

Deported to destitution

Refugee women remain undocumented four months after return from Sweden to Greece



In June 2022, Soraya* and Somaya*, two adult sisters, young single women from Afghanistan who had been recognised as refugees on the island of Samos in 2018 and both suffer from mental health problems and intense post-traumatic shock linked to their journey and previous stay there, were readmitted from Sweden to Greece on the ground that they already had protection there. Four months after their return, however, the two women remain undocumented and destitute due to the Greek state's protracted inability to deliver identification documents to refugees and to systemic deficiencies marring access to rights such as housing and social welfare. The two women are again exposed to danger and re-traumatisation, rendering their integration in society a distant, if not impossible, task.

Upon return to Greece, homelessness has been a certain outcome for Soraya and Somaya given the conditions facing returnees from other European countries. Chances of accessing shelters for the homeless are small and may take several months. Soraya and Somaya have to search in soup kitchens and solidarity networks to find food and clothes. The little help their elderly parents back in Sweden can provide them merely suffices to cover their expenses in phone credits to stay in contact with them. They cannot even register their Swedish COVID-19 vaccines in Greece due to the lack of valid identity documents.

Based on applicable practice in readmission cases, following brief detention at Athens International Airport upon arrival, Soraya and Somaya were released with no information or documentation beyond a short police note (υπηρεσιακό σημείωμα) instructing them to "appear before the Asylum Service within ten (10) days (Regional Asylum Office Piraeus, Navarchou Notara street 6) to collect travel documents [sic]."

"We escaped Greece after spending three months in the jungle of Samos camp and nine more months in a big camp far from Athens in the countryside. I had been harassed in the camp and my father suffered a stroke that remained undiagnosed and untreated, so we didn't feel safe. When camp authorities told us we had to leave the camp due to

our protection status we decided we had to leave Greece to find safety. In Sweden we lived three years with our family, we learned the language, I got engaged. Then the authorities there told us that Greece had wanted us back. They said in Greece we would have the same rights as in Sweden. We'd get housing and access to work. We were detained almost two months. Then they put us in handcuffs in the airplane. Upon arrival in Athens, a city we had never lived before, we spent two nights in detention. Then police told us to go. It's been four years I am in therapy and receive medication for my psychological problems. Being without any identity documents, far from our family, has worsened my condition", says Somaya.

Returnees navigate a maze to obtain a residence permit

Soraya and Somaya's case corroborates RSA's observations on the persisting lack of clarity as to the branch of the Asylum Service – among different Regional Asylum Offices (RAO) and Autonomous Asylum Units (AAU) – competent to issue the necessary documentation to people returned to Greece. The two sisters had never obtained a residence permit (*Άδεια Διομονής Ενιαίου Τύπου*, ADET) prior to their departure from the country. The RAO of Samos had issued them "ADET Decisions" in 2018 to approve the issuance of such permits, valid until April 2021. The ADET Decisions had thereby already expired by the time the women were deported back to Greece.

The RAO of Piraeus based in the Attica region advised RSA lawyers to file an application for renewal of the residence permits – even though no such permits had ever been issued – in order to obtain new, valid ADET Decisions for Soraya and Somaya. For its part, the competent branch office for renewals, the AAU for Beneficiaries of International Protection also based in Attica, received the application while warning that the mere uploading of renewal applications could take up to two months due to a substantial backlog of cases. Nearly a month later, the RAO of Samos explained that none of the above steps were needed to update the ADET Decisions, contrary to the view of the Attica offices. Soraya and Somaya eventually obtained their new ADET Decisions at the end of August 2022 but have not been allowed to use them to apply for their residence permits to date.

"Technical errors" leave refugees undocumented for months

Greek law requires the Asylum Service to issue identification documents in the form of an "asylum seeker card" (*Δελτίο Αιτούντος Διεθνή Προστασία*) to people seeking protection, including beneficiaries of international protection awaiting the delivery of their initial ADET. Yet, when they approached the RAO of Piraeus three days after their return to Greece in early June 2022, Soraya and Somaya were denied asylum seeker cards on account of a "technical error" at the Asylum Service. Instead, the RAO of Piraeus issued them a temporary "Asylum seeker certificate" (*Βεβαίωση αιτούντος διεθνή προστασία*) with no photograph and gave them a new appointment in July to receive their asylum seeker cards. The same "technical error" was invoked when the two sisters reappeared at the RAO of Piraeus for their new appointment, and at a subsequent appointment in September.

Greece's bureaucratic deficiencies have severe repercussions for many affected asylum seekers and status holders. Without a valid asylum seeker card, they cannot apply for an ADET, access health care or the labour market or even certify their signature to authorise a legal representative. RSA lawyers representing Soraya and Somaya have filed a related complaint with the Ombudsman, leading to a September 2022 intervention urging the Ministry of Migration and Asylum to take urgent and effective measures to resolve the issue.

The two women were told that there was a system error related to the issuance of their provisional health care number (*Προσωρινός Αριθμός Ασφάλισης και Υγειονομικής Περίθαλψης Αλλοδαπού*, ΠΑΑΥΠΑ). Consequently, they have now been given another "Asylum seeker certificate", and a new appointment for January 2023. They remain without any identification documents in the meantime.

The situation of beneficiaries of international protection in Greece raises critical questions regarding European countries' compliance with their human rights obligations. In spring 2022, Germany decided to refrain from returning recognised refugees to Greece and to process their claims on the merits, apart from exceptional cases. The Netherlands recently followed suit with a similar policy in September 2022. Yet, Sweden continues to forcibly return status holders to Greece, despite clear evidence of potent risks of destitution amounting to inhuman or degrading treatment and case law from courts throughout the continent.

** Names have been changed to protect the identity and privacy of the persons concerned*

For further information:

* RSA, The new "Cartoneros" of Athens, 14 July 2022

* RSA & PRO ASYL, Beneficiaries of international protection: Access to documents and socio-economic rights, 31 March 2022

* RSA, Recognised refugee returned to Greece, destitute, forgotten and undocumented, 4 March 2022

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Το παρόν υπηρεσιακό σημείωμα χορηγείται στην υπήκοο Αφγανιστάν (επ)
(ον) του και της γεν. στο
Αφγανιστάν (Αρ. Φακέλου) προκειμένου να παρουσιαστεί ενώπιον
της Υπηρεσίας Ασύλου, εντός δέκα (10) ημερών (Περιφερειακό Γραφείο Ασύλου
Πειραιά, οδός: Ναυάρχου Νοταρά 6) για παραλαβή ταξιδιωτικών εγγράφων.
Το παρόν έγγραφο, δεν κατέχει θέση τίτλου διαμονής στην Ελλάδα.

Η Λαβούσα

Ο Παραδοϋς

ΒΕΒΑΙΩΣΗ / Αρ. Υπόθεσης [redacted] Αρ. Ατομικού Φακέλου [redacted]



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Asylum Service

ΑΘΗΝΑ 22/09/2022

Αρ. Πρωτ.: [redacted]

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Θέμα: «Βεβαίωση αιτούντος διεθνή προστασία (άσυλο)»

Όπως προκύπτει από το αρχείο της Υπηρεσίας μας, η (Επ.) [redacted] (Ον.) [redacted] του [redacted] και της [redacted] με ημερομηνία γέννησης [redacted] και υπηκοότητα ΑΦΓΑΝΙΣΤΑΝ κάτοικος (Νομού) ΑΤΤΙΚΗΣ, (Δήμου) ΑΘΗΝΑΣ, (Οδού) [redacted] (Αριθμού) [redacted] κατά δήλωσή του, είναι δικαιούχος προσφυγικού καθεστώτος με την υπ. αρ. [redacted] απόφαση του ΠΓΑ Σάμου.

Προσήλθε σήμερα στην Υπηρεσία Ασύλου για να εκδώσει την κάρτα ασύλου πλην όμως δεν ήταν δυνατή η χορήγηση της λόγω τεχνικού προβλήματος.

Η ανωτέρω υποχρεούται να προσέλθει στις 12/01/2023 προσκομίζοντας την παρούσα βεβαίωση στο Περιφερειακό Γραφείο Ασύλου Πειραιά, προκειμένου να της χορηγηθεί η κάρτα Αιτούντος Διεθνούς Προστασίας.

Η παρούσα χορηγείται για κάθε νόμιμη χρήση.

Η Αν. Προϊσταμένη του Περιφερειακού Γραφείου Ασύλου Πειραιά
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