



YOUR RIGHT TO APPEAL

If your application is rejected, or if you are granted a status of subsidiary protection and you believe that you should have been recognised as having refugee status, or if your international protection status is withdrawn, you have the right to submit an appeal to the Appeals Authority.

If you arrived after 20 March and were registered on one of the Greek islands, then the form of procedures is different. You have the same rights, but different procedures.

If you receive a rejection decision in the first instance, you should appeal. To register an appeal, go to the Regional Asylum Office which delivered the decision to you and fill out an appeal form.

On the mainland, the deadline to register an appeal within is **fifteen (15) calendar days** inclusively after the day you receive the notification.

On the islands, the deadline is **five (5) calendar days** inclusively after the day you receive the notification, including holidays and weekends.

Since the deadline is extremely short, unless you find a lawyer to assist you with it immediately, it is safer to register your own appeal as soon as possible after you receive the notification and then urgently seek an experienced asylum lawyer to assist you with it.

You should include at least some relevant reasons for your appeal on the form, if you decide to register your appeal by yourself before seeking a lawyer's assistance with it.

The grounds of your appeal may be that there are serious reasons to doubt the thoroughness

or impartiality of your interview at first instance, or if you had difficulties with the interpreter provided, or if you realised later that the statement recorded on your behalf was not complete, or if you have significant fresh evidence to add to your claim. Or, if you have any new serious evidence to support your application – for example if you have obtained copies of documents or photographs which may help to prove your claim.

You can also request to attend a hearing with the Appeals Authority committee, and

then bring a lawyer to assist and represent you, which it is always advisable to request. However, most appeals are examined on the basis of the documents already recorded and submitted, and the Appeals Authority only grants a second hearing in front of the committee if you submit new evidence relevant to your claim, or there are serious reasons to doubt the impartiality or thoroughness of your first instance examination, or if your case is particularly complicated, and if you request it at least 2 days before the appeal examination.

If your appeal relates to the withdrawal of an international protection status previously granted (an extremely rare type of case, as you can only have international protection withdrawn if you are found guilty of war crimes, crimes against humanity, etc.), you will always have the right to attend a hearing with the Appeals Authority committee.

Your appeal will be examined by one of the Appeals Authority committees. The Appeals committee usually examines appeals based on the evidence in your file without calling you for an interview. You should be notified about the date that your appeal will be examined on the same day you register the appeal.

If you are on the mainland, generally your appeal examination date will be at least 10 days after you register it, and if you are on the islands it will be at least 5 days after after you register the appeal

During the examination of your appeal, you can explicitly withdraw it at any time if you wish. It is not recommended to do this unless you have first consulted an asylum lawyer and you have considered all the implications and consequences for you thoroughly.

You can also be considered to have implicitly withdrawn your application if you do not appear for interviews when called without giving any plausible reason why you could not attend, and other similar conditions. All the reasons why you can be considered to have

implicitly withdrawn your application and the legal risks of illegal onward movements will be explained in another section.

In case the Appeals Committee decides to call you for an interview, you will be notified accordingly five (5) business days before the date of the interview, at the latest.

The Appeals Committee will decide to either grant you refugee status, subsidiary protection status, or reject your appeal.

In case your appeal is rejected, or in case the decision grants you a status of subsidiary protection and you believe that you are entitled to a refugee status, you can appeal to the Administrative Court for an annulment of the previous administrative decisions.

The annulment application does not have an automatic suspensive effect, meaning that your removal from the country is possible, unless a separate application to the court is made asking for an order to suspend the deportation. If you are still rejected by the Administrative Court, in some circumstances it may be possible to appeal to the Council of State in Greece, and in some circumstances you may be further appeal to the European courts. For all court appeals you will need a lawyer to assist and represent you, but at this stage you would receive legal aid free of charge.

Legal information and assistance for asylum seekers in Greece

You have the right to appoint a lawyer to assist and represent you at any stage at your own expense at any stage of the procedures.

You have the right to be provided with legal information free of charge on the procedures concerning your own case, if you request it. In practice in many areas this is not available yet, but you should know you have this right and keep on requesting it.

If you receive a negative decision on your application in the first instance, you have the right to receive information about the reasons

for the decision and about how to appeal against it. This information may be provided by the authorities or by legal aid NGOs.

In appeal proceedings you have the right to free legal assistance, if you request it.

In procedures before the Appeals Authority, applicants shall be provided with free legal assistance. If you have to make an appeal to a court, you should also receive free legal assistance.

You and your lawyer have the right to access information in your file about the factual and legal basis on which a decision is taken or will be taken.

You can also have another counsellor assist you with your application and accompany you into your interview(s), if you wish, who may be a jurist, medical doctor, psychologist or social worker.