



EQUAL LEGAL AID

Annual report 2023

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Front and back cover photos: © Régis Defurnaux

"A few hundred metres from the border between Bosnia and Croatia, Khatere (9) and his sister Nahrouz (12) return to an abandoned house to spend the night. Originally from Afghanistan, these children fled the war with their father. Their mother died in a coalition bombing".

ELA's identity

Name:	Equal Legal Aid (ELA)
Status:	Non-profit association
Date of creation:	June 2019
Website:	https://www.equallegalaid.org/
Email:	contact@equallegalaid.org
French registration number:	W595935578
Headquarters:	9 rue des fabricants, 59100 Roubaix, France - SIREN: 892475252
Branch office:	5 Orfanidou street, 54626 Thessaloniki, Greece - AFM: 996634870
Bank details:	IBAN: FR76 1027 8027 3900 0529 6060 137 - BIC: CMCIFR2A

Equal Legal Aid (ELA) is a not-for-profit organisation whose purpose is to provide information, guidance and individual support to asylum seekers and refugees in their various procedures within the European Union. In particular, the association provides **pro bono legal services to displaced persons in Northern Greece** in their asylum procedures.

Our goal: to defend the right to asylum

Equal Legal Aid defends and promotes **the fundamental right to asylum, which is now more than ever under threat in Greece and Europe**. In order to ensure access to this right, the association implements a comprehensive programme of legal services to support people in exile. In addition, our association is involved in advocacy and communication activities to inform people about asylum and the unacceptable attacks on this fundamental right.

OUR VALUES

INDEPENDENCE

We are politically and financially independent of any government, ideology, economic interest or religion. Our independence guarantees our freedom of expression and action and strengthen our resilience.

SOLIDARITY

The reception and asylum crisis that Europe has been experiencing since 2015 jeopardises the fundamental right to asylum and calls into question the principle of solidarity. European civil society must unequivocally reaffirm the prevalence of the right to asylum and the dignity of displaced persons.

EMANCIPATION

The legal asylum framework has become so complex, especially in Greece, that it is impossible to navigate without the help of a specialist. Displaced people are paralysed at all levels: in their asylum procedure and in their integration. Our association aims to inform them of their rights so that they can make informed decisions, understand and play an active role in their procedure(s) and start to (re)build their future independently.

The context of our work

Equal Legal Aid operates in the northern region of Greece. This includes the regions of Thessaly, Thrace and Central Macedonia. ELA is based in Thessaloniki, the administrative capital of Central Macedonia, for reasons of convenience. The city's central location makes it easy to reach the 15 refugee camps in the region.



The stark erosion of asylum rights in Europe

Across Europe, the right to asylum is being undermined in principle and in practice. The new European Pact on Asylum and Migration, adopted by the European Parliament on 10 April, is symptomatic of this clear step backwards. Intended to redistribute the burden of migration more fairly and to streamline asylum procedures, its provisions go much further.¹ They enshrine at European level some of the dissuasive measures already applied in Greece, with dramatic consequences. Greece has been at the forefront of implementing one of Europe's most harmful migration policies, of which the refugee camps - built with European money - have become the sad symbol.

Like Italy and Spain, Greece's geographical location makes it one of the gateways to Europe for people seeking protection. European law stipulates that an asylum application can only be examined by one country. Greece, often the first European country an asylum seeker enters, is responsible for examining the application. Although arrivals in Greece have fallen since 2020 - as a result of the pandemic, Greece's highly antagonistic policies and illegal refoulements - a significant surge in asylum applications took place in 2023,² in an increasingly hostile and harmful climate for asylum seekers.

Escalating violence against asylum seekers

Since its election in 2019, the party in power in Greece, New Democracy, has been using crude and brutal methods to achieve an obvious and claimed objective: to reduce the number of migrants

at all costs, something the Greek government boasts about at every opportunity, in the media and before European political bodies.

This objective is being pursued surgically, using every possible means: harassment of asylum seekers by the authorities, detention in dystopian prisons, bureaucratic harassment, deportations, criminalisation of solidarity and persecution of activists and defenders of migrants' rights, and finally extreme militarisation of the border with Turkey and mass illegal refoulements.

Institutional and police violence in Greece has reached a critical point and a climate of fear has crept into migrant communities and civil society. Recent notable events (to date):

- **The dramatic shipwreck of the Andriana** off the coast of Pylos on 14 June, in which 400 to 650 people are believed to have perished at sea. The boat was in the Greek rescue zone. The criminal inaction of the Greek authorities is now the subject of intense controversy, compounded by suspicions that an attempt was made to tow the ship back to Italy (a refoulement operation).
- **The re-election of the New Democracy party** in June 2023: the party responsible for one of the most brutal asylum policies in Europe. This re-election heralds four difficult years for asylum seekers and those who defend them.
- The **forest fires** on the land border with Turkey in August 2023 led to an outbreak of xenophobia and violence against asylum seekers in Greece, blamed by far-right groups. Armed actions were deployed in northern Greece, where scenes of

1. Read our comments on the Pact: [The new Pact on Asylum and migration, a threat to European values \(March 2024\)](#); Twists and Turns of the New European Pact on Asylum and Migration, [episode 1 : Crisis & instrumentalisation](#) (25 April 2023) ; [episode 2: Screening at the EU's external borders](#) (30 May 2023).

2. [Operational data portal, UNHCR, situation in the mediterranean.](#)

rare violence took place.³

The erosion of asylum rights

Integral part of its policy and electoral pledge, the government is committed to the thorough dismantling of existing asylum procedures and protection mechanisms. These measures include:

- The extension of admissibility procedures and, more generally, a migration policy based on externalisation;
- The deliberate multiplication of material obstacles to the lodging and examination of asylum claims;
- The deterioration of material reception conditions with the generalisation of de facto detention in prison-like structures.

In addition to these three key measures, there are a myriad of others that are difficult to summarise in a few lines: the multiplication of procedural obstacles, the "monetisation" of the asylum procedure with the creation of taxes and procedural fees of all kinds, the increase in the number of rejection decisions, and so on. As a result, we are witnessing a worrying erosion of the rights of asylum seekers in Greece, which nothing seems to stop, not even the repeated injunctions of the European Court of Human Rights.

Fewer asylum claims, fewer rights

The government's dismal performance has resulted in few new asylum applications being registered in Greece since 2020. These low figures in no way reflect the reality of migration flows. They are simply the result of an extremely violent and pernicious deterrence policy. Even if a person crosses the border without being pushed back, they must still be able to apply for asylum, which is a real challenge. What's more, the assistance of a lawyer has become indispensable at every stage of the procedure, without which the asylum seeker is completely powerless to assert his or her rights. However, this is not a given: apart from the prohibitive cost of hiring a private lawyer, there are not enough pro bono lawyers to cover the needs.⁴

Criminalisation of exiles and their defenders

The year 2023 was a particularly dark one, marked by the diptych of refoulement and criminalisation, affecting both exiles themselves and human rights activists and defenders. The accusations are ultimately the same: espionage, human trafficking, criminal organisations.⁵ Throughout the year, attempts to intimidate civil society actors and lawyers have multiplied. Unfortunately, these attacks are achieving their aim: to terrorise defenders of migrants' rights and prevent them from denouncing the unacceptable attacks on the lives and dignity of asylum seekers. While the European Parliament has adopted a resolution on the alarming decline of the rule of law in Greece,⁶ exiles and their defenders are already paying a heavy price. The risks faced by migrant rights defenders in Greece are now so great that it is essential for organisations to develop preventive strategies and find external allies.

Despite the seriousness and urgency of the situation (or perhaps because of it), the number of organisations and resources devoted to supporting asylum seekers in Greece has been steadily decreasing and has reached critical levels. There is a striking lack of basic services and a glaring shortage of resources.

In this troubled political and social climate, rights violations are multiplying in a climate of general indifference. As activists and defenders of migrants' rights, we are appalled and powerless as we watch violence being unleashed, indiscriminately targeting first-time arrivals, registered asylum seekers and recognised refugees, as well as their defenders, who are silenced by lawsuits. The increase in hate speech and anti-NGO propaganda and the criminalisation of solidarity are evidence of the major political and ideological shift taking place in Greece and Europe, making it essential to maintain an international presence to defend the human rights of people in exile.

Juliette Malfaisan
Founder and director of ELA



3. Read our edito, [Blaming minorities](#) or how summer wildfires fuel the discourse of right wing extremism, 30 August 2023.

4. Equal Legal Aid, [Access to legal aid for people on the move, Northern Greece](#), January 2022.

5. For instance: [Le Monde, 9 December 2022](#), [Le Monde, 10 January 2023](#), [InfoMigrants, 14 April 2022](#).

6. [Euronews](#), MEPs voice alarm over rule-of-law decline in Greece, demand closer oversight of EU Funds, 7 February 2024.

Key facts in 2022 and 2023

In Greece and in Europe

July 2022

Persistent and deliberate material impossibility of lodging an asylum application

In November 2021, a reform abolished the electronic pre-registration of asylum applications that had been in place since 2016. This reform requires asylum seekers to physically go to one of the 5 reception and identification centres in Greece. Following the adoption of this measure, it was impossible to lodge an asylum application in mainland Greece for **8 months**. Finally, in July 2022, a platform for the pre-registration of asylum applications went online and appointments with the authorities of the refugee camps of Malakasa (near Athens) and Diavata (near Thessaloniki) were made available. However, the irregular and faulty operation of the platform means that it is regularly **out of order**.

December 2022 - January 2023

Unprecedented criminalisation of defenders of the rights of exiles

The Greek authorities are continuing their vast operation of intimidation and criminalisation of solidarity, this time targeting the NGOs Greek Helsinki Monitor and Aegean Boat Report, which denounce human rights violations in Greece and in particular illegal refoulements in

the Aegean Sea. They are accused of running criminal organisations that facilitate the illegal entry and stay of migrants. Another NGO that documents and denounces human rights violations and illegal returns has been the target of persecution and intimidation. Finally, the biggest case of criminalisation of solidarity in Europe took place in Lesbos: 24 humanitarian workers involved in rescue operations at sea are accused of money laundering, espionage and human trafficking. They face up to twenty-five years in prison for these crimes. In January 2023 and January 2024, the court in Mytilene decided to drop some of the charges, but the others were upheld. Pending their trial, some aid workers, such as Sara Mardini, have also been banned from entering Greece. Civil society has denounced the government's witch-hunt.

September 2022

Conversion of the Malakasa and Diavata camps into closed centres

Part of the camps of Malakasa (near Athens) and Diavata (near Thessaloniki) have officially been converted into a closed reception and identification centre for asylum seekers (RIC). Asylum seekers can be detained there for up to 25 days in order to register their asylum application. The operation of these two new centres remains unclear at the time of writing.

January 2023

Closure of the ESTIA II programme

The ESTIA II Urban Accommodation Programme was designed to provide vulnerable asylum seekers with accommodation in urban centres in order to facilitate access to medical and social services. The closure of the ESTIA II programme has serious consequences: it results in the systematic transfer of asylum seekers to isolated camps (whose material conditions have been widely criticised). These transfers lead to the loss of the social ties that have been established and cause difficulties in accessing health care and the labour market. This decision is in direct contradiction with expert advice and reinforces the marginalisation of asylum seekers in Greece. Read our analysis [here](#).

February 2023

The Greek Council of State blocks the designation of Turkey as a "safe third country"

On 7 June 2021, a ministerial decision designated Turkey as a 'safe third country', for asylum seekers from Afghanistan, Somalia, Syria, Pakistan and Bangladesh, having crossed Turkey before entering Greece. Following this reform, asylum seekers from these nationalities are required to undergo a procedure to determine whether Turkey is safe for them and they can be returned there. However, Turkey has not accepted any returns to its territory since March 2020, leading to a **Kafkaesque situation**: asylum seekers whose applications are rejected cannot be sent back. They are stuck in a legal limbo: without papers but with no possibility of return, deportation or voluntary departure. This legal limbo leads to intolerable but avoidable human tragedies: without shelter, access to health care or employment, people are vulnerable to all kinds of trafficking and illegal refoulement.

In February 2023, following hard work by NGOs, a preliminary ruling was finally requested by the Greek Council of State, questioning the compatibility of this highly controversial measure with European law. The Greek Council of State decided to refer the case to the European Court of Justice. The case was heard on 14 March 2024 and is still pending.

October 2023

Start of the Israeli attack on Gaza

Israel launched a full-scale invasion of the Gaza Strip following the Hamas attack on 7 October. To date, Israel's intensive bombing has killed more than 32,000 Palestinians and destroyed or damaged 70% of Gaza's housing and infrastructure, while causing a severe humanitarian crisis and massive population displacement. In January 2024, the International Criminal Court ordered provisional measures against Israel to prevent any act of genocide against the Palestinian population and the delivery of humanitarian aid to civilians. These injunctions haven't been complied with.

May 2023

Greek asylum service database shutdown leaves asylum seekers in legal limbo once again

The database of the Greek Asylum Service was blocked for six weeks, leading to an interruption in asylum-related services such as the registration of applications and the issuing of documents. For several months, the authorities denied that their services were disrupted, leaving asylum-seekers, particularly undocumented asylum-seekers, in **legal limbo** as they waited to submit their applications.

June 2023

New Democracy party re-elected to the Greek government

Led by Prime Minister Kyriákos Mitsotákis, the New Democracy party is responsible for implementing the most harmful national asylum policy in Europe. This re-election heralds four difficult years for asylum seekers and those who defend them.

June 2023

400 to 650 people missing at sea off Pylos, Greece

On 14 June, a boat carrying around 750 people capsized off the coast of Greece. The passengers, who had come from Libya and were heading for Italy, asked for help in an area under Greek rescue responsibility. A rescue boat took 15 hours to reach the area (which was close to the coast), rescued 104 people and recovered 81 bodies. Between 400 and 550 people are missing and presumed dead, making this the **deadliest shipwreck in the Mediterranean** for a decade. Ongoing investigations have yet to determine the exact cause of the sinking, but the coastguard's attempt to tow the ship out of Greek territorial waters is currently under investigation. Aside from the possible and controversial towing of the boat, the late intervention of the rescue teams was a crucial factor in the tragedy. Read our [June newsletter](#) on this topic.

Our impact in 2023



78 legal clinics



**644 requests handled
on our hotline**



**35 referrals from
our partners**

Outreach work: raising awareness within communities



**543 asylum seekers
assisted**



**431 procedures
undertaken**



**706 legal consultations
provided**



**13 lawyers
deployed**



**275 preparation to
asylum interviews**



**103 appeals before
Greek authorities**

Legal services and representation



**4 specialised
publications and reports**



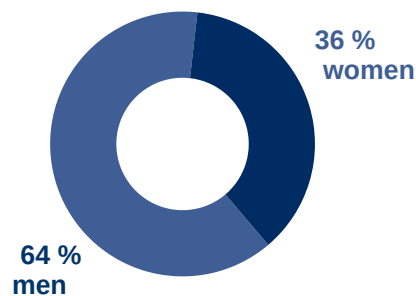
9 newsletters



**6 communication
campaign**

Advocacy and communication

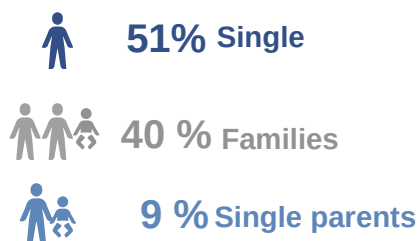
Our beneficiaries*



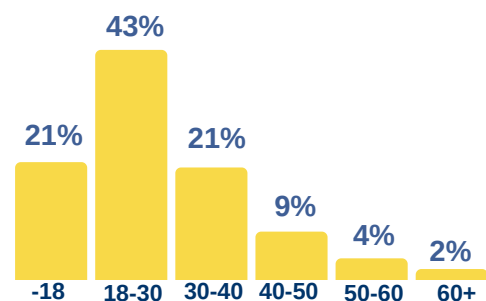
Gender



Location in Greece

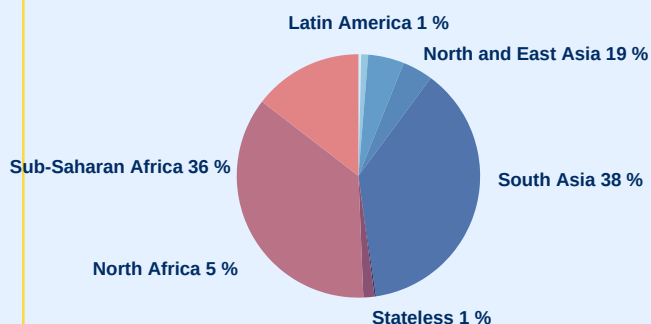


Family status



Age

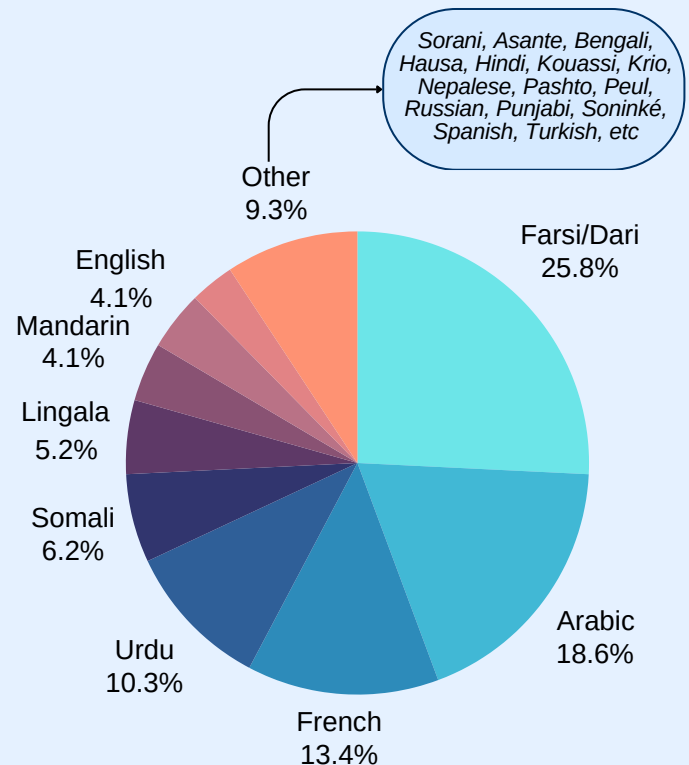
44 Countries of origin



TOP 5 Countries of origin

1. Afghanistan - 23 %
2. Pakistan - 11 %
3. DR Congo - 10 %
4. Syria - 7 %
5. Irak - 6 %

34 spoken languages



*Data collected from January to December 2023, broken down by number of beneficiaries.

Immersion in our work

Sarah* comes from the Democratic Republic of Congo. For many years, she had a love relationship with a woman, that they kept secret. In her country, homosexuality is not only taboo, but also punishable by law. In order to survive, Sarah was forced to hide her sexual orientation and her relationship. Sarah married. After her husband discovered her relationship, she was subjected to domestic violence. Her family also forced her to undergo conversion therapy.

While driving, Sarah and her friend were involved in a serious car accident in which her lover was killed. The victim's family attacked Sarah and vandalised her property, including her house, which was destroyed. Convinced that all these events were somewhat connected to her sexual orientation, Sarah's mental state collapsed.

In search of safety and refuge, Sarah arrived on the island of Samos in January 2023. Her initial application for asylum was rejected as the authorities found her story implausible. Sarah contacted us to appeal this decision.

We took on Sarah's appeal, and during her defence, we sought to highlight the credibility of her claims in the Congolese context. We also highlighted the serious risks she would face if returned to her country, where she would be denied access to medical care and medication. Our appeal was partially successful: Sarah was granted subsidiary protection due to her fragile health.

Athina Kalogridi
Lawyer at ELA since 2021



Adan* is a 55-year-old Turkish cook. His life has been marked by torture at the hands of the Turkish authorities. Adan has been arrested more than 70 times in his life because of his Kurdish identity. He was subjected to the worst torture during a prolonged detention in 2013. After his release, he went into exile in Sweden, where he hoped to find refuge by applying for asylum. In 2016, his application was rejected and he was sent back to Turkey, where he was met by Turkish authorities as soon as he arrived at the airport. There he endured two more years of persecution.

Adan managed to flee to Greece, where he applied for asylum again in the summer of 2018. However, both his asylum application and appeal were again rejected by the Greek authorities, compounding his suffering. The effects of his tumultuous journey are palpable: his mental health has been shattered and Adan has been hospitalised in psychiatric clinics on several occasions. To this day, he remains under the close supervision of a psychiatrist, taking medication to try and alleviate the traumas of his past.

In November 2023, Adan was finally officially recognised as a victim of torture by the international organisation Metadrasi. With this precious certificate, he submitted a new application for asylum, this time deemed admissible by the asylum authorities. His request is still pending. While waiting for a final decision from the authorities, Adan is doubling his efforts, volunteering with organisations that provide free food to the most disadvantaged and actively seeking work as a chef.

Eleni Papageorgiou
Lawyer at ELA since 2022



**The names have been changed.*

Mery*, 49, like all stateless people in Kuwait, has no nationality. This situation has disastrous consequences: Mery and her family are deprived of their most basic rights, which they are unable to exercise. Without access to basic services such as health care, education, employment and legal protection, they live a precarious existence. Their statelessness prevents them from obtaining official documents such as a passport or national identity card, thus restricting their freedom of movement. As their home country does not recognise their existence, Mery, her husband and their three children were forced to flee and arrived in Greece in 2023.

Mery contacted us in December 2023 to ask for help in preparing for her asylum interview. After months of waiting in an insanitary refugee camp, the health of the entire family had deteriorated. Mery has survived two heart attacks and is battling cirrhosis of the liver and adrenal insufficiency, which has also weakened her mental health. One of her daughters has a kidney infection and the other has developed epilepsy. As for the father of the family, he has to go to a dialysis centre several times a week, sometimes by ambulance, often on foot. He went on hunger strike to denounce his family's inhumane living conditions and showed great psychological distress.

In February 2024, the Asylum Service finally granted Mery and his family refugee status. They now have to obtain their official residence permits and travel documents.

Mariem Laaribi
Volunteer lawyer and interpreter at ELA since 2023



Abel* is a 25-year-old Eritrean. When war broke out between Ethiopia and Eritrea in 1998, Abel and his mother moved to Ethiopia when he was an infant. They lived together in the Tigray region for a few years before his mother died. Alone in Ethiopia and still very young, he had no legal documents or access to immigration services, education, the labour market or health care. When the war broke out in Tigray, Abel fled Ethiopia and arrived in Greece via Lesbos.

Like all asylum seekers, he had to undergo an identification interview conducted by the Greek police or Frontex agents. The officer in charge of his identification wrote that Abel was Ethiopian and not Eritrean. This is an illegal practice. In fact, if an asylum seeker does not have a legal document, it is his or her declared nationality that counts. In Abel's case, the police recorded two nationalities: one "presumed" (Ethiopian) and the other "declared" (Eritrean). His asylum claim was then rejected on the grounds that it was not credible because his declared nationality was not his true nationality.

We supported Abel by filing an appeal in November 2023, highlighting the errors that characterised the identification procedure and had a major impact on the first instance decision. We explained that the credibility assessment should take into account the personal status of each asylum seeker - in his case, primarily his low level of education. We also filed a complaint in December 2023 with the Ombudsman, who sent several requests for information to the Lesbos Registration and Identification Centre. Finally, in January 2024, our appeal was accepted and Abel's Eritrean nationality was recognised. As a result, he was granted subsidiary protection.

Abel is not alone in this case: hundreds of Eritrean asylum seekers have been subjected to the same illegal practices and have had their asylum claims rejected on the same grounds. Abel's victory is an exception, highlighting the need for constant monitoring of asylum practices to ensure accountability of authorities and transparency of procedures.

Valia Charalampopoulou
Lawyer at ELA since 2023



Outreach work

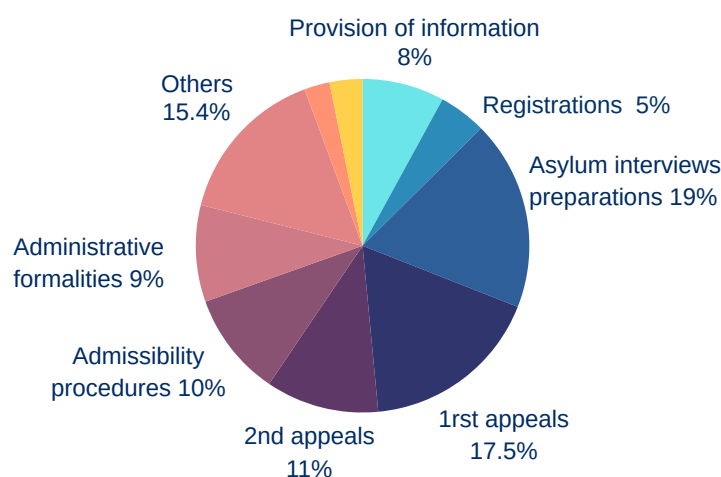
Recent changes to the Greek asylum framework have led to their widespread detention of asylum seekers in prison-like facilities far from urban centres. There are now around **fifteen refugee camps in northern Greece**, where the organisation works, where access to even the most basic services is particularly restricted. The isolation of asylum seekers is exacerbated by their limited mobility, as most camps have no transport services. To ensure that our legal assistance programme is inclusive and accessible to as many people as possible, our team has worked from the outset to maintain a regular presence close to the camps and to facilitate contact from a distance. Through an **outreach approach**, we seek to provide quality legal services **at the right time and in the right place**. These efforts would be in vain without the support of our partners, who relay and host our legal clinics in the communities.

Legal clinics:

In 2023, given the widespread de facto detention of asylum seekers, it was essential to meet with them in the camps as regularly as possible. Throughout the year we organised **78 legal clinics** in **Thessaloniki, Diavata, Ioannina, Kavala, Lagkadikia and Nea Kavala**.

Hotline:

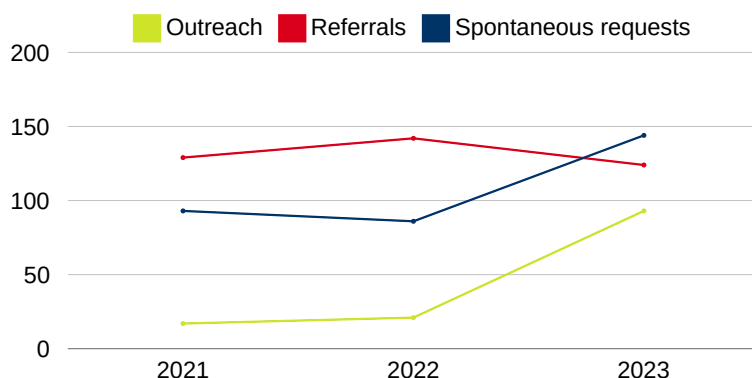
Since 2020, ELA has been running a helpline for asylum seekers, available from 9am to 6pm, Monday to Friday. In 2023, the Greek government's detention policy had a **major impact** on the hotline: the number of requests increased dramatically (**+190%**), putting our team to the test. Dealing with the **644 requests for information or legal assistance** received through the Hotline has required significant investment from the team and the recruitment of two additional volunteer lawyers. The majority of requests received through the hotline is within the scope of the association's work, demonstrating a good understanding and visibility of ELA among local communities. Some of the requests are the subject of a quick consultation, while others require more in-depth work and are entrusted to one of the team's lawyers for long-term follow-up.



Legal assistance requests on ELA's hotline in 2023

Cases referred by partner organisations:

In order to facilitate exchanges with our partners, a form is available online to enable other associations to refer cases to ELA when they can't provide such services. The decline in the number of local associations in 2022/2023 has left its mark: the number of referrals to ELA has fallen, with only 35 requests this year.



Overall, our outreach work proved successful again this year, helping to overcome the geographical distance and the isolation of asylum seekers. At ELA, spontaneous applications, which are the result of word of mouth, are still largely prevalent. In addition, many people are assisted by the association after an initial face-to-face contact during a legal clinic.

Legal services and representation

The year in review

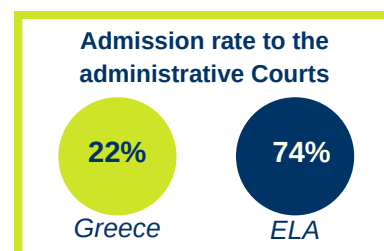
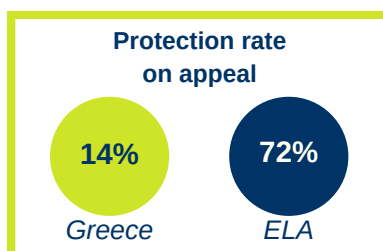
2023 was a devastating year for the rights of displaced persons in Greece, with the deterioration of reception conditions, the disruptions in the provision of basic services and the proliferation of obstacles to asylum. Barriers to asylum are now omnipresent at all stages of the procedure, whether it be :

- the extension of procedures which allow the authorities not to examine the merits of asylum applications and to reject them after a sham procedure. People are then forced to make a second application for asylum, which is subject to a stricter procedure, more stringent conditions and an uncertain outcome;
- Persistent difficulties in lodging an asylum application due to the repeated malfunctioning of the digital tools, ironically initially designed to facilitate dialogue with the asylum services;
- the repeated failure of the authorities to provide adequate interpretation services;
- the normalisation of the de facto detention of asylum-seekers, regardless of their vulnerability, in squalid, overcrowded facilities with no access to medical or psychosocial care.

The resulting insurmountable difficulties leave asylum-seekers in a legal limbo, without status, papers or shelter, inexorably plunging them into precariousness, vulnerable to trafficking and abuse. Paradoxically, there are fewer and fewer organisations involved in assisting asylum seekers. For our association, too, the obstacles are legion: firstly, the geographical distance, the increased needs, but also the complexity of the procedures, the increase in abusive rejections and, inevitably, the appeals. Under these conditions, the work of the association's lawyers is more essential than ever to guarantee effective access to asylum and to put an end to these abusive practices.

Indicators	2021	2022	2023
Persons assisted	513	503	543
Lawyers deployed	7	10	13
Consultations provided	437	738	706
Cases supported	239	255	366
Lodging of asylum requests	10	31	44
Admissibility procedures undertaken	30	50	39
Eligibility procedures undertaken	68	75	84
Appeals supported	11	46	50
Annulment requests supported	13	36	61
Interim measures requests supported	13	29	32

[3 years of operation: our legal assistance programme and results](#)



[Comparing recognition rates: Greece vs. ELA 2023 rates⁷](#)

7. Greek rates, source: [2023 Annual Report, Greek Ministry of Asylum and Migration](#). ELA rates refer to beneficiaries represented by the association when a decision has been taken by the authorities.

N.B. Appeals are procedures where legal representation is mandatory. All rates refer to proceedings with a lawyer.

Legal services and representation*

REGISTRATION OF ASYLUM PROCEDURES

In Greece, asylum applications are submitted in person at one of the country's reception and identification centres or online on a dedicated platform. In 2023, obstacles to submitting applications persisted, especially on the platform, where malfunctions made it impossible to submit asylum applications, leaving people in a state of great vulnerability. In order to overcome these difficulties and ensure access to asylum, our team informs people on the hotline or during legal consultations, guides them on how to use this platform and assists them in submitting their asylum application when circumstances require.

44

Persons assisted

45

Persons assisted

94%

Success rate

3h

of individual consultations

ADMISSIBILITY PROCEDURES

Since June 2021, Syrian, Afghan, Somali, Bangladeshi and Pakistani nationals who transit through Turkey before entering Greece have had to overcome an additional hurdle: they must prove that they have not received protection in Turkey, otherwise their asylum application will not be examined in Greece. This procedure, whose criteria are completely arbitrary, is also opaque. Asylum seekers who are poorly informed (or not informed at all) turn up unaware and unprepared, with serious consequences: the asylum application is rejected in its entirety, without ever having been examined by the authorities.

To avoid this pitfall, and to ensure a fair and full examination of the reasons for asylum, our team provides information, prepares people for the interview and, if necessary, accompanies them to the authorities.

ELIGIBILITY PROCEDURES

Alongside or after a successful admissibility procedure, asylum seekers are called for an asylum interview, during which they must explain in detail the reasons for their exile. Although decisive, asylum seekers are rarely informed about the specifics of this interview.

Our team offers individual support to asylum seekers to help them prepare for this crucial and nerve-racking interview. This support is an opportunity to explain the interview process and its purpose, and to help asylum seekers gather the necessary supporting documents. On average, 3 sessions with a lawyer and an interpreter are required for applicants to be prepared.

97

Persons assisted

83%

Success rate

3h

of individual consultations

22

Persons assisted

FAMILY REUNIFICATION PROCEDURES

Again this year, these applications were occasional: we handled 14 family reunification cases, the majority of which were granted by the authorities; the other half are still pending.

The work of the lawyer is complemented by **extensive administrative support**. In addition to the legal services mentioned above, **531 hours of work** were devoted to providing careful administrative support to the association's beneficiaries in 2023. This support includes completing administrative formalities, drafting and submitting additional briefs, communicating with authorities, preparing applications for residence permits, referring cases to other organisations, accompanying beneficiaries to interviews, pleadings, etc.

*A simplified outline of the asylum procedure in Greece is provided in the annex.

Legal services and representation*

44

Persons assisted

72%

Success rate

FIRST APPEAL PROCEDURES - BEFORE THE COMMITTEE OF APPEALS:

Following a negative decision at first instance (on the admissibility or eligibility of an asylum application), asylum-seekers can appeal to the Appeals Committees in Athens. Representation by a lawyer is mandatory. However, the legal aid provided by the Asylum Service is insufficient to meet the needs. In order to ensure that asylum seekers have an effective remedy, especially in view of the exponential number of abusive rejections, our team provides legal assistance with appeals. The work of an appeal lawyer is particularly time-consuming: interviewing people, drafting a memorandum and, if necessary, arguing the case in front of the authorities.

INTERIM MEASURES AND ANNULMENT REQUESTS:

Following a negative decision on appeal, the asylum seeker loses all rights on Greek territory, which they must leave within 30 days. The last resort is to appeal against the decision, this time to the Administrative Court. This long and costly procedure, known as **a request for annulment**, aims at challenging the validity of the rejection of the asylum application. If the request is successful, the court will annul the contested decision and the case will be reexamined by the authorities. However, the request for annulment does not suspend the obligation to leave Greek country: for this to happen, the judges must be convinced that the person would be in imminent danger if returned to their country of origin. To do so, the request for annulment must be *“linked”* to another urgent procedure called **a request for interim measures**.

As in the case of 1st appeals, representation by a lawyer is mandatory for these requests. But legal aid is again far from sufficient to meet the needs and, above all, it is not automatic: a person may be refused legal aid even though they meet all the necessary conditions. Again, the shortcomings and loopholes in the system prevent people from exercising their rights. In addition, many applications are unfairly rejected following fast-track and/or abusive procedures. This is why ELA supports and represents people before the courts, through **fundamental and strategic litigation**.

120

Persons assisted

74%

Success rate
Requests for annulment

61

Requests for annulment

79%

Success rate
Requests for interim measures

44

Persons assisted

91%

Success rate

LEGAL AID APPLICATION:

Court proceedings are extremely costly and are fully funded by the association. Unfortunately, our budget and capacity do not allow us to support all the cases that are unjustly rejected and asking for legal assistance. Our team therefore helps people to prepare and submit an application for legal aid when we are not able to provide legal services.

SUBSEQUENT APPLICATIONS:

First applications for asylum are often rejected unfairly or incorrectly. This is particularly the case when the asylum seeker has not been able to submit his/her application under the right conditions (lack of information or legal assistance, incomplete examination by the authorities). However, an appeal is not always possible, e.g. if the person has not been able to find a lawyer within the deadline to lodge an appeal. In this case, it is possible to submit **a second application for asylum**: But it must be proved that new elements justify a re-examination. If these new elements are accepted by the authorities, new asylum interviews are scheduled. Our team then assists asylum seekers in the same way as for a first application: by gathering the necessary evidence and helping people to prepare effectively for the different stages of the procedure.

101

Persons assisted

45%

Admissibility rate for new elements

33%

Success rate
(eligibility of the 2nd application)

Immersion in our work

Noor* contacted ELA in April 2023. He had been in Greece for 5 years and his asylum application had been rejected twice. Noor had to flee his country, Pakistan, because of his religious beliefs. Noor and his family are practising Christians and are being persecuted as such by an extremist religious group. Noor came to Europe to save his life and to see his rights safeguarded. Our team helped him to submit a third asylum application, citing new evidence, in particular the fact that his family, who had not managed to flee the country, were still being targeted by the same extremist group.

Unfortunately, his claim was rejected: given that Pakistan is a safe country, the asylum service concluded that these new elements were not relevant to the case. Our team has continued to help Noor, who is keen to stay in Greece, learn the language, work legally and pay taxes (sic). Unfortunately, his appeal was also rejected, as was his application for legal aid to contest the case again in the Court of Appeal.

Despite his and our efforts, Noor could not be regularised in Greece and was ordered to leave Greek territory, even though his life (and that of his family) is still in danger in Pakistan. Like many Pakistanis and nationals of countries deemed 'safe' by the authorities, Noor lives in legal limbo: he has no papers, no accommodation, cannot work legally or receive medical care. He has no protection and is at risk of being illegally pushed back to Turkey at any time, or worse, detained in one of Greece's detention centres.

We hope that one day Noor's situation will change, that he will be able to obtain a residence permit in Greece and finally enjoy his fundamental rights as any European resident.

Nasia Makri
Trainee-lawyer at ELA in 2023



N. and his family have endured conflict, war and instability in Afghanistan. They tried to build a family life in the most difficult of circumstances. They believed in education and he and his wife managed to study while working. They learned foreign languages and supported their family in Kabul as best they could. Their families had already been displaced within their home province. N. and his wife hoped to be among those who could stay in Kabul. They never wanted to leave their home, friends and family. In early 2021, the birth of their daughter brought them happiness and faith in the future. A few months later, the return of the Taliban to power in 2021 shattered all their hopes and dreams. The family was targeted and attacked by the Taliban. They desperately sought refuge. As a last resort, the family fled and managed to reach Greece to seek asylum.

We met them in time at a legal clinic in northern Greece, just before their asylum interview. We organised four sessions to prepare them for the interview, during which they were informed about the legislation in force and the definition of a refugee. They understood the criteria of the Geneva Convention, identified the elements of their personal history that amounted to persecution, and were prepared to explain their asylum claim in a clear and detailed manner.

Their second child was born in Greece, at a time when the family was anxious about their future. A few months later, the news came. They had been granted asylum - the start of a new life in safety.

Alexandros Tzenos
Lawyer at ELA since 2023



Advocacy and awareness



Strategic litigation
initiated by ELA



4 specialised
publications and reports



6 awareness-raising
campaign

In 2023, our team increased its advocacy activities to raise awareness of the problems faced by displaced people in Greece and in Europe and to advocate for systemic changes. In an increasingly hostile environment, we work to ensure that asylum procedures are fairer and respect the dignity of people, regardless of their origin. We advocate for people living in exile to be defended, represented and heard at a time when they are constantly being made invisible. Finally, we seek to change hostile policies, attitudes and rhetorics. Our advocacy work is divided into three strands:

- Developing strategic litigation and sharing best practices with legal professionals;
- Documenting and raising awareness of violations of the rights of exiles and their defenders;
- Raising public awareness of the right to asylum and infringements of that right.

1 Strategic litigation

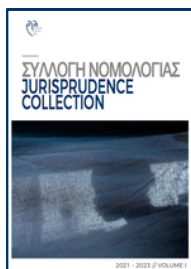
Strategic litigation, or impact litigation, involves changing the way the law is understood or applied by judges so that it is more favourable and respectful to the rights of those subject to it, in this case asylum seekers. It all starts with identifying a breach or misinterpretation of the law that amounts to a systemic breach in that it affects a large number of people. We then have to build a legal strategy to put an end to it by persuading the judge(s) to condemn it. In 2023, our team invested more than ever in strategic litigation, identifying and bringing numerous cases before the Greek courts involving particularly serious violations of the law.

Two cases with a positive outcome:

A young Afghan man defended by ELA had his asylum application rejected in August 2021. At a time when the Taliban had just regained power in Afghanistan, the Greek authorities considered Afghanistan a safe country based on reports from 2019. This case is symptomatic of the damaging (yet common) practice of using outdated information when deciding upon asylum claims. This can lead to an asylum claim being rejected and person being at risk of deportation to a country that is not safe for them to live in. As this practice is widespread, we challenged it as part of our strategic litigation. The judges ruled in our favour, reaffirming that asylum authorities must always use up-to-date information on conditions in the country of origin. This decision is a great success: it will help to significantly improve the authorities' decision-making.

In this case, we were defending a person of Afghan origin who had grown up and lived all their life in Iran. Their entire family, parents, and siblings, were granted refugee status in Greece. Only our beneficiary, then a young adult, had his asylum application rejected on the grounds that he could safely return to Afghanistan (and thus be separated from his family). We appealed, arguing that, like many young Afghans born and raised in Iran, Afghanistan was a foreign country where he had no contacts or support, and where he feared persecution because of the Western education he had received in Iran. The judges ruled in our favour. This is a very important decision: cultural westernisation is indeed a very high risk factor in a country like Afghanistan, and many young adults born in Iran to parents who are themselves refugees are affected. This decision also brings Greek jurisprudence into line with that of other European countries.

- [Our first jurisprudence collection](#)



Our case law collection, published in July 2023, contains 32 extracts of decisions in cases supported by ELA and issued by the Courts of Athens and Thessaloniki between 2021 and 2023. In addition to a brief presentation of asylum appeal procedures in Greece, this compilation contains decisions on a wide range of issues, including **medical vulnerability, the concept of safe third country, legal aid, access to justice and the right to an effective remedy**. Fully translated into English, this document is intended as a practical dissemination tool for asylum professionals in Europe, and aims to make the legal engineering carried out within ELA and its concrete results before the courts accessible to as many people as possible. Discover the compilation [here](#).

- [Our first victory at the European Court of Human Rights \(ECHR\)](#)

With the designation of Turkey as a safe third country, many displaced persons have had their asylum claims rejected without any examination of the merits. These rejections are often final, with no possibility of return to Turkey: Turkey has not accepted any deportations from Greece since March 2020. This inextricable situation leaves people in a legal limbo and creates a human tragedy: asylum seekers are stranded in Greece, without papers, without shelter, without the possibility of returning to Turkey or even their country of origin.⁸

In this case, our organisation represented a family of 10 (including 8 minors) from Afghanistan whose asylum application was rejected on the grounds that Turkey was a safe country. The family was threatened with expulsion from the refugee camp where they were living. Their lawyer appealed to the Greek court, but the processing time was too long to prevent the imminent expulsion. So we filed an urgent application with the European Court of Human Rights, asking that the family be allowed to stay in the camp and receive the food and financial support they needed to survive. We won the case in just 36 hours! This is an unprecedented decision, the first of its kind in mainland Greece, guaranteeing asylum seekers minimum accommodation conditions while their asylum claim is being processed by the authorities.

2 Documenting violations of asylum seekers' rights

- [ELA's specialist publications in 2023](#)



Planned homelessness: The ending of the ESTIA II Programme in Greece, Leonie Passler, January 2023

Among the measures taken by the Greek authorities to lower the minimum reception standards for asylum seekers, the closure of the "ESTIA II" housing programme is one of the most serious, leading to people being trapped in dystopian, overcrowded and unhealthy sites. Read the analysis [here](#) (in English).



Who really gets a second chance in Greece? Athina Kalogridi, revue Plein droit n° 137, July 2023.

Recent reforms to the operation of appeals committees have led to a deterioration in the quality of decisions: Standardised decisions have increased, as has the unfair treatment of applicants, contributing to a significant drop in the rate of international protection in Greece. Read the article [here](#) (in French) .



Turning a blind eye, or the Greek asylum service's disregard for female genital mutilation claims, Eleni Papageorgiou, November 2023.

In 8 cases defended by ELA, women victims of excision were refused asylum. Worse still, accounts of persecution are not even addressed by the authorities. The recurrence of these rejections demonstrates the authorities' refusal to consider genital mutilation as a form of ongoing persecution. Read the report [here](#) (in English).



Photo Credit: Left and right, Régis Defurnaux; center, Rogert Corbeau

8. For more information about admissibility procedures, see our ["Focus on our advocacy against the externalisation of asylum"](#), p32, 2022 annual report.

• Our contributions and conferences in 2023

In March, Juliette Malfaisan, Director of ELA, was invited by the **French National Assembly's** Foreign Affairs Committee to speak as part of a fact-finding mission on the European Union's southern borders. You can find our written submission on our website.

In June, we had the honour to welcome the **Fundamental Rights Agency (FRA)** to our offices in Thessaloniki. FRA is an independent organisation that promotes respect for human rights in the EU. The meeting was an opportunity for us to share our expertise on the situation of exiles in Northern Greece.

In July, Athina Kalogridi, an ELA lawyer, spoke at the **Thessaloniki anti-racism conference**. She was invited to contribute to a round table on *"the normalisation of racist policies and selective humanism"*, alongside other activists and human rights defenders.



In November, Alexandros Tzenos, lawyer at ELA, was invited to the conference organised by **the Paris Bar and ANAFE** on border detention. Alexandros provided an overview of the reception procedures in force in Greece and offered insights into European regulations.

In December, we submitted our written contribution to the annual report of **the European Union Asylum Agency (EUAA)**, available online in English.

3 Raising public awareness about the right to asylum

• Informative leaflet about subsequent applications

In collaboration with **ALYDE**, the student association for European law masters at Jean Moulin Lyon 3 University, we have created and published an informational brochure on the subsequent application procedure. This brochure is intended for asylum seekers, partner organisations and social workers. Since 2022, there has been a significant increase in subsequent applications in Greece, due to the misuse of the concept of safe third countries and procedural exceptions. You can find the brochure here.



• Our communication in 2023



Online presence:

90 publications on social media

+ 92% visibility

+ 97 % visits

+ 54 % subscriptions



9 newsletters and

50 % opening rate

6 awareness-raising campaigns:



1. Interviews of ELA's beneficiaries

2. The subsequent application explained

3. ELA is 3 years old!

4. Giving Tuesday - fundraising campaign

5. Stop racists narratives in mainstream media! In collaboration with Inter Alia and Yoga and Sport for Refugees

6. The legal journey of women, victims of female genital mutilation



Partnerships and networks

Since 2020, ELA has established and consolidated numerous formal and informal partnerships and synergies. This network is essential to **the effectiveness of our actions**, enabling us to **multiply our impact** and **pool limited resources**. These partnerships are an integral part of our operations and influence every aspect of our programme. They impact our legal services, outreach work, advocacy and communications. Furthermore, our network facilitates access to professional trainings and funding opportunities. While the initial aim of these partnerships is to improve the efficiency and quality of our services, they also serve as an asset and a powerful tool for helping each other to survive in an objectively hostile environment.



Our partners once again welcomed us to their community centres in Ioannina, Kavala, Lagkadikia, Polykastro and Thessaloniki, allowing us to provide asylum seekers with information in optimal conditions. In line with our **outreach approach**, we jointly organised **78 legal clinics**, during which we met ELA beneficiaries for individual consultations and provided group information workshops. We would like to extend our gratitude to **Be Aware And Share (BAAS)**, **Habibi.works**, **Northern Lights Aid**, **the Intereuropean Human Aid Association (IHA)**, **Wave**, **the Open Cultural Center** and **Mobile Info Team** for their warm welcome and invaluable support.



Since its creation, ELA has been a member of various **working and coordination networks** in Greece, including the national advocacy working group, the monthly **UNHCR** legal meetings in Thessaloniki and Athens, and the **Legal Aid Network**⁹, a network of nine organisations providing legal assistance to displaced persons in Greece. These groups and networks serve as vital and pertinent platforms for knowledge sharing and collaboration, facilitating the coordination of joint advocacy initiatives. In essence, they foster a spirit of mutual understanding and closer working relationships.



Throughout the year, our team was able to benefit from the cutting-edge and specialized trainings provided pro bono by our partners and stakeholders:

- Our team of lawyers completed a nine-month training course on **the therapeutic legal assistance model** provided by **AMERA International**. The professional development programme has enabled our team to strengthen and improve their practices in relation to vulnerable people who have suffered trauma.
- Alexandros, lawyer at ELA, participated in the workshop, "**Exploiting the full potential of the EU Charter of Fundamental Rights**", organised by the **European Council for Refugees and Exiles (ECRE)** in Poland at the end of May 2023.
- Juliette, ELA's director, participated in the **Starlight programme in strategic litigation to advance human rights** at the **Hertie School of Berlin** for six months, in partnership with the **Hungarian Helsinki Committee and the European Union**.
- Our team participated in a professional training programme provided by the NGO **A21** at its premises in Thessaloniki on **human trafficking**.
- Our team participated in training provided by the **UNHCR** at its offices in Thessaloniki on **protection against sexual exploitation and abuse**.
- Finally, ELA volunteers attended training courses run by **Asylos** and **the European Network on Statelessness (ENS)** on **researching information on countries of origin**.



In October 2023, the association had the honour to receive **the solo prize at the Trophées Pro Bono**, an annual event organised by Paris Bar Association and its fund, **the Paris Bar Solidarity fund**. This award recognises and celebrates the outstanding solidarity initiatives implemented by lawyers.

9. The Legal Aid Network was established in 2020 with the objective of enabling member organisations to work more closely together, sharing relevant information on local asylum practices and launching joint advocacy campaigns. The network comprises the following organisations: **Mobile Info Team**, **ASF France**, **I Have Rights**, **Human Rights Legal Project**, **Refugee Legal Support**. Get in touch with us for more info.

Financial situation in 2023

2023 Budget
253 690 EUR

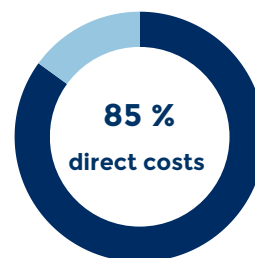
2023 expenditures
239 642 EUR

Funding received
225 968 EUR

Budget implementation rate
94%

Direct costs are indispensable to the implementation of the association's programme and purpose. These include volunteers' stipends, staff wages, lawyers' fees, legal costs, travel costs, and office rent and charges.

Indirect costs are those incurred for the administration of the association. While they do not contribute directly to the association's activities, they are essential for its survival and compliance with its legal obligations. These include salaries for administrative tasks, fundraising, accounting and auditing.



Categories of expenditures

67 %
Legal services & representation



14 %
Advocacy, network and communication



10 %
Functionning



9 %
Finances and fundraising



In 2023, numerous partner organisations have demonstrated their continued support and confidence in the project led by ELA.

14 foundations and other entities

The Foundations Gratitude, Lucq Espérance, Pour un Autre Monde (PAM), Grand Orient de France (GODF), Un Monde Par Tous (UMPT), the Inkermann Fund, le Secours Catholique, Aid Hoc, Choose Love, the Fund for Global Human Rights, le CCFD-Terre Solidaire, Humanity Now, la BNP Paribas, Project Elpida, Henkel.

4 French Bar Associations and law firms

The Bar Associations of Lyon (Endowment fund "Agir!"), Marseille, Lille (Endowment fund) and l'Essonne as well as the law firm Acquis.

We extend our gratitude to all individuals and organisations, along with our partners and sponsors, who have contributed to the success of this project.



SUPPORT OUR WORK



Our team in 2023

as of 31 December 2023



Juliette Malfaisan
Founder and director



Alexandros Tzenos
Lawyer at ELA
since February 2023



Héloïse Mussard
Communication officer
since January 2023



Juliette Tassy
Finances officer
since May 2021



Efstathia Laina
Lawyer at ELA
since May 2021



Athina Kalogridi
Lawyer at ELA
since October 2021



Eleni Papageorgiou
Lawyer at ELA
since February 2022



Valia Charalampopoulou
Lawyer at ELA
since September 2023



The team of ELA in its offices in Thessaloniki in December 2023.

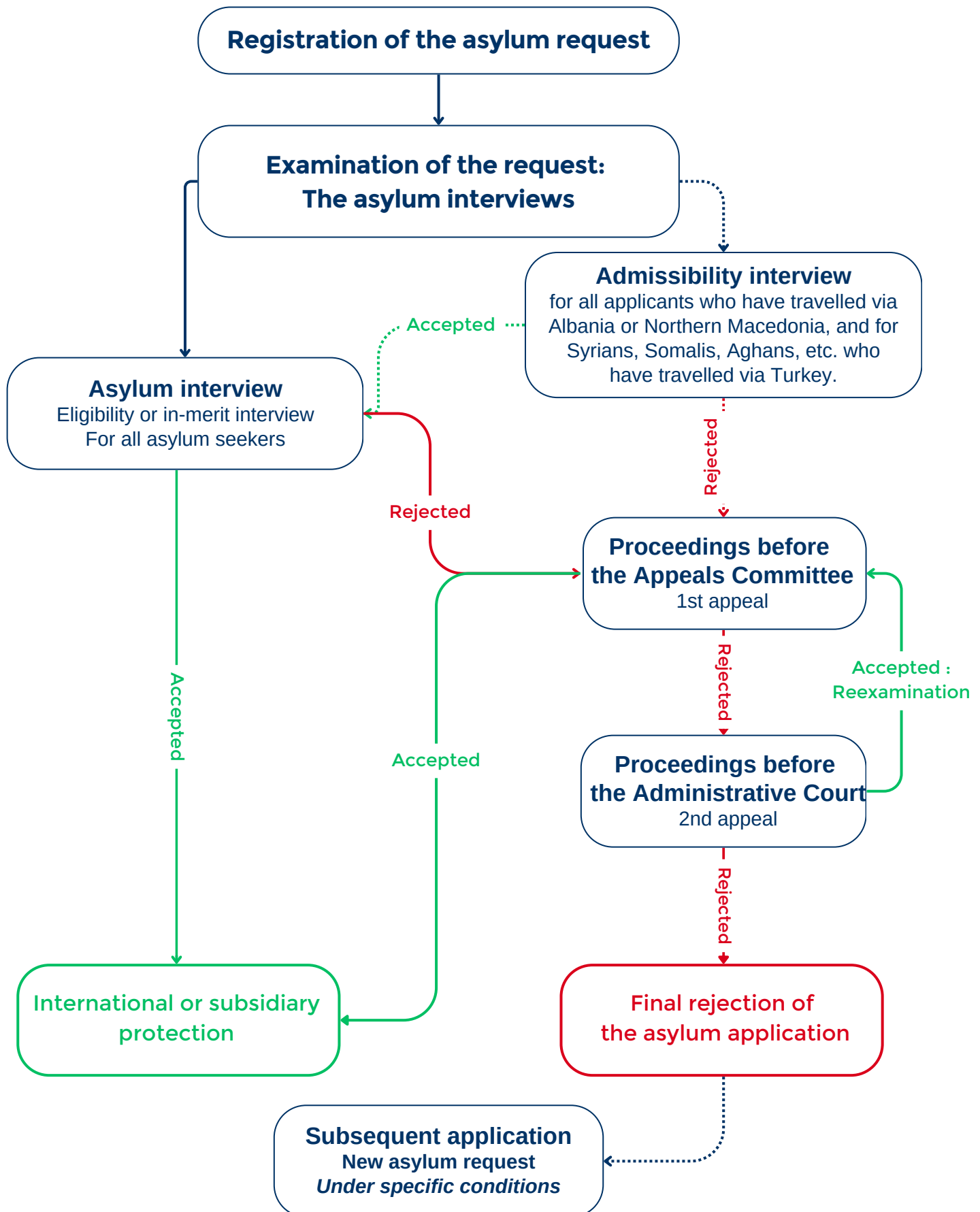
Left to right: Mariem, Athina, Eleni, Statha, Juliette, Simon, Heloise, Nasia, Alexandros, Helena.

Photo Credit: Pavlos Didaskalou

We are grateful to all the people who worked alongside us throughout 2023:

Ali, Aurore, Claudine, Divan, Domitille, Elisabeth, Farhad, Helena, Henrique, Ismail, Junior, Laura, Leonie, Mahsa, Mariem, Nathalie, Onur, Pierre, Rais, Reza, Simon, Zia.

The asylum procedure in Greece



**Annual activity report
January - December 2023**

Equal Legal Aid
Non-profit association
N°RNA : W595035578
9 rue des fabricants, 59100 Roubaix, France