounded by social workers from an NGO, July 2021.

Credit: Regis Defurnaux

V. CONSEQUENCES OF DIGITALISATION

A. Impact on fundamental rights

The right to seek asylum is an “enabling” human right in that the ability to secure other fundamental rights is contingent on being able to lodge a claim for asylum first. Accordingly, persons with the legal status of asylum seeker are guaranteed a far more robust entitlement framework from their receiving country than those who have yet to complete the process of applying for asylum.

EU law stipulates a minimum standard of reception conditions for asylum seekers in Directive 2013/33/EU, transposed into Greek law by the IPA, which obliges the state to “secure an adequate standard of living for asylum seekers that ensures their subsistence and protects their physical and mental health, based on the respect of human dignity.” This⁹⁸ includes, *inter alia*, medical screening, schooling,⁹⁹ employment¹⁰⁰ and a¹⁰¹ myriad of material reception conditions such as housing. However,¹⁰² these standards only apply to those who have submitted an application for international protection – the Greek government¹⁰³ has no legal obligation to grant these entitlements to those who have not lodged their asylum claim.

As a consequence, by obstructing access to the asylum procedure the Greek state is simultaneously excluding prospective asylum seekers from the benefit of an essential protective legislative framework. Individuals are left vulnerable to homelessness, immobility, food insecurity and health risks because pre-registering an asylum case has been rendered, at best, severely delayed and, at worst, practically impossible.

One asylum seeker interviewed, a subsequent applicant who had been transferred from Lesbos to Thessaloniki for medical reasons, was forced to occupy substandard housing while waiting for his claim to be pre-registered via Skype. He described his small apartment premises as lacking beds, potable water, and locks on the doors. To keep the room cool he leaves the windows open, which allows mosquitos to enter at night. Moreover, he is hosting another asylum seeker in need of a roof over his head. Living in said accommodation worsens his health conditions, which need to be confirmed by another medical professional before he can claim vulnerable status with the GAS in Thessaloniki to bypass Skype pre-registration.

[98] Art. 55 (1) IPA, transposing article 17 (2) of the (recast) Reception Directive. IPA (eng.) found at: <https://asylumineurope.org/reports/country/greece/reception-conditions/access-and-forms-reception-conditions/criteria-and-restrictions-access-reception-conditions/>

[99] Article 13 Directive 2013/33/EU

[100] Article 14 Directive 2013/33/EU

[101] Article 15 Directive 2013/33/EU

[102] Article 16 Directive 2013/33/EU

[103] Article 2(b) Directive 2013/33/EU

"Without proof of documentation, nothing is available to you."
 SENIOR LAWYER, ELA¹⁰⁴

One organisation interviewed stated that those without official papers from the government were granted access to food, shelter, and medical services at the government hosting sites, however, many other sources confirmed that being undocumented bars individuals from accessing basic services or gaining lawful employment.¹⁰⁵ Furthermore, the cash assistance¹⁰⁶ program offered by the Greek government is only available to registered asylum seekers. Accordingly, in the absence of means to provide for oneself or regularly access monetary assistance, unregistered asylum seekers are pushed into desperate and highly precarious situations susceptible to human trafficking, modern slavery, and sexual exploitation.¹⁰⁷ Moreover, individuals with an irregular legal status remain at an increased risk of arrest, arbitrary detention and push-backs.¹⁰⁸

The COVID-19 pandemic brought the inadequacy of this system into sharp focus. A social security number is necessary to benefit from free access to the Greek healthcare system in non-emergency situations. While asylum-seekers are given a provisional insurance number when they receive their international protection seeker card ("white card"), those who have not been able to register, which can take many months, do not benefit from free access to healthcare. Consequently, with the start of the pandemic in March 2020 unregistered asylum seekers faced significant barriers not only in accessing medical care, but also in accessing the GAS offices to proceed with their application. Since a negative COVID test result was mandatory to enter the premises until June 2022, asylum applicants could not access the GAS office for the asylum application (registration) appointment unless they were able to pay for their own COVID test. This led to a catch-22: undocumented asylum seekers could not access health services to receive a COVID certificate because they did not have an asylum seeker card, but they could not access the GAS office to be registered and obtain their asylum seeker card without a COVID certificate.

[104] Interview with Athina Kalogridi (17 February 2022)

[105] John Psaropoulos, 'Greek Asylum Policies Creating Refugee Hunger Crisis: Aid Groups'

<<https://www.aljazeera.com/news/2021/12/3/greece-welcomes-refugees-to-camp-hunger>> accessed 22 May 2022

[106] 'Access to Cash Assistance' (UNHCR, n.d.) <<https://help.unhcr.org/greece/living-in-greece/access-to-cash-assistance/>> accessed 16 June 2022

[107] Mobile Info Team, Blocked from the System: Voices of People Excluded from the Asylum Procedure on Mainland Greece, Crete and Rhodes (May 2022)

[108] Interview with Corinne Linnecar, Mobile Info Team (31 January 2022); Greek Council for Refugees (GCR), 'Limited Access to the Asylum Procedure' (19 April 2016)

B. Reliance on Legal Aid & Administrative Assistance

Rather than making it easier for individuals to lodge a claim for asylum, the digitalisation of the asylum procedure in the mainland has left asylum seekers with less support from the Greek Asylum Service than ever before. Each element of the asylum process which entered into the digital realm – pre-registration, registration, administrative paperwork, and even general communication – has resulted in fewer opportunities for genuine interaction between asylum seekers and the GAS for support and guidance. In combination with the restricted access to the GAS offices due to the COVID-19 pandemic, digitalisation has forced asylum seekers to be almost entirely self-sufficient in navigating the asylum process. As such, those on the mainland have become increasingly dependent on acquiring external legal and administrative support from NGOs, international organisations and/or private lawyers to successfully lodge a claim for international protection.

"There is a desperate need for accessible sources of information [regarding the asylum procedure]."

PROGRAMS DIRECTOR, SECOND TREE¹⁰⁹

As a lawyer from the Greek Council for Refugees observed, for example¹¹⁰, asylum seekers who have been victim to trauma may not know that they fall into a special legal category and are entitled to specific treatment in the asylum procedure, such as being exempted from pre-registering through Skype. As such, if the asylum seeker is "not able to speak with an asylum officer about this, no one is going to find out that this person has a vulnerability since the person him/herself does not know that they are in a special category of protection under the law." Prior to the introduction of Skype and the GAS platform, vulnerable persons would submit their documents directly to GAS officials who could inform them of any missing documents and next steps to be taken. Now, however, legal aid organisations and legal professionals have to "fill in the gaps left by the lack of personal connection between applicants and GAS officials."¹¹¹

A Greek lawyer from ELA likewise observed that lawyers and social workers play a much larger role in the asylum process in mainland Greece today than in the past. A Greek law introduced in 2019,¹¹² for example, requires the assistance of a lawyer in submitting an appeal against a negative asylum decision. However, it is not always fast or easy for legal aid organisations to help asylum seekers. Legal counsellors representing asylum seekers, whether in official proceedings or informal emails, must obtain authorization from the asylum seeker which has been approved by the competent public authority (Citizen Service Center, KEP). Until a legal advisor obtains said certified authorization, they cannot represent the asylum seeker in any official capacity nor in their communications with the GAS. Such formalities, while positive in providing safeguards against fraud, can have the effect of further delaying asylum applications especially as it has been reported that the GAS is much more likely to respond to a lawyer than an asylum seeker him/herself via email.

[109] Interview with Holly Dawson, Second Tree (16 February 2022)

[110] Interview with Agapi Chouzouraki, Greek Council for Refugees (18 January 2022)

[111] Ibid.

[112] Law 4636/2019 "on international protection and other provisions", available at: <https://bit.ly/2Q9VnFk>

"All asylum seekers need a lawyer or a social worker to access the system [in practice]."

LEGAL ADVISOR, IRIDA WOMEN'S CENTER¹¹³

Digitalisation has not only promoted reliance on external legal assistance by limiting interaction with the GAS. The opaque and often-changing nature of digitalised procedures have also made the system too complicated for asylum seekers to effectively navigate on their own. The constantly changing Skype language schedule, or the ambiguous introduction of the self-registration form in only two languages with little instruction are examples of this, as are the changes in the pre-registration procedure announced in November 2021 and the variable practice of accepting police notes in lieu of pre-registration. As one interviewee from MIT said, "Uncertainty is at every step of the procedure...There are a lot of rules but everything is always possible." This interviewee attested that the procedure was often not even clear to those organisations working on the ground and that the types of responses given by the GAS are highly variable. "You always have to adapt, you just try and see and adapt." This is an approach that can be taken by a legal representative or case worker who understands how to overcome roadblocks encountered in the asylum process – it is not something an asylum seeker would be capable of doing on their own.

"You shouldn't need someone with legal expertise to do this... they [the GAS] are putting a lot of responsibility on people submitting their own claims, which is unfair because they don't understand what evidence is required and so forth...it's the Greek government's responsibility to do that."

EMPLOYEE, MOBILE INFO TEAM (MIT)¹¹⁴

C. Potential for Fraud and Extortion

Another drawback of relying on digitalised systems is that asylum seekers are more susceptible to being taken advantage of by bad faith actors who purport to have some special knowledge of the asylum procedure or offer to provide fraudulent "assistance" in the asylum process. There have been reports of such individuals posing as lawyers who claim they can help asylum seekers navigate the online system, only to scam them. There have also been fraudulent Skype services set up that claim they will help asylum seekers get a Skype pre-registration appointment if they pay a prescribed amount of money. The most notorious of these was a fake Skype line for Urdu speakers in Greece; by posing as Asylum Service staff, scammers would demand a fee of up to 500 euros for asylum seekers to complete their pre-registration.¹¹⁵ The amount of disinformation and desperation generated by the Skype pre-registration system, and the digitalised system in general, creates space for fraudulent outlets to take advantage of asylum seekers.

[113] Interview with Sotiria (Sara) Popa, Irida Women's Center (27 January 2022)

[114] Interview with anonymous employee, Mobile Info Team

[115] Mobile Info Team, Lives on Hold: Access to Asylum on Mainland Greece, Crete and Rhodes (2021)

D. Miscommunication and Data Privacy

Example: Digital miscommunication by GAS

Mariam* arrived in Greece years ago as an unaccompanied minor, along with her sister who was also underage. After going through the arduous process of applying for asylum, including the asylum interview, she continuously checked her email for a response from the GAS, but to no avail. When she went to the their offices to renew her asylum seeker card, which must be done every six months, she was told that her asylum application had been rejected. However, the decision had been sent by GAS to her sister's email address rather than Mariam's. Since Mariam is from a Greek-government declared "safe" country, by law she has only 20 days to appeal this negative decision ; since she had never been notified by GAS of the rejection, she had missed this deadline by months. A GAS employee, in an attempt to help her, sent Mariam an online application to apply for state-appointed legal aid. Mariam received the application and a registration number, and then was invited to sign an appeal drafted by the state-appointed lawyer.

It was only when an ELA lawyer went to the GAS office with Mariam that they discovered that GAS had sent her rejection to her sister's email address. However, since Mariam had already applied for free legal aid, the asylum authorities implied that she had received the email with the rejection decision. She thus unknowingly waived her right to challenge the original decision because the state-appointed lawyer had already filed a subsequent application for her. Despite the GAS employee's well-meaning intentions to have Mariam submit a request for free legal aid, this ended up making things worse, thereby demonstrating the dysfunction that accompanies electronic asylum procedures in Greece.

*name changed to protect client's identity

As the above situation illustrates, vital information from GAS may be sent to incorrect email addresses or end up in spam folders, thus causing asylum seekers to be uninformed of crucial decisions in their asylum procedure.

In addition, the Microsoft Office networks used by GAS are very open and insecure, and there are no procedures in place to safeguard personal data. Applicants are often not informed of the way in which their data will be processed or how it will be used; "even case workers cannot answer this question."¹¹⁶ This is despite substantial safeguards on personal data under Article 8 of the EU Charter of Human Rights and the EU's General Data Protection Regulation (GDPR). In a series of interviews and surveys conducted at a refugee camp in Greece, researchers found that data privacy is highly valued by refugees, but that institutions collecting data on refugees and asylum seekers often fail to adequately protect sensitive information.¹¹⁷

[116] Interview with Minos Mouzourakis, Refugee Support Aegean (28 January 2022)

[117] Data & Society Research Institute and Harvard Humanitarian Initiative, Refugee Connectivity: A Survey of Mobile Phones, Mental Health, and Privacy at Syrian Refugee Camp in Greece ((March 2018)

VI. REASONS DIGITALISATION HAS FALLEN SHORT

The failure thus far of digitalised procedures to improve the asylum process in mainland Greece can be attributed to various factors, including, but not limited to, inadequate Greek government infrastructure, Greek government policies, and barriers to asylum seekers accessing digital technology.

A. Greek Government Infrastructure

A primary impediment to the efficient functioning of the digitised asylum system in Greece is a lack of adequate Greek government infrastructure to support these changes. Firstly, the GAS is relatively new as an independent entity, as it used to be part of the Hellenic Police until 2011. GAS employees, rather than being directly hired, are typically transferred from other Greek public sector services on a temporary basis, indicating that the Asylum Service is approached as an ad-hoc rather than a permanent solution. As a result, the Service¹¹⁹ is often poorly organised.

Between 2015 and 2021, Greece received 3.2 billion Euros of EU funds to go towards migration matters, including border management.¹²⁰ So while EU funding to Greece is significantly less today than it was five years ago at the height of refugee arrivals in the country, "there is still sufficient funding to provide basic services."¹²¹ For the period of 2020-2027 the European Union has allocated 1 billion Euros for migrant and refugee support programs in Greece.¹²²

As for the replacement of the Skype system with in-person registration at RICs, "None of the current RICs have the capacity to handle all of the asylum seekers in the country [on the mainland]", which raises questions as to why the Greek government would overwhelm existing infrastructure rather than working to improve the Skype system.¹²³ Given the high costs of constructing an RIC, "you know Greece has the money [to improve the asylum system], it's just a matter of how they choose to spend the money."¹²⁴

[118] Law 3907/2011 established the Greek Asylum Service as the first autonomous structure in the country that deals with the examination of international protection applications. Available at: <https://migration.gov.gr/en/gas/plirofories/>

[119] Law 4375 on the organisation and operation of the Asylum Service, available at: <https://www.refworld.org/pdfid/573ad4cb4.pdf>

[120] European Commission, Managing Migration: EU Financial Support to Greece (January 2021)

[121] Interview with Themis Tzimas, ELPIDA (1 February 2022)

[122] 'Greece: Significant Cuts to Refugee Funding | European Website on Integration' <https://ec.europa.eu/migrant-integration/news/greece-significant-cuts-refugee-funding_en> accessed 19 June 2022

[123] Interview with Liam Siry, Mobile Info Team (7 February 2022)

[124] Interview with anonymous employee, Mobile Info Team

"[A lack of] printer ink is not a good excuse to get out of [providing basic asylum services]."

EMPLOYEE, MOBILE INFO TEAM (MIT)¹²⁵

Secondly, the digital infrastructure in Greece is also sorely lacking. Purchasing data for a mobile device is very costly, meaning most asylum seekers rely on free wifi. Wifi networks are often weak and unreliable, especially in refugee camps, and there is a lack of publicly available internet. This makes it extremely difficult for asylum seekers to keep up with the digitised portions of the asylum procedure. Many steps of the process, including accessing emails, are difficult to complete on low-quality smartphones, but a lack of desktop computers in camps and public spaces further bars asylum seekers from the system. The overall lack of sufficient internet infrastructure in Greek provinces forces asylum seekers who own phones to choose between using limited bandwidth to contact their families back home or spend valuable data on procedural and legal aid.

"There is the potential for the Greek government to do more than it is currently doing."

CASEWORKER, MOBILE INFO TEAM (MIT)¹²⁶

B. Greek Government Policy

However, the shortcomings of digitalisation cannot be attributed solely to inadequate Greek government infrastructure. Greek government asylum policies combine a lack of political willpower to help asylum seekers after years of being on the front lines of Europe's refugee response with seemingly intentional tactics to set people up for failure. The conservative government that came into power in 2019, as mentioned earlier, has very publicly declared its aim to reduce the number of asylum seekers in Greece. The Covid-19 pandemic provided easy cover for a number of government policies that restricted access to the asylum procedure under the guise of public health measures.

With the recent refugee crisis unleashed by the Russian invasion of Ukraine, a 'two-tier'¹²⁷ refugee system has been put in place by the Greek government. Ukrainian refugees in Greece have an independent and user-friendly online process to seek protection and have been given swift access to healthcare, employment, housing, and cash assistance. In contrast, violent pushbacks at the Evros border region have continued for asylum seekers of other nationalities, and the asylum process remains extremely difficult to navigate. The "response to those fleeing Ukraine shows that providing humane conditions and protection for people seeking safety is a matter of political will," and not just a matter of resources.¹²⁸

The Greek government's introduction of a new digital platform to pre-register asylum claims in late July 2022 has the potential to improve access to the process for all asylum applicants, however the impact of this platform remains to be seen.

[125] Interview with anonymous employee, Mobile Info Team

[126] Interview with Liam Siry, Mobile Info Team (7 February 2022)

[127] GCR, Oxfam, and Save the Children, Greece: A two-tier refugee system (3 May 2022), accessed at <<https://reliefweb.int/report/greece/greece-two-tier-refugee-system>>

[128] Ibid.

As of September 2022, there were already no appointment available for first-time registration until November 2023 on the newly implemented platform, raising serious doubts on whether or not it can actually improve access to asylum or further hinder it.

"People start fearing the institutions that grant protection, even fearing waiting outside the asylum office. Fewer people apply for asylum because they fear the process, not because there's no longer a refugee crisis."

FIELD COORDINATOR, NORTHERN LIGHTS AID¹²⁹

C. Digital Barriers for Asylum-Seekers

When government shortcomings meet digital barriers, the results can be frustrating and even devastating as asylum seekers struggle to gain legal status in Greece. A lack of digital literacy, high costs of mobile data, slow wifi, reliance on phones for complicated procedures like submitting documents, etc. all form formidable barriers to accessing asylum, even for educated and less vulnerable persons. Digital barriers are even more pronounced for vulnerable asylum seekers, who are most in need of individualised attention.

As continually emphasised throughout this report, there are ample digital barriers for asylum seekers that hinder the effective implementation of digitalisation efforts in the Greek asylum system.

"Persons who don't have any tech skills, who are illiterate or come from areas with no or limited access to the internet and educational opportunities have the hardest time [accessing the asylum system], especially women and elderly people."

LEGAL AND ADVOCACY OFFICER, GREEK COUNCIL FOR REFUGEES (GCR)¹³⁰

[129] Interview with Alexandra Zosso, Northern Lights Aid (3 February 2022)

[130] Interview with Agapi Chouzouraki, Greek Council for Refugees (18 January 2022)

VII. CONCLUSION AND POLICY RECOMMENDATIONS

The digitalisation of the Greek asylum process is a prime example of how supposed modernisation tools can actually serve as barriers to asylum seekers. The way the digital means of communication are implemented are faulty at best, intentionally unworkable at worst. Providing so few Skype appointments per week, for instance, made it virtually impossible for people to register. Yet, the system was abolished under the premise that people were evading registration,¹³¹ which could not be farther from the truth for the vast majority of those seeking international protection, as evidenced in this report. Additionally, the reliance on digital tools in the form of self-registration or the application platform compound the current system in a way that cannot be deemed as “an effective opportunity to lodge [their application for international protection] as soon as possible.”¹³² It is thereby a violation of Art. 6 (2) Directive 2013/32/EU. What is more, by making the process unworkable, individuals are severely hindered at exercising their right to seek asylum as enshrined in international and EU law.

Furthermore, the digitalised process requires digital literacy and access to technology that asylum seekers may not possess. This increases reliance on third-party actors who are already working under strained conditions. It should not be a lawyer’s, case or social worker’s job to also function as an internet café, a technology assistant, and an interpreter. Yet, this is the position they are increasingly put in. By placing additional hurdles in the way to access and successfully navigate the asylum procedure, the Greek government ensures that fewer people will be successful. So, while “digitalisation is not bad in and of itself [...] the risks associated with the process are.”¹³³

More generally, the interviews demonstrated that the Greek asylum system is characterised by vastly differing local and constantly changing practices, which make it difficult even for those working in the field to stay abreast of all new developments. Digitalisation thus only adds to the disarray. Based on the present research, this diversity in practice does not seem to be a fluke but rather done intentionally to complicate the system.

[131] Helena Smith, ‘Refugees Forced to Claim Asylum in “Jail-like” Camps as Greece Tightens System’ The Guardian (1 December 2021) <<https://www.theguardian.com/global-development/2021/dec/01/refugees-forced-to-claim-asylum-in-jail-like-camps-as-greece-tightens-system>> accessed 22 May 2022

[132] Art. 6 (2) Directive 2013/32/EU

[133] Interview with a person working at the Danish Refugee Council (29 December 2021)

The Greek government has seemingly instrumentalized digitalisation to further its own policy goals, which are aimed at deterrence and decreasing migration numbers. As one of the interviewees noted, the Greek authorities do their best to never obstruct the right to asylum in theory. Yet, they do everything to make it as difficult as possible in practice. Hence, "it is not a failure but rather an accomplishment of a goal of the system."¹³⁴ By making access to and navigation of the asylum process harder through technology, the Greek government is artificially reducing the number of asylum seekers who successfully gain international protection.

In the end, the Greek government must reflect on its international and EU law obligations, which clearly stipulate the access to a fair asylum procedure and the upholding of certain material reception conditions.¹³⁵ The current situation falls systemically short of that. In the end, the words of UN Secretary-General António Guterres should act as a reminder: "We can't deter people fleeing for their lives. They will come. The choice we have is how well we manage their arrival, and how humanely." Thus, the following policy recommendations are proposed to transform the status quo into a situation that upholds the relevant legal standards.

Policy Recommendations:

"Surely digitalization is not a bad thing, it can be faster and so on...but you have to ensure access of the beneficiaries to the service."

LEGAL OFFICER, IMMIGRANT INTEGRATION CENTER OF THE COMMUNITY CENTER OF THE MUNICIPALITY OF THESSALONIKI (KEM)¹³⁶

TO THE GREEK GOVERNMENT

1. Re-introduce a way to apply for asylum outside the RICs
 - a. The November 24 circular issued by the Migration Ministry must be followed by a functioning alternative to ask for asylum, preferably outside of the RICs
2. Improve access to digital infrastructure
 - a. Invest in digital infrastructure and sufficient workforce and training for GAS
 - b. Ensure that asylum seekers have the necessary tools to access the digital environment
 - i. Create designated spaces within government buildings where the public can access the internet, computers, etc.
 - ii. Provide sufficient digital equipment in the RICs and camps (computers, wifi)
 - iii. Fund programs to increase digital literacy
 - c. Streamline the GAS platform (allow uploads of more pages etc.) and make online procedures accessible via smartphone

[134] Interview with Themis Tzimas, ELPIDA (1 February 2022)

[135] Karolina Lindholm Billing, '70th anniversary of the Refugee Convention – a legal instrument which remains as relevant today, when forcible displacement has reached record levels' (UNHCR, 28 July 2021)

[136] Interview with Eleni Tsousakou, KEM (15 February 2022)

3. Allow for analogue contact

- a. Keep the possibility for people to apply/inquire in person (for those who cannot access the digital procedure) even if they have an email account¹³⁷

4. Use digitalisation as a tool for empowerment of AS rather than exclusion

- a. Digitalisation can be used to make the asylum procedure more accessible, for example by providing registration and other important information in a wide array of languages for which translators may not typically be available in GAS offices
- b. Provide more access to digital education and online extracurricular and language classes for asylum seekers¹³⁸

5. Harmonise procedure and practice

- a. It is imperative to refrain from frequently making changes in the procedure. Rather, asylum procedures and practices should be consistent and standardised irrespective of GAS locations or staff.

6. Independent monitoring authority

- a. The already-existing Greek Ombudsman must fulfil its mandate and intervene in this matter to ensure digital tools do not hinder the right to asylum.¹³⁹

7. More transparency on the implementation of the system (for civil society, NGOs, beneficiaries) and better access to information

a. NGOs, civil society, and asylum seekers themselves are kept in the dark about the Greek asylum system. The Greek government must ensure that all groups are well-informed of any changes to the asylum procedure and aware of how to register an asylum claim using digital means, rather than limiting public information

TO THE EUROPEAN UNION

1. European bodies such as the European Commission, UEAA and the Fundamental Rights Agency (FRA) should provide clearer guidance to Member States on the use of digital tools in asylum procedures
2. Alleviate stress on Greece and other countries of first arrival in the EU by revising and/or scrapping the New Pact on Migration and Asylum and the Dublin procedure
3. Stop investing in border policing in Greece and use EU funds to invest in asylum access and digitalisation tools instead

[137] For example in France, the Council of State ruled in a decision of June 3, 2022 concerning the establishment of an online service for submitting residence permit applications that "For certain particularly complex and sensitive, the text which imposes the compulsory use of a teleservice must provide for an alternative solution: this is the case for applications for residence permits" - <https://www.conseil-etat.fr/actualites/demarches-administratives-en-ligne-le-conseil-d-etat-fixe-un-cadre-general-et-se-prononce-sur-les-demandes-de-titre-de-sejour>

[138] IOM UN Migration, The Power of Digitalization in the Age of Physical Distancing: Strengthening social connections and community cohesion through the digital inclusion and connectivity of migrants

[139] "The Greek Ombudsman mission includes combating maladministration and mediating between State Agencies and the public, in order to provide assistance in the effective exercise of people's rights." 'The Greek Ombudsman' (Independent Police Complaints Authorities' Network) <<https://ipcan.org/members/the-greek-ombudsman>> accessed 19 July 2022

ANNEX I: LIST OF INTERVIEWS

Name	Organisation	Function	Date (d/m/y)
Anonymous	Danish Refugee Council	Employee with DRC Greece	29/12/2021
Erika Kalantzi	Danish Refugee Council	Senior Legal Aid Coordinator	12/01/2022
Agapi Chouzouraki	Greek Council for Refugees (GCR)	Legal and Advocacy Officer	18/01/2022
Hope Barker	Wave Thessaloniki	Co-Founder	24/01/2022
Sotiria (Sara) Popa	IRIDA Women's Center	Head of Legal / Senior Legal Advisor	27/01/2022
Minos Mouzourakis	Refugee Support Aegan (RSA)	Legal and Advocacy Officer	28/01/2022
Corinne Linnecar	Mobile Info Team (MIT)	Advocacy Officer	31/01/2022
Themis Tzimas	Elpida Home	Legal Coordinator and Lawyer	01/02/2022
Alexandra Zosso	Northern Lights Aid	Field Coordinator	03/02/2022
Liam Siry	Mobile Info Team (MIT)	Caseworker	07/02/2022
Valentin Scholl	Mobile Info Team (MIT)	Caseworker	08/02/2022
Eleni Tsaousakou	Immigrant Integration Center of the Community Center of the Municipality of Thessaloniki (KEM)	Legal Officer	15/02/2022
Holly Dawson	Second Tree	Programs Director	16/02/2022
Athina Kalogridi	Equal Legal Aid	Lawyer	17/02/2022
Judith Ballestín	Open Cultural Center	Field Coordinator	31/05/2022
Ruth Moore	Northern Lights Aid	Project Manager	01/06/2022
Akis Makrigiannis	Red Cross Multifunctional Center	Coordinator	01/06/2022
Valentin Scholl	Mobile Info Team (MIT)	Caseworker	02/06/2022

ANNEX II: INTERVIEW GUIDE

General Digitalization

- How would you describe the Greek digital infrastructure?
- Has your organisation seen first-hand the effects of dematerialization on the asylum process in Greece? (e.g. people you work with having an even harder time filing an asylum claim than previously)
- If yes, How would you describe this process? (What kind of dematerialization can you think of?)
- If not, what does dematerialization of the asylum procedure mean for you ?
- From your experience, what are the main obstacles for people to access the digital asylum procedure?
- Some issues we could bring up in specificity to ask about their effects: Language barriers, vulnerable groups, access to tech, data and privacy
- Do you see any benefits in the updated system (whether it be the digital cards, the online registration procedure etc.)?
- Based on your experience, to what extent do refugees have access to the Internet, either through mobile data, camp wifi, internet cafes, NGO offices/facilities, etc.?

Skype Procedure and Self-Registration Procedure

- How long have people you advised waited for their skype appointment? Is the Skype appointment a positive or negative opportunity for asylum seekers?
- How has the news that was released (cite date maybe) about the removal of the Skype process affected the asylum-seeking procedure?
- Have your clients or any other asylum seekers you work with/know of had difficulties in gaining documentation to regularise their status following self-registration? Such as the white card, health card/number, etc.
- How long has it taken for asylum seekers to hear back from GAS after registering their application?
- Have asylum applications had sufficient information regarding the date/time/location of their future interview with the GAS?
- Have you heard of specific instances of skype fraud or other fraudulent asylum assistance services?

Asylum Process

- What are the most pressing challenges for asylum seekers in Greece?
- What other barriers do they face when going through the asylum process?
- How are vulnerable people treated ? Can they get access to a different treatment?
- What makes interacting with the Greek authorities particularly hard?
- Are there numbers to call or offices to go to ? If so, do people pick up the phone/let you into the building?
- What kind of problems do people encounter during the registration process?
- Are there any European countries with better asylum procedures that you think could be easily replicated in Greece?
- After the initial registration, the full registration seemed to be possible both in person or online- is this still the case?

- If yes, what pros and cons do you see for both the digital and in-person option?
- Have you seen cases where change of phone numbers during the process has caused (significant) issues for the procedure?

Human Rights

- How would you describe the overall effect of these new measures (skype, digital card etc.) on asylum seekers' human rights ?
- What specific rights are at stake through this digitalization (in your opinion)?

Conclusion

- Is there anything else you would like to add that we have not covered?
- Do you know any other individuals/organisations/asylum-seekers we can speak to for more information about this issue?

Please write to contact@equallegalaid.org for any enquiries regarding this report.

