

URGENT ACTION

MIGRANT CHILDREN AND ASYLUM-SEEKERS STILL DENIED HEALTHCARE

The Greek government issued a new decision on 31 January granting a 'temporary number for insurance and healthcare' to asylum seekers, providing access to free public health care and the labour market while they wait for a decision on their claim. While implementation remains to be seen, this welcome decision fails to address the situation of children of irregular migrants and asylum-seekers that have not managed to complete a formal application.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*Mr Giannis Vrotsis, Ministry of Labour and Social Affairs
29, Stadiou, PC 10110
Athens, Greece
Email: ypourgios_erg@yeka.gr*

Dear Minister,

I would like to welcome the recent decision by your government to grant asylum-seekers with a 'temporary number for insurance and healthcare for third-country nationals' (PAAYPA), providing access to free public health care and the labour market while they wait for a decision on their claim.

However, this new decision does not solve the situation of thousands of children of irregular migrants and of certain categories of asylum-seekers, for instance those who have not managed to register their asylum applications. These people's life and health remains at risk as they are excluded from accessing free healthcare and medicines in the public health system. There is still a lack of clarity about some practical aspects of the system, including the timeframe of its implementation.

While the Greek Law 4368/2016 grants free access to healthcare to members of "vulnerable social groups", including refugees, asylum-seekers and minors irrespective of their legal status, they can only exercise this right if they have a Social Security Number (AMKA) or a special Foreigner's Health Care Card (K.Y.P.A). Following the decision to withdraw the circular that regulated the AMKA for non-Greek nationals in July 2019, and the lack of a process to grant K.Y.P.A cards, there was no procedure in place to grant free access to healthcare to people who fall within these categories. This recent decision implements the alternative for asylum-seekers provided for in the new Asylum Law of November 2019, the PAAYPA, however, it does not cover children of irregular migrants and excludes certain categories of asylum-seekers.

In view of the above, I urge you to take immediate action to ensure that all asylum-seekers, from the moment they express their wish to apply for asylum, as well as unaccompanied children and children born in Greece from parents with an irregular migration status, can access free healthcare in the public system, as mandated by Greek Law 4368/2016.

Yours sincerely,

ADDITIONAL INFORMATION

Greece is one of the main recipient of asylum-seekers, refugees and migrants coming to Europe. Since 2015, with migratory flows increasing and the lingering effects of the economic crisis, the Greek asylum and welfare systems have been under constant strain. While Greece deserves commending for its efforts, and we must recognise EU's policies failure to provide meaningful support, asylum-seekers, refugees and migrants currently in Greece live in often abysmal conditions and, on the long term, have little or no access to the social system or integration paths. With sea arrivals increasing in mid-2019, the population on the Aegean islands has reached record numbers, with 42.041 people present as of 6 January 2020, compared to only 17.034 on 6 July 2019. Despite the new government's efforts to reduce arrivals and move people to the mainland, overcrowding and appalling conditions in the camps are still routine.

Insofar as the access to healthcare is concerned, Greek Law 4368/2016 (Article 33) provides free access to medical and pharmaceutical services to members of "vulnerable social groups", including refugees, asylum-seekers and minors irrespective of their legal status, including unaccompanied children and children without legal residence. According to the same law, individuals falling under Article 33 must have a Social Security Number (AMKA) to access free public healthcare. As of 2016, asylum-seekers and other members of "vulnerable groups" that do not fulfil the requirements for AMKA or do not have one, are entitled to a Foreigner's Health Care Card (K.Y.P.A) granting access to free healthcare in the public system. However, the process to grant K.Y.P.A. has so far remained inactive. With a decision of July 2019, the Ministry of Labour withdrew the circular that regulated how AMKA was to be granted to non-Greek nationals. Since then, there is no procedure in place to grant AMKA to asylum-seekers and children of irregular migrants. In October, it was announced that a new circular would regulate their situation, but to date it has not been issued.

The NGO MSF reported on the deterioration of the situation of their clinics in Lesbos, Samos and Athens, reporting how between July and November 2019, their Day Care Centre in Athens experienced a 'large increase in the number of patients seeking care without AMKA: from 18% of patients in January to 43% in November'. The Greek NGO Positive Voice, that deals with HIV patients, called on Greek authorities to grant access to anti-retroviral medications to non-Greek individuals, noting that 'in the first ten months of 2019, 43% of new HIV diagnoses in Greece concerned refugees and migrants (204 people)' and that 'Infections Units are unable to provide antiretroviral treatment to foreigners who do not have an AMKA, thus endangering their health and lives'.

A new Asylum Law passed in November 2019, tried to overcome the issue, providing that asylum-seekers would have access to public healthcare through a 'Temporary number for insurance and healthcare for third-country nationals' (PAAYPA). Irrespective of the new law, the PAAYPA system has until now been lacking practical implementation, exposing many to uncertainty and health risks.

In Athens, in November 2019, a Pakistani man with cancer was unable to undergo a CT scan or begin chemotherapy due to his inability to obtain an AMKA. He was eventually able to begin treatments thanks to a decision from the administration of the Hospital that he had accessed, which allowed him to receive treatments free of charge by way of exception.

With the 31 January decision, the PAAYPA system will start being implemented. However, the system already presents challenges, in that it fails to address the situation of children of irregular migrants and excludes asylum-seekers who have not completed the registration of their asylum claims. Pending its implementation, the effectiveness and feasibility of the system also remains to be seen.

PREFERRED LANGUAGE TO ADDRESS TARGET: English and Greek.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 25 March 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/eur25/1683/2020/en/>