



The EU Turkey deal and arrival on the Islands after 20th March 2016.

Overview

The **EU-Turkey Statement of 18 March 2016** was a press statement issued by the European Council of heads of state and of government; **it is not legislation** nor even a formal proposal for new legislation.



Therefore, it cannot change EU law nor can it change your rights, only the procedures.

The main problem with the EU-Turkey deal from a human rights perspective is that it relies on the false designation of Turkey as generally a **safe third** country for asylum seekers and refugees, which is **against all the factual evidence, is not lawful** according to EU law (particularly articles 35 and 38 of the Asylum Procedures Directive 2013), and was **condemned by 176 international human rights organisations**.¹

However, the procedures are in place as per the EU-Turkey Statement, and we must continue to prepare as well as possible and then hope that each case will be considered on an individual basis.

¹ <https://www.fidh.org/en/international-advocacy/european-union/resolution-on-migrant-s-rights-in-the-european-union>

Common Questions and answers.



Q. "I have arrived on a Greek Island from Turkey, what will happen to me?"

A. If you have arrived on the border, in the first few hours after your arrival, Frontex usually conducts a debriefing interview with you. This interview is for Frontex to gather information about smugglers, their routes and networks.

Although you may have been hiding from police and official authorities in order to get to Europe to seek asylum, now it is clearly in your best interests to **register your asylum claim at the earliest possible opportunity.**

Initially, you will be **taken to a Reception and Identification Centre, also known as a 'Hotspot'** in order to verify and register your identity and nationality and to decide upon how to proceed with your asylum claim according to current asylum procedures in Greece. Conditions in the Reception and Identification Centres (RICS) or 'Hotspots' are extremely poor.

The Reception and Identification Centres or 'Hotspots' are on the Islands of Chios, Samos, Lesbos, Kos and Leros.

If you arrive on another Island where they do not have reception facilities, you may be held for a period before being transferred to a 'Hotspot'.

Q." What happens in the Reception and Identification Centre/Hotspot?"

A. First, you will be subjected to **"nationality screening"** and fingerprinting to record your identity and **first point of entry into the EU** in the Eurodac database.

This nationality screening will be carried out by Frontex and the police. If you do not have documents to prove your nationality you will be asked a set of questions on language, geography, history, and customs in your country to determine whether what you claim about your nationality is true.



Children under 14 are not fingerprinted.

Q. “What happens next?”

A. The next step is the ‘**reception and identification procedure**’ by the Reception and Identification Service.

This procedure includes:

- Registration of your name, age and gender.
- Data verification
- Medical screening
- Age verification
- Your intention to claim asylum should be recorded at this stage.
- Family members travelling together whose cases should be joined should be identified at this stage.
- Vulnerable cases are identified at this stage.
- **If you are a minor (under 18, it is extremely important to ensure that your age is correctly recorded and insist on getting it right on your first registration papers, as it is nearly impossible to correct it later.**
- At this stage your nationality will be checked, it is really important to ensure that your nationality is recorded correctly on your documentation.

Be sure to check that the information about you that the authorities are writing down during registration is accurate and complete, and don’t sign anything you don’t understand.

If your personal details are registered incorrectly at first it can delay your application or cause a lot of trouble for you later



Interpreters must be made available. Do not accept the registration appointment if it is conducted in a language you do not fully understand. **You should be given your police issued registration papers during this procedure. Do not lose your papers. Make copies by taking pictures on your mobile phone and send them to yourself so that they’re saved online and you can retrieve them even if your phone was lost.**

Q. “Why am I being held in The Reception and Identification Centre/Hotspot ?”

A. Following a deal made between the EU and Turkey, new procedures have been designed for situations where there are large numbers of refugee arrivals to help the authorities to:

1. Identify and return those who do not claim asylum

2. Examine whether you should be readmitted to Turkey if you had or could have got sufficient protection there.

3. Decide whether your asylum claim will be heard in Greece under the regular, border, fast track, accelerated or Dublin procedure. The procedure your case will be examined under depends upon your circumstances.

These procedures largely take place in the Reception and Identification Centres/Hotspots.

Vulnerable people, children and families accepted for family reunification may eventually be transferred to the mainland but usually not before they have been fully registered.

Q. “When should I say that I am vulnerable”?

A. If you consider yourself especially vulnerable, **make sure** you mention it at the earliest possible opportunity during all registration procedures.

If you have any documented evidence of physical or psychological illness, please present them to the authorities. Make sure you keep copies.

Q. “Who is considered vulnerable”?

A.

- Unaccompanied minors
- handicapped persons or people suffering an uncured or serious illness
- Elderly persons (over 65)
- Pregnant women or women who have recently given birth (in the last 3 months)
- Single parent families with children under 18 years old
- Victims of torture, rape or other kinds of psychological, physical or sexual assault or exploitation
- Persons with post traumatic syndromes, especially survivors or relatives of victims of shipwrecks
- Victims of human slavery or trafficking

In ambiguous cases, EASO may ask their own vulnerability assessment expert to assess your needs or to verify your vulnerability. You can also ask Mediciens Sans Frontiere, Advocates, psychologists etc. for assessments and evaluations.

It is at the stage of registration, you should also first mention that you wish to be reunited with a family member (spouse or a child under 18) who is residing in Greece or in another European country (family reunification).

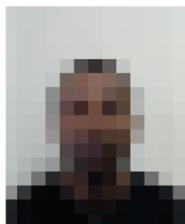
Q. “What happens then”?

A. You will be given a date for **registration** with the Greek Asylum Service where you will finally lodge **your claim for asylum**. This registration appointment is the beginning of the

formal procedures of claiming asylum or starting the family reunification process if you are eligible.

Your fingerprints and details will be taken again.

At this appointment you will be given your registration card. **Do not lose** your registration card and carry your registration card with you everywhere you go. Take a picture of your registration card and send it to yourself in case of loss.



Όνομα/ Name

Επώνυμο/ Surname

Όνομα πατέρα/ Father's name

Όνομα μητέρας/ Mother's name

Ημερομηνία γέννησης/Date of birth

Τόπος γέννησης/Place of birth

Υπηκοότητα/Nationality

Διεύθυνση διαμονής/Residence address

ΑΘΗΝΑ, ΑΘΗΝΩΝ / .

Ημερομηνία έκδοσης/Date of issue

10/06/2013

Ημερομηνία Υποβολής αιτήματος/Date of application

10/06/2013

Αριθ. Υπ./Case No:

Αριθ. Δελτίου/Card No:

Ημερ. συνέντευξης ή εξέτασης προσφυγής/

Date of interview or examination of appeal

17/06/2013

Ημερομηνία λήξης/Date of expiry

10/09/2013

Υπογραφή αιτούντος

Υπογραφή υπαλλήλου
signatures

Q. What happens after Registration?

A. After registration, everyone will eventually have a personal **interview**, but the type of interview depends on:

- your country of origin
- what your legal status was in Turkey or elsewhere
- whether you have close family elsewhere in Europe
- whether you may be classed as vulnerable.

IT IS VERY IMPORTANT TO MAKE SURE YOU KNOW WHICH INTERVIEW ARE BEING ASKED TO ATTEND. SO THAT YOU CAN PREPARE PROPERLY.

If you do not understand the type of interview you are being asked to attend, please seek advice from any of the legal teams on the Island. Greek Council for Refugees, Metadrasi, UNHCR or any lawyer.

Q. What type of Interview will I have if I am eligible for family reunification.

A. Family reunification cases will be examined under the Dublin procedures at one of the Dublin units. You will not undergo an asylum interview as you are not requesting asylum in Greece. Instead you will be interviewed to determine the details of and resolve your family reunification case.

When you are a fully registered asylum seeker in Greece and you have a close family member legally residing in another EU country, then your application will automatically be transferred to that country, under the Dublin III Regulation. Currently, Dublin family reunification cases are considered 'admissible' (without considering whether Turkey could be a safe third country in these cases). Family reunification unfortunately only applies for very close family members- spouses and parents with children under 18. You will not undergo an asylum interview in Greece.

For more information about family reunification see [here](#):

Films are here on our YouTube Channel.

Q. I have not been classed as vulnerable and do qualify for family reunification. What now?

A. If you are not classed as vulnerable and are not eligible for family reunification to another EU member state you will undergo an interview to be assessed for international protection in Greece.

At registration, the Greek Authorities use European asylum recognition rates, to decide which type of interview you will have. This depends on whether they decide that you come from a country where you are at a high risk of war or persecution or whether you come from a country that is at low risk.

To assess high and low risk nationalities, they use the chart below to see how the rest of Europe has made their decisions.

European Recognition Rates.

1st Instance Procedures - Recognition Rates (%) ³ (Countries with more than 100 Decisions in substance)			
10 Countries of Origin with the highest recognition rates		10 Countries of Origin with the lowest recognition rates	
SYRIA	99.5%	EGYPT	6.4%
PALESTINE	93.2%	BANGLADESH	3.6%
STATELESS	85.1%	INDIA	3.3%
ERITREA	84.1%	PAKISTAN	2.2%
SOMALIA	76.0%	ALGERIA	2.2%
IRAQ	72.8%	SENEGAL	1.1%
AFGHANISTAN	63.6%	ARMENIA	0.7%
SUDAN	59.0%	GHANA	0.6%
ETHIOPIA	55.9%	ALBANIA	0.2%
IRAN	54.1%	GEORGIA	0.0%

So, as you can see from figures on the left of the chart, a high percentage of people who come from Syria, Palestine, Stateless people, Somalia, Iraq, Afghanistan, Sudan, Ethiopia and Iran are granted asylum in Europe. These are nationalities with **high recognition** rates.

On the right of the chart you can see that a low percentage of people are granted asylum in Europe from other countries. These are nationalities with **low recognition** rates.

People with a '**low**' **recognition** rate are subject to a different [procedure](#) to those with high recognition rates. See the simple flowcharts below to see which procedure applies to you.

You will have an '**admissibility**' interview to decide if whether your claim should be examined in Greece, Turkey or another country if:

- You are from a country with a **high recognition** rate
- You are not classed as vulnerable
- You are not eligible for family reunification

If your claim is **inadmissible** then you must appeal.

If your claim is **admissible** then you will have a **second interview** to decide whether you are eligible for asylum in Greece, this is called the [eligibility](#) or substantive interview.

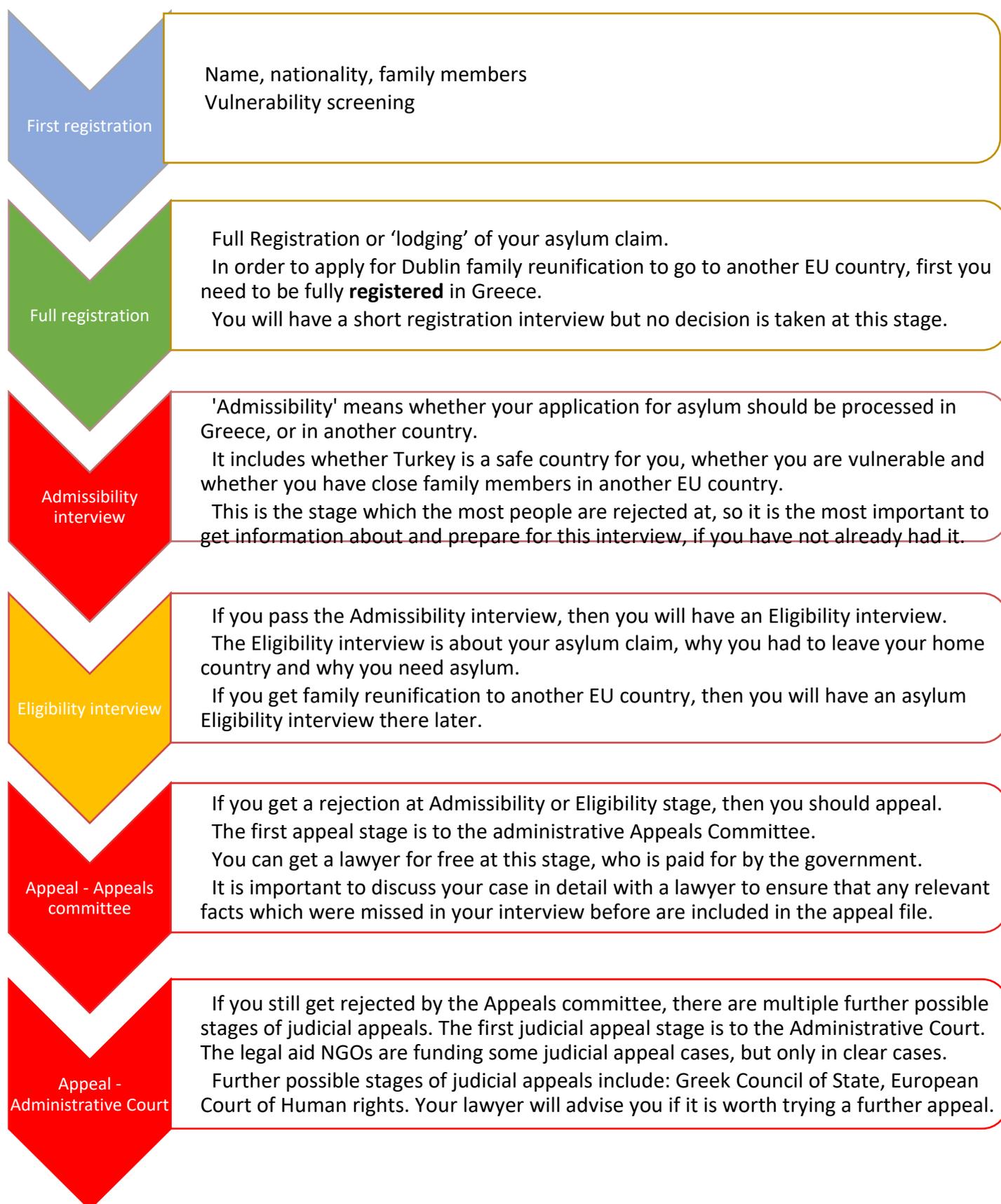
You will have an eligibility interview (also called substantive or on merits) interview if:

- You are from a country with a **low recognition** rate

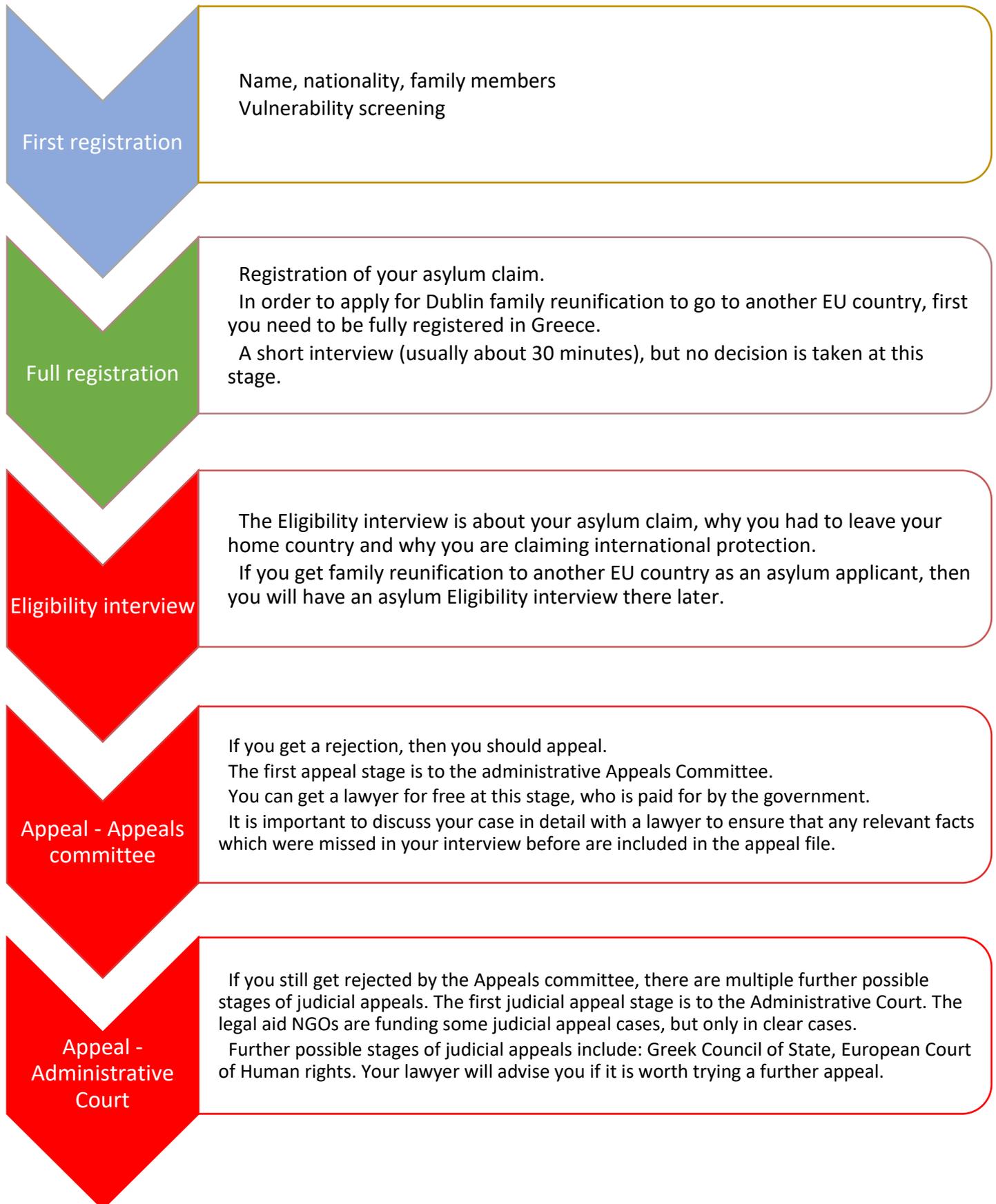
Some low recognition nationalities may be examined very quickly (within 14 days.) This leaves very little time to find a lawyer, lodge your appeal and prepare for it.

Please see the following charts to better understand the procedures and to identify which part of the process you are in.

Syrians, Afghans, Iraqis & other people from countries with high recognition rates for needing asylum:



Pakistanis, Moroccans, & people from other countries with low recognition rates for needing asylum:



EVERYONE HAS THE RIGHT TO ASK FOR ASYLUM REGARDLESS OF THEIR COUNTRY OF ORIGIN.

Q. "If I get a negative decision on admissibility or eligibility am I allowed to appeal?"

A. If you receive a rejection decision, 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. If you are in detention, you can ask for a lawyer to help you to lodge your appeal.

You are entitled to free legal aid at appeal stage and the Greek asylum Service or EASO should have a list of lawyers for you to consult. There is also a list of support agencies with lawyers [here](#):

Since the deadlines can be extremely short (5 days) and because legal aid lawyers are too few in Greece, you may find it difficult to find a lawyer to assist you with your appeal immediately. If you cannot find a lawyer, **do not delay**, it is advisable 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.

Films about how to appeal can be found in three languages [here](#).

Q. Will I be allowed to leave and go to the Greek mainland?

A. In general, you are required to stay on the Island and to **not leave the island** without special permission. If you do go to the mainland you will unfortunately be considered to be there 'illegally' **AND** you will not be able to register on the mainland which means you will not have access to the asylum, relocation or reunification processes or access to health, education or cash benefits **AND** you could be arrested and returned to the Island.

However, special permission may be granted to some people for various reasons, for example, vulnerable cases, unaccompanied minors moving to mainland accommodation, people given special leave to attend interviews or hospitals on the mainland, eligible family reunification under Dublin III cases. In order to leave, you **must** obtain special papers which say, 'suspension of deportation decision without geographical restriction' or 'revocation of deportation' papers. Make sure you also take your asylum seekers card.

If you have a geographic restriction on your registration paper or card, you are obliged stay on the Island.



Preparing for your interview

While you are waiting for your asylum interview, it is essential to spend your time proactively seeking legal information and assistance and preparing for your interview.

For information how to prepare for the admissibility interview please go to:

http://wp.refucomm.com/infopacks/greek-islands/admissibility/self-help-information/en/greece-islands_admissibility_self-help-information_EN.pdf

If you arrived on an island, had an admissibility interview and your claim is considered admissible then next you shall have a substantive or eligibility interview for asylum in Greece. This guide will also help you to prepare for the regular eligibility interview

Information on how to prepare for the eligibility/substantive/on merits interview is here:

http://refucomm.com/infopacks/greece-mainland/preparing-for-your-asylum-interview/preparing-for-your-asylum-interview/en/greece-mainland_preparing-for-your-asylum-interview_preparing-for-your-asylum-interview_EN.pdf

Films in three languages about how to prepare for the eligibility/substantive/on merits interview are [here](#):

[There is also a simple animation to explain the processes in 8 languages here:](#)

You can help yourself to prepare for your interview by writing some things down using our guide :

http://refucomm.com/infopacks/greece-mainland/preparing-for-your-asylum-interview/written-statements/en/greece-mainland_preparing-for-your-asylum-interview_written-statements_EN.pdf

MAKE INTERVIEW PREPARATION YOUR PRIORITY ABOVE ANYTHING ELSE.

Q. "What if I want to return to my own country?"

A. Some nationalities can choose to return to their own country or return to Turkey voluntarily. Please think carefully before asking for this as your request for voluntary return or repatriation.

Details on voluntary returns here:

http://refucomm.com/infopacks/greece-mainland/assisted-voluntary-returns/overview/multilingual/greece-mainland_assisted-voluntary-returns_overview_MULTILINGUAL.pdf

Q. “I am being forced to return to my country/to Turkey, where can I report this?”

There is a document with helpful information on organisations in Turkey who can help you and deportation advice on our [website](#) in eight languages.

Q. “Who can I talk to on the Islands about the procedures?”

Each island and region of Greece should have an official Protection Working Group convened by UNHCR and one NGO in each area has been appointed and funded to be the primary legal aid provider. If you ask in the reception centre you should be directed to them. The primary legal aid providing NGO may be Metadrasi, or GCR (Greek Council for Refugees), depending on where you are.

Remember you have the right to information on the procedures that apply to your case, but you have to ask GAS or EASO or the police in the Hotspot to refer you to the lawyers provided to give you that information.

If something happens to you outside of these procedures that doesn't make sense, Please let us know.

www.refucomm.org

email us @ refucomm@gmail.com