

## STATEMENT:

# Greece must fix its dysfunctional registration system which unlawfully detains asylum seekers and denies them access to fundamental rights

24 October 2024

In November 2023, Mobile Info Team (MIT) and Refugee Legal Support (RLS) published [a report](#) highlighting a number of serious deficiencies in the procedure for claiming asylum on the Greek mainland. One year later, together with Equal Rights Beyond Borders (ERBB), who have particular insight into the plight of people inside Malakasa RIC, we highlight the unlawful practices, delays and dysfunction that are depriving people of their legal rights. We once again call on the Greek State to overhaul this registration system, which forces people seeking international protection - including minors - to endure detention in remotely located camps with limited access to healthcare, support and basic necessities. Furthermore, many people are unable to access the registration system, due to the online platform being either unavailable or not providing appointments at Malakasa RIC, leaving people unprotected and unable to access their basic rights.

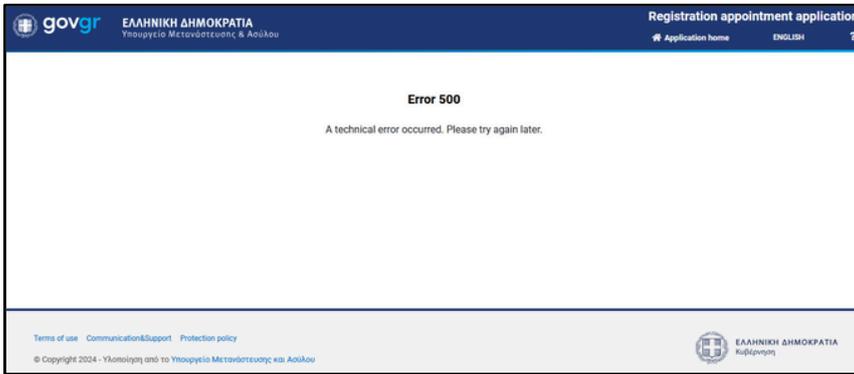
## PEOPLE DETAINED TO REGISTER CLAIMS FOR ASYLUM, PAST THE LEGAL MAXIMUM

In recent days, we have been contacted by people attempting to register their asylum claim at [Malakasa Reception and Identification Centre \(RIC\)](#) who have been de facto detained there for beyond the legal maximum of 25 days without having their asylum claim registered. We have examined documents evidencing an unlawful practice of issuing documents which restrict the liberty of people in the RIC after they have already been confined for weeks in the facility, meaning they have been detained illegally and without any possibility to appeal.

Moreover, we have received reports that translation is not provided for the documents restricting individuals' liberty, which are provided in Greek. Individuals reported that they felt compelled to sign these documents without the assistance of an interpreter, as they were informed by the camp authorities that their asylum claims would not be registered if they did not do so. Severe shortages of interpreters in camps and asylum offices have been ongoing since May this year, as highlighted in a previous civil society [statement](#).

## UNAVAILABILITY OF APPOINTMENTS TO REGISTER CLAIMS FOR ASYLUM

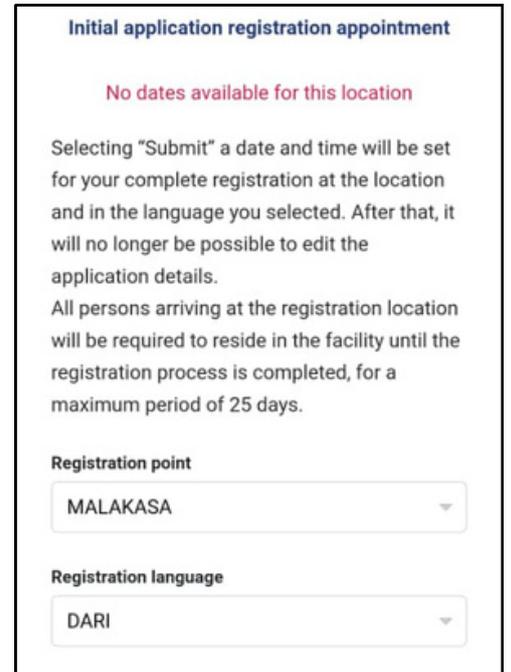
In addition to people in the camp being detained past the legal deadlines, the online platform to book appointments to register claims for asylum is not functioning consistently. Reminiscent of 2023 when the platform was unavailable for a continuous period of [three and a half months](#), a "technical error" has been shown in recent days, telling people to "try again later".



## Images of the Ministry’s online registration appointment system

**Left:** Error message displayed when attempting to access the online booking form for registration appointments at the RICs of Malakasa and Diavata, 24/10/24.

**Right:** “No dates available” message showing on online platform, 22/10/24.



Moreover, in recent weeks it has not been possible to book an appointment for registration at the Malakasa RIC even when the platform has been operational, as an error message declares there are “No dates available at this location”. One man from Afghanistan has attempted multiple times to book an appointment at Malakasa during October, however at the time of publication he is still unable to register his asylum claim and is street homeless, forced to sleep in parks in Athens. The functioning of the online platform was also interrupted during September. We have verified multiple reports of people in this limbo, for whom the online system does not provide appointments at Malakasa RIC, or does not load at all.

The Ministry has not published any announcement regarding the suspension of registration appointments at Malakasa nor any information on when they will resume. Whilst appointments at the Diavata RIC facility continue to be available when the online platform loads, many applicants cannot travel hundreds of kilometres north to register, due to the cost of transportation and the risks of apprehension by police while travelling without documents.

## ◆ NO PROTECTION OR ACCESS TO LEGAL RIGHTS, DETENTION AND INABILITY TO REQUEST FAMILY REUNIFICATION

The Greek authorities do not afford people waiting to book or attend a registration appointment the status of asylum seekers, thus excluding them from legal protection and reception conditions including accommodation, and depriving them of access to basic services such as healthcare.

Without documents proving their right to stay in Greece, people seeking asylum face possible arrest, detention or even unlawful removal from the country. In one case we are aware of, a man travelling to Malakasa RIC to register his asylum claim was apprehended by the Greek police and subsequently detained. At the time of publication, he remains in detention. He was only able to register his application for asylum after spending approximately three months incarcerated in a pre-removal detention centre, where conditions are extensively reported as inhuman and degrading and consistently denounced by the Council of Europe for serious violations of human rights.

Another unacceptable consequence of delays in registration, is that people waiting to register claims for asylum are unable to exercise their legal right to request family reunification, prolonging the separation of families. We are aware of people de facto detained in Malakasa RIC for approximately 50 days, who have been fingerprinted but still await full registration. As some EU countries calculate deadlines from the date of expressing the will to claim asylum, including fingerprinting, the delays in Greece's registration procedure cause people to lose time while deadlines are running and even risk missing the deadlines entirely, as family reunification cannot be applied for until registration is fully completed. While confined in RICs, people are unable to effectively understand their rights and access proper legal support, including for these complex procedures.

## ◆ DETENTION OF MINORS

Minors continue to be de facto detained during the screening procedure, both those who arrive in the RIC facilities with family members and unaccompanied minors. According to information received by ERBB, there are currently more than 100 unaccompanied minors in the Malakasa RIC, some of whom have been de facto detained there since the beginning of September.

Discussions between ERBB and minors in the camp indicate that many have not been appointed with a guardian, leaving them isolated from support and uncertain of their future, as well as unable to move forward with their legal procedures. Timely access to family reunification procedures is of prime importance for many unaccompanied minors, and the risk of missing strict deadlines as outlined above is of great concern if registration procedures are delayed.

## ◆ TESTIMONIES FROM ASYLUM SEEKERS IN MALAKASA

People we are in contact with report feeling imprisoned and frustrated at their prolonged detention in Malakasa RIC. Some have health conditions and explain they need access to medical care that cannot be provided in the camp. The physical conditions of the camp - including dilapidated accommodation containers infested with rodents and insects - have added to people's feelings of distress and frustration at their prolonged detention. One family shared the following testimony:

*"We are tired of being here. When we arrived in Malakasa the authorities said we would complete the procedure within 25 days, but we were asked to sign documents extending our stay in the camp. When I refused to sign the documents [extending the deprivation of liberty], they threatened to stop our papers. I feel like a prisoner here, I can't do anything.*

*My husband has health problems but he cannot access the healthcare he needs inside the camp and the camp management refused to send him to hospital. When we want to attend a doctor's appointment in the camp we have to wait for hours on end in areas which are exposed to all weather conditions.*

*On the first day we arrived in Malakasa camp, we were told we would receive mattresses, blankets, hygiene kits. In reality we have received almost none of this. The container we were given was in a very dilapidated state, full of rats and cockroaches. We spent the first night without blankets or pillows.*

*The camp is full of frustration. There is a general environment of uncertainty and people don't know what their fate is."*

## DEMANDS

The practice of prolonged detention of asylum seekers for the purpose of screening is particularly disturbing given that this is likely to become the standard procedure across the EU under the new Migration Pact. A number of concerns based on the existing practice in Greece were raised in a [joint policy paper](#) last November - including the risk of systematic prolonged de facto detention within screening centres, delays or non-implementation of vulnerability screenings, and substandard physical conditions in the facilities.

**We call on the Greek State to act according to its legal obligations, and:**

- Ensure uninterrupted access to the online platform and provision of appointments to register claims for asylum.
- End the deprivation of liberty of applicants for international protection for the purpose of reception and identification procedures.
- Recognise people as applicants for international protection and ensure full access to adequate reception conditions from the moment they request an appointment to register their claim for asylum, and provide them with documentation to evidence this status.
- Ensure that people who are eligible for family reunification, including unaccompanied minors, are registered without delay and the relevant actions are undertaken so as to ensure deadlines are not missed and families do not endure prolonged separation.
- Desist from detaining people before their appointments to register claims for asylum and ensure the immediate release of any such person from pre-removal detention centres.
- Ensure that the reception conditions in RICs are humane and meet the basic standards for dignified living, and people undergoing screening have adequate access to healthcare, psychosocial support, follow-up treatment and information regarding their legal situation and rights in a language they understand.



**Images provided by residents in Malakasa RIC, October 2024**

**Left:** people waiting outdoors to attend doctors appointments in Malakasa RIC.

**Right:** inside an accommodation container provided to a family seeking asylum in Malakasa RIC. The images show cockroaches in the kitchen sink and a large hole in the floor of the container.