

BEFORE THE
EUROPEAN COURT OF HUMAN RIGHTS

Kurdestan Darwesh and others v. Greece and the Netherlands
Application no. 52334/19

Written submissions on behalf of
Refugee Support Aegean (RSA) & Stiftung PRO ASYL

INTERVENERS

*pursuant to the Registrar's notification dated 6 March 2020 that the Court had
granted permission under Rule 44 § 3 of the Rules of the European Court of
Human Rights*

4 June 2020

Introduction

1. This Court has consistently ruled that the Contracting Parties' obligations under Article 3 of the European Convention on Human Rights (ECHR) are engaged where substantial grounds have been shown for believing that an individual would be exposed to a real risk of inhuman or degrading treatment upon removal from their jurisdiction.¹ In its interpretation of Article 4 of the Charter of Fundamental Rights of the European Union, a corollary provision of Article 3 of the Convention binding upon European Union (EU) Member States, the Court of Justice of the European Union (CJEU) has noted that the requisite threshold of a "particularly high level of severity is attained where the indifference of the authorities of a Member State would result in a person wholly dependent on State support finding himself, irrespective of his wishes and his personal choices, in a situation of extreme material poverty that does not allow him to meet his most basic needs, such as, inter alia, food, personal hygiene and a place to live, and that undermines his physical or mental health or puts him in a state of degradation incompatible with human dignity."²
2. The interveners submit that scrutiny of Contracting Parties' compliance with their Convention obligations should take into consideration up-to-date information on current obstacles encountered by persons granted international protection in Greece and returned thereto by other European countries with regard to access to socio-economic rights, namely health care, housing, social welfare and, as well as the impact thereof on risks of exposing returnees to a situation of extreme material poverty or a state of degradation incompatible with human dignity.³
3. The current policy of the Greek government shifts away from what was already limited and ineffective integration support to an approach expecting immediate autonomy and self-sufficiency of people granted international protection. As stated by the Minister of Migration and Asylum in April 2020, persons obtaining a protection status in Greece "are obliged from that point on to fend for themselves, as does every citizen".⁴
4. The lack of an effective integration system and chronic legal and practical barriers to access to basic socio-economic rights may, given the individual circumstances of each case, result in homelessness and extreme deprivation contrary to Article 3 ECHR. In some cases, decisions or omissions of the Greek authorities may expose beneficiaries of international protection to homelessness and destitution without there being measures to guarantee their access to the minimum preconditions for dignified living. The current context of eviction of 11,237 status holders "without a safety net and measures to ensure their self-reliance may push many into poverty and homelessness", as put by the United Nations High Commissioner for Refugees (UNHCR).⁵
5. As a rule, readmission of beneficiaries of international protection to Greece is carried out via Athens International Airport. The airport of Thessaloniki has been used in minimal cases, while Bulgaria is the only country conducting readmissions via land.⁶ In light of this, **the interveners submit that Attica is the main region in which status holders are likely to find themselves upon return to Greece and that obstacles prevailing predominantly in the Attica region are liable to particularly affect returnees as regards access to housing, health care, employment and social welfare.**

¹ See e.g. *Hilal v. the United Kingdom*, App No 45276/99, 6 March 2001, para 59; *Ahmed v. Austria*, App No 29564/94, 17 December 1996, paras 38-41.

² Joined Cases C-297/17, C-319/17 and C-438/17 *Ibrahim*, 19 March 2019, para 90; Case C-163/17 *Jawo*, 19 March 2019, para 92.

³ See *mutatis mutandis Ilias and Ahmed v. Hungary* [GC], App No 47287/15, 21 November 2019, para 141.

⁴ Ministry of Migration and Asylum, 'Μείωση των δομών το 2020, με επιτάχυνση των διαδικασιών ασύλου και επιστροφών', 25 April 2020, <https://bit.ly/353ZTdW>. Unofficial translation of the author.

⁵ UNHCR, 'Greece must ensure safety net and integration opportunities for refugees', 2 June 2020, <https://bit.ly/3gNr7uX>.

⁶ Information provided by the Readmission Unit, Directorate of Migration Management, Hellenic Police, 11 May 2020.

Barriers to accessing the necessary documentation [Questions 1b, 2, 3 of the Court]

6. Status holders in Greece continue to face specific challenges posed by severe administrative barriers to access to different types of official documentation. These obstacles prevent people from fulfilling the necessary documentation prerequisites for accessing key rights such as health care, housing, social welfare and access to the labour market under equal conditions to nationals.

Tax Identification Number (AFM)

7. The Tax Identification Number (*Αριθμός Φορολογικού Μητρώου*, AFM) is a prerequisite for acts such as opening of a bank account, rental of property, issuance of a Social Security Number (*Αριθμός Μητρώου Κοινωνικής Ασφάλισης*, AMKA) and access to the labour market and social assistance in Greece.
8. Individuals wishing to register with a Tax Office (*Διεύθυνση Οικονομικών Υποθέσεων*, DOY) with a view to obtaining AFM are required to certify their residence address through a certificate from a reception centre, an electricity bill or a copy of a rental contract in their name. Accordingly, **beneficiaries of international protection who do not hold a residence certificate and/or are homeless are unable to obtain AFM**. As a result, they cannot submit a tax declaration or obtain a tax clearance certificate.
9. Certain DOY impose additional requirements to the above for the purpose of issuing AFM. On Lesbos and Samos, for example, DOY reportedly request employment contracts bearing a certified signature from the employer for the issuance of AFM, as well as the reasons for which AFM is requested.⁷ On Chios, the DOY requires individuals to be accompanied by a Greek lawyer, to establish proof of the reasons for which they wish to obtain AFM by providing an employment contract or a rental agreement.
10. At the same time, tax authorities face increasing difficulties in processing requests in a timely manner. In the summer of 2019, for example, the DOY of Lesbos was unable to respond to new requests for AFM from refugees due to high numbers of arrivals. Similar problems impede access to the Hellenic Manpower Organisation (*Οργανισμός Απασχόλησης Εργατικού Δυναμικού*, O.A.E.D.), responsible for unemployed persons.⁸
11. Severe delays persist with regard to the issuance of AFM and online login credentials (*κλειδαρίθμος*), also known as "TAXISnet" codes, necessary for receiving tax clearance.
12. More recently, the introduction of restrictions in the operations of administrative authorities as a response to the COVID-19 pandemic outbreak in mid-March 2020 has led to a suspension in the issuance of AFM by DOY in the Attica region. The suspension remained in force pending the establishment of an Autonomous Unit for the issuance of AFM and online credentials (*Αυτοτελές Γραφείο Χορήγησης Α.Φ.Μ. και Κλειδαρίθμου*) within the 1st DOY of Athens under a recent decision of the Independent Authority for Public Revenue (*Ανεξάρτητη Αρχή Δημοσίων Εσόδων*, A.A.D.E.).⁹ The Autonomous Unit was expected to start operations in May 2020. This means that **all DOY in the Attica region have ceased to grant new AFM to beneficiaries of international protection and other third-country nationals at the time of writing**.¹⁰

Social Security Number (AMKA)

13. AMKA is a prerequisite for access to both health care and the labour market. Since July 2019, beneficiaries of international protection are no longer eligible for AMKA before a

⁷ Information provided by the DOY of Lesbos, 6 April 2020.

⁸ Avgi, 'Μπλόκαρε η ΔΟΥ Μυτιλήνης με εκατοντάδες πρόσφυγες για την έκδοση ΑΦΜ - Το αδιαχώρητο και στο ΚΥΤ', 20 August 2019, <https://bit.ly/2KwP3nj>; TVXS, 'Τραγελαφικές εικόνες με το ΑΦΜ των μεταναστών', 21 August 2019, <https://bit.ly/2VXBQcr>.

⁹ Article 1 A.A.D.E. Decision Δ.ΟΠΓ.Α 1044391 ΕΞ2020, Gov. Gazette B' 1561/24.04.2020, <https://bit.ly/2VN2mXm>.

¹⁰ Information provided by the DOY of Nea Ionia, 29 April 2020.

positive decision is taken on their asylum application.¹¹ They can only apply for AMKA after obtaining their status and residence permit. According to the Ministry of Labour and Social Insurance Circular in force since October 2019, beneficiaries of international protection can obtain AMKA if they hold a residence permit, a correspondence address and AFM.¹²

14. The issuance of AMKA to beneficiaries is also marred by technical problems encountered by the authorities in adapting their personal details registered in residence permits into Greek characters, even though no such obligation is set out in domestic legislation.¹³

Bank account

15. A bank account is necessary for beneficiaries of international protection to access social benefits. It is also required for persons enrolled on the HELIOS programme to receive rental subsidies, as discussed below.
16. Necessary documents for the opening of a bank account in Greece include a residence permit, passport, residence address, as well as AFM and a tax clearance certificate.¹⁴ Beneficiaries who are waiting to obtain their residence permit or passport or who cannot prove a residence address have been refused the right to open a bank account in practice. The opening of bank accounts remains a substantial difficulty for many, in particular those outside a support framework. According to UNHCR statistics, out of 6,531 status holders residing in Emergency Support to Integration and Accommodation (ESTIA) accommodation at the end of May 2020, the majority had obtained AMKA (93%) and AFM (78%) but only 10% had opened a bank account.¹⁵

Health care [Questions 1a, 1b of the Court]

17. As described above, albeit formally eligible for AMKA, beneficiaries of international protection face substantial barriers to obtaining it in practice. **Those who do not possess AMKA are required to bear the costs of medication and tests.** Costs can become exorbitant in cases involving conditions such as cancer and skin disorders, which require specialised medical checks on a regular basis.
18. Furthermore, barriers to beneficiaries' access to health care need to be assessed against the backdrop of gradual dismantling of Greece's public health care system following a decade of austerity measures, which have affected the population as a whole. Recent Amnesty International research found that austerity measures "have eroded the accessibility and affordability of health care in Greece, with many people finding it harder to afford health care and access the public health system when they need to."¹⁶ Lengthy waiting times emerged as a key problem in the accessibility of the Greek health system and those interviewed reported that they had to wait several months for consultations with doctors, diagnostic tests and access to treatment. High costs of health care emerged as another concern and those interviewed emphasised the difficulties they faced in accessing health care due to high costs.

¹¹ Ministry of Labour and Social Insurance, Circular Φ.80320/οικ.31355/Δ18.2084 "on the issuance of AMKA to foreign nationals", 11 July 2019, <https://bit.ly/2Ldd5ny>.

¹² Ministry of Labour and Social Insurance, Circular 80320/42862/Δ18.2718 "specifications on the issuance of AMKA by EFKA and KEP", 1 October 2019, <https://bit.ly/2VBYND6>. See also Annex to the Circular, 30, <https://bit.ly/3bEXXuT>.

¹³ Ombudsman, 'Ζητήματα απόδοσης AMKA, ΚΥΠΑ και συναφή προσκόμματα πρόσβασης στην εργασία, ασφάλιση και υγεία των αιτούντων διεθνή προστασία και των ανηλίκων', 10 September 2019, 3-4, <https://bit.ly/2zLIRWM>.

¹⁴ Hellenic Bank Association, 'Συστηθήκατε; Αν όχι... κάντε το τώρα', July 2018, <https://bit.ly/3cKcjtX>.

¹⁵ UNHCR, *Population breakdown in ESTIA accommodation*, 25 May 2020, <https://bit.ly/3dbixUy>.

¹⁶ Amnesty International, *Resuscitation required: The Greek health system after a decade of austerity*, April 2020, 6.

19. During the measures to prevent the spread of the COVID-19 pandemic, the Andreas Syggros Hospital, a public hospital specialising in dermatological conditions such as skin cancer and other skin disorders and treatment, did not accept new appointments and had suspended morning and afternoon appointments until recently. No other public hospital accepted new appointments. Accordingly, patients were only able to refer to a private clinic and bear the financial costs of care.
20. In addition, the language barrier remains a key obstacle to beneficiaries' access to treatment. **Hospitals in the Attica region continue to lack available interpretation services to communicate with patients.**¹⁷ The National Public Health Organisation (Εθνικός Οργανισμός Δημόσιας Υγείας, EODY) was unable to share statistics on interpreters and staff deployed in hospitals under the "PHILOS – Emergency health response to refugee crisis" programme,¹⁸ though it stated that all languages covered in leaflets provided to individuals are covered by interpreters.¹⁹ **No interpreters are deployed by the PHILOS programme to the Andreas Syggros Hospital.**²⁰

Housing & social welfare [Questions 2, 4 of the Court]

21. Upon readmission at Athens International Airport, beneficiaries of international protection are provided with no information or referral regarding accommodation possibilities in Greece. RSA has monitored cases of returnees, including families and vulnerable persons, who have had to live homeless in parks or in overcrowded houses.²¹

Accommodation & support in ESTIA or reception facilities unavailable to returnees

22. As originally adopted in November 2019,²² Article 114 of the International Protection Act (IPA) laid down a 6-month deadline for beneficiaries of international protection to exit reception facilities following the grant of status. Under the amended Article 114 IPA,²³ beneficiaries of international protection cease to be eligible for material reception conditions in kind and in the form of financial allowances immediately upon issuance of a positive decision on their asylum application. Accordingly, **allowances such as cash assistance offered to asylum seekers under the ESTIA²⁴ programme implemented by UNHCR and partner organisations are terminated as soon as international protection is granted.**²⁵
23. Status holders residing in any reception facility, including hotels and apartments, have an **obligation to leave their accommodation place within 30 days of notification of the positive decision.**²⁶ UNHCR and civil society organisations have warned against these measures, arguing that the termination of support to beneficiaries of international protection will expose people to homelessness.²⁷ The Ministry of Migration and Asylum has recently specified that all persons to whom a decision granting international protection has been notified prior to 1 May 2020 are required to leave their

¹⁷ See e.g. RSA, "In this place, we have to help ourselves!", April 2020, 11, <https://bit.ly/2X2UGAA>.

¹⁸ For discussion, see RSA & PRO ASYL, *Structural failure: Why Greece's reception system failed to provide sustainable solutions*, June 2019, <https://bit.ly/3csBuln>.

¹⁹ Information provided by EODY, 4 May 2020.

²⁰ EODY, 'Ανάρτηση οριστικών αποτελεσμάτων PHILOS – Υποέργο 4', 16 January 2020, <https://bit.ly/2X6QLCZ>.

²¹ See Annex 2 for a selected case. See also RSA, 'Returned recognized refugees face a dead-end in Greece', 9 January 2019, <https://bit.ly/3ctbZQ1>.

²² Law 4636/2019 "on international protection and other provisions", Gov. Gazette A' 169/1.11.2019 (consolidated version), <https://bit.ly/3bD2mOO>.

²³ Article 114(1) IPA, as amended by Article 111 Law 4674/2020.

²⁴ For details, see UNHCR, ESTIA, <http://estia.unhcr.gr/en/home/>.

²⁵ Previously, status holders could remain in ESTIA for a 6-month period after obtaining status: Ministry of Migration Policy Decision 6382/2019, Gov. Gazette B' 853/12.03.2019, <https://bit.ly/2HJeiU8>.

²⁶ Article 114(1) IPA, as amended by Article 111 Law 4674/2020.

²⁷ UNHCR, 'Greece must ensure safety net and integration opportunities for refugees', 2 June 2020, <https://bit.ly/3gNr7uX>; Arsis, 'Εκτός ESTIA και στέγασης με ταχύρρυθμες διαδικασίες οι αναγνωρισμένοι πρόσφυγες', 30 April 2020, <https://bit.ly/2Ldp1FT>; Greek Forum of Refugees, 'Κανένας άνθρωπος στο δρόμο', 25 May 2020, <https://bit.ly/36ywm36>.

accommodation place by 1 June 2020. On 29 May 2020, the Ministry of Migration and Asylum acknowledged the need to review the HELIOS programme and to better connect status holders with the national authorities responsible for employment (OAED) and social assistance (OPEKA),²⁸ without however revisiting the impending evictions from reception facilities or introducing effective transition measures for beneficiaries of international protection. Accordingly, **as of 1 June 2020, the authorities will gradually proceed to the eviction of 11,237 people, including particularly vulnerable groups such as single-parent families and persons suffering from chronic conditions, from ESTIA apartments, Reception and Identification Centres, camps and hotels**, where they were initially residing as asylum seekers. The Greek Council for Refugees estimates as many as 16,000 people required to leave reception places by the end of June 2020.²⁹

24. The 11,237 beneficiaries at risk of destitution are **added to status holders who have never benefitted from material reception conditions or have had those terminated**, and who struggle with destitution and live unofficially in camps or in inappropriate housing solutions without effective support, even where they are vulnerable.
25. Limited possibilities to prolong stay are allowed only to persons residing in accommodation provided by ESTIA. For those cases, in exceptional circumstances such as a serious medical condition, a 2-month extension may be granted by the Directorate of Protection of Asylum Seekers.³⁰ The Ministry has noted that persons notified a positive decision prior to 1 April 2020 who fall within this category have to exit facilities by 1 June 2020.³¹ The law specifies that pregnant women are allowed to stay in ESTIA accommodation for 2 months following birth.³² In the case of unaccompanied children, the 30-day deadline to exit their accommodation place starts running from the point the beneficiary has reached adulthood.³³
26. It is worth mentioning that the management and overall coordination of the ESTIA programme has now been taken over by the Ministry of Migration and Asylum. Under the second phase of the programme ("ESTIA II"), launched at the end of March 2020, the Ministry has set a target of 40,000 accommodation places for asylum seekers throughout the country by 2021.³⁴ The Ministry has made contradictory statements in this regard, however. An earlier announcement from the Ministry declared that it would "abolish the use of apartments and hotels in cities for the accommodation of refugees".³⁵ This was reiterated by the Minister on 3 May 2020 in a media interview.³⁶
27. ESTIA provided accommodation to 22,726 persons as of 25 May 2020. Of those, 6,559 were recognised refugees.³⁷ Accommodated beneficiaries were predominantly residing in ESTIA places in Attica (3,726). These people are required to leave their places in accordance with the IPA provisions.

²⁸ Ministry of Migration and Asylum, 'Αποχώρηση αναγνωρισμένων προσφύγων και μη δικαιούχων ασύλου από το ελληνικό σύστημα υποδοχής', 29 May 2020, <https://bit.ly/2Xh3T8v>.

²⁹ Εφsyn, 'Στον δρόμο χιλιάδες αναγνωρισμένοι πρόσφυγες!', 25 May 2020, <https://bit.ly/2X3BaE4>; 'Σχέδιο έξωσης 10.000 προσφύγων', 20 May 2020, <https://bit.ly/3e9zUVF>.

³⁰ Article 6(1) Joint Ministerial Decision 13348/2020 "on material reception conditions under the 'ESTIA II' programme" for the accommodation of applicants for international protection", Gov. Gazette B' 1199/7.4.2020, <https://bit.ly/2Y2ySpN>.

³¹ Ministry of Migration and Asylum, 'Παροχή διευκρινίσεων ως προς τις προθεσμίες αποχώρησης από τις θέσεις στέγασης και τις δομές υποδοχής και φιλοξενίας', No 132, 22 May 2020, on file with the author.

³² Article 6(2) Joint Ministerial Decision 13348/2020.

³³ Article 114(1) IPA, as amended by Article 111 Law 4674/2020.

³⁴ Ministry of Migration and Asylum, 'Χιλιάδες νέες θέσεις διαμονής στο πρόγραμμα ESTIA II με στόχο την αποσυμφόρηση των νησιών-Αναλαμβάνει την διαχείριση του Προγράμματος εντός του 2020 το Υπουργείο Μετανάστευσης και Ασύλου', 30 March 2020, <https://bit.ly/3avvDtC>.

³⁵ Ministry of Migration and Asylum, 'Δημιουργούμε 20.000 νέες θέσεις φιλοξενίας στην ενδοχώρα', 26 February 2020, <https://bit.ly/3fceyIT>.

³⁶ Ministry of Migration and Asylum, 'Φρένο στις ροές - ασφάλεια στις δομές', 3 May 2020, <https://bit.ly/3c2XC5u>.

³⁷ UNHCR, *Population breakdown in ESTIA accommodation*, 25 May 2020, 2, <https://bit.ly/3dbixUy>.

28. RSA is monitoring cases of refugees, including vulnerable persons such as single parents and persons with psychiatric conditions, in immediate danger of eviction from reception facilities or apartments and at risk of homelessness in Athens or other cities.
29. **The interveners submit that beneficiaries of international protection, including those returned to Greece from other countries, are not eligible for support under ESTIA.**

HELIOS and housing support programmes for beneficiaries of international protection subject to strict conditions, unavailable to returnees

30. The only official integration programme currently operating in Greece is the Asylum, Migration and Integration Fund (AMIF) supported "Hellenic Integration Support for Beneficiaries of International Protection" (HELIOS),³⁸ implemented by the International Organisation for Migration (IOM) in partnership with several non-governmental organisations e.g. Catholic Relief Services, Danish Refugee Council, Greek Council for Refugees and Solidarity Now. The programme runs from July 2019 to November 2020.
31. Eligibility for enrolment on HELIOS is subject to the following criteria: (a) recognition as a refugee or beneficiary of subsidiary protection **after 1 January 2018**; and (b) **official registration and residence** in an open reception facility (camp), a Reception and Identification Centre (RIC), a hotel,³⁹ or an accommodation place under the ESTIA programme. This includes facilities on the islands. In response to an explicit request to specify if beneficiaries returned from other countries can enrol on HELIOS, IOM reiterated the above eligibility criteria.⁴⁰ Accordingly, the interveners submit that **beneficiaries of international protection who obtained status prior to 2018 and/or do not reside in a reception facility or an ESTIA place, including those returned to Greece from another European country, are not eligible for the HELIOS programme.**
32. **HELIOS does not provide accommodation per se** to status holders. It offers them rental subsidies to assist them in finding a place, **upon condition they hold a rental agreement and a bank account; these in turn require AFM.** Assistance under HELIOS is offered for a period of 6 months, with the possibility to go up to one year in limited cases.⁴¹
33. Priority in HELIOS is given to beneficiaries who were previously housed under the ESTIA programme. According to the latest IOM statistics, a total of 9,103 beneficiaries of international protection had been registered on the HELIOS programme by 29 May 2020. 52% of enrolled beneficiaries were previously residents in an ESTIA place.
34. From its launch to 29 May 2020, HELIOS had provided rental subsidies to 757 households, totalling 1,686 beneficiaries, originating predominantly from Syria (36%), Iraq (22%) and Afghanistan (17%). Out of 757 households, 500 (66%) benefitted from rental subsidy to access accommodation in the same municipality, while the remaining 257 (34%) moved to a different municipality.⁴²
35. Based on those figures, it remains clear that **accommodation support under HELIOS has only been provided to a small fraction of the refugee population in Greece.** From the start of the reference period covered by the programme, 1 January 2018, until the end of February 2020, the Asylum Service had granted international protection to 35,320 persons.⁴³ Another 896 persons were granted international protection by the Appeals

³⁸ IOM, *Hellenic Integration Support for Beneficiaries of International Protection (HELIOS)*, <https://bit.ly/2S21ZFJ>.

³⁹ Accommodation in hotels is provided under the "FILOXENIA - Temporary Shelter and Protection for the Most Vulnerable Migrants in Greece" implemented by IOM from October 2018 to November 2019. The Ministry of Migration and Asylum has announced that the programme will not be continued: Ministry of Migration and Asylum, 'Φρένο στις ροές - ασφάλεια στις δομές', 3 May 2020, <https://bit.ly/3c2XC5u>.

⁴⁰ Information provided by IOM, 29 January 2020.

⁴¹ *Ibid.*

⁴² IOM, *HELIOS Factsheet*, 29 May 2020, <https://bit.ly/3gKtWgl>.

⁴³ Asylum Service, *Statistical data*, 29 February 2020, <https://bit.ly/2W2HnPC>.

Authority in 2018 and 2019.⁴⁴ Therefore **less than 4%** of people granted status in Greece since the beginning of 2018 have been able to access rental subsidies under HELIOS.

36. Beyond HELIOS, small-scale pilot projects offering housing support include “Curing the Limbo”, a project run by the Municipality of Athens from April 2018 to March 2021, with capacity to offer housing support to up to 100 persons granted international protection from 2015 onwards, based on vulnerability criteria. Housing support under the project is available for a 9-month period and the level of financial assistance varies according to the composition of the household. By the end of January 2020, 56 refugees had obtained a lease agreement with support from the programme.⁴⁵ However, **“Curing the Limbo” has stopped accepting new beneficiaries** due to the COVID-19 pandemic and to the fact that the maximum number of beneficiaries has been reached.⁴⁶ Moreover, the organisation “Home Project” specifically targets unaccompanied children and has reached over 400 beneficiaries and created 11 shelters in Athens.
37. RSA is not aware of other programmes run by non-governmental organisations to support beneficiaries of international protection in accessing housing. There is no known list of organisations offering accommodation to status holders.⁴⁷
38. In addition to the **precondition of possession of AFM, barriers to obtaining a rental agreement persist**. Beneficiaries of international protection continue to report to RSA problems in communicating with landlords, as well as discrimination in the housing market and xenophobic stances from local authorities.⁴⁸ Moreover, most beneficiaries cannot find an apartment to rent due to the lack of available properties at affordable prices and to lack of funds to pay a deposit. They also hesitate to move out of apartments in which they have resided during their asylum procedure, as this often means relocating to distant places in the outskirts of urban areas or the countryside, at a distance from supporting services. The HELIOS rent subsidy alone is insufficient to ensure their subsistence.

Social benefits

39. The **guaranteed minimum income** (ελάχιστο εγγυημένο εισόδημα),⁴⁹ formerly known as Social Solidarity Income (Κοινωνικό Επίδομα Αλληλεγγύης, KEA),⁵⁰ is a 200 € monthly allowance per household, plus 100 € per additional adult and 50 € per additional child, available to people living below the poverty line. The guaranteed minimum income is formally available to beneficiaries of international protection.⁵¹ Eligibility for the guaranteed minimum income is conditioned *inter alia* on possession of AFM, tax clearance, AMKA and bank account, as well as a registered permanent address in Greece. Proof of address requires either a **rental contract signed 6 months prior to the application**, a homelessness certificate by a municipality or a certificate of use of services of a municipality drop-in centre for the homeless.⁵²
40. As a rule, a homelessness certificate is issued by the Municipality of Athens only to persons living on the streets as identified by Centre for Reception and Solidarity of the Municipality of Athens (Κέντρο Υποδοχής και Αλληλεγγύης Δήμου Αθηναίων, KYADA)

⁴⁴ Asylum Information Database, *Country Report Greece, 2018 Update*, March 2019, 50, <https://bit.ly/3cLqZsP>; *Country Report Greece, 2019 Update*, forthcoming.

⁴⁵ Curing the Limbo, *Update 31/1/2019 – 31/1/2020 – Το πρόγραμμα σε αριθμούς*, January 2020, <https://bit.ly/3ePFnCF>.

⁴⁶ Information provided by the Municipality of Athens, 14 April 2020.

⁴⁷ Information provided by UNHCR, 29 January 2020.

⁴⁸ See e.g. a recent call from the Deputy Governor of Chios on landlords not to let property to migrants: Alithia, ‘Μην νοικιάζετε σε μετανάστες λέει ο Αντιπεριφερειάρχης υγείας!’, 22 April 2020, <https://bit.ly/2zyDg63>.

⁴⁹ Article 29(2) Law 4659/2020, Gov. Gazette A’ 21/3.2.2020, <https://bit.ly/2zhWxZ0>.

⁵⁰ Article 235 Law 4389/2016, as last amended by Law 4659/2020.

⁵¹ OPEKA, Ελάχιστο Εγγυημένο Εισόδημα (KEA), <https://bit.ly/3chQsdD>.

⁵² Article 5 Joint Ministerial Decision Δ13/οικ./33475/1935, Gov. Gazette B’ 2281/15.06.2018, <https://bit.ly/2WHffHO>. See also Article 235(2)(c) Law 4389/2016.

staff in the course of their street work.⁵³ This excludes the homeless living in 'squats', living unregistered in refugee camps, moving between houses of co-nationals in order to avoid the streets, or regularly changing locations along with their belongings for security reasons. Therefore, **many homeless persons are unable to obtain such a certificate so as to fulfil the conditions for guaranteed minimum income**. RSA has observed severe obstacles to receiving such a certificate facing families with children who in most cases live from day to day, informally housed as short-term guests in ESTIA homes or reception facilities.

41. The **rental allowance** (*επίδομα στέγασης*) is available to up to 600,000 households living in rented accommodation or paying a mortgage on their main family home.⁵⁴ A minimum residence requirement has been introduced for eligibility for a rental allowance, including for beneficiaries of international protection, who must legally and permanently reside in Greece for a minimum of 5 years prior to applying for a rental allowance.⁵⁵ This condition renders the allowance inaccessible to beneficiaries who obtained status in recent years and/or to those who have not managed to submit tax declarations on time and/or who have not remained in Greece without interruption.
42. The one-off **child-birth allowance** introduced in 2020 is available to mothers who are third-country nationals, including beneficiaries, upon condition that they establish 12 years of permanent and uninterrupted residence in Greece, as demonstrated through the submission of tax declarations.⁵⁶ Accordingly, the vast majority of status holders are excluded from this benefit. The monthly **child support allowance** – ranging from 28 € to 70 € per child according to income and household size – is expressly available to persons who fulfil 5 years of permanent and uninterrupted residence in Greece, as demonstrated through the submission of tax declarations.⁵⁷ **Disability benefits** are conditioned upon examination by the Disability Accreditation Centre and establishment of over 67% of disability for a person to be eligible for the **severe disability allowance**. The **uninsured retiree benefit**, up to a maximum of 360 € for an uninsured person aged 67, is available to persons who have had permanent and uninterrupted residence in Greece for 15 years.⁵⁸
43. **The interveners submit that the lengthy residence requirements underpinning most benefits do not take into account the particular situation of refugees and thereby entail differential treatment against beneficiaries of international protection compared to nationals and effectively exclude them from most forms of social assistance.** As concluded by the Asylum Information Database (AIDA) report on Greece, "except for KEA, there are no other effective allowances in practice."⁵⁹

Short-term shelters for the homeless

44. Status holders could seek access to short-term homeless shelters offering accommodation for 3 to 6 months. However, homeless shelters operated throughout the country do not specifically target beneficiaries of international protection, although some are open to them.⁶⁰
45. Access to the shelters is restricted by a number of criteria, given that (1) **the majority of shelters only accept Greek or English speakers due to a lack of interpreters**; (2) all

⁵³ Information provided by KYADA, 3 December 2019.

⁵⁴ Article 3 Law 4472/2017, Gov. Gazette A' 74/19.05.2017, <https://bit.ly/2zpEkZm>.

⁵⁵ Article 3(6) Law 4472/2017, inserted by Article 17 Law 4659/2020. Residence is established based on the submission of tax declarations within the requisite deadlines.

⁵⁶ Articles 1(2) and 7(1)(e) and (2) Law 4659/2020.

⁵⁷ Article 214(11) Law 4512/2012, as amended by Article 15(1) Law 4659/2020. The above observations on timely tax declarations are applicable.

⁵⁸ Article 93 Law 4387/2016.

⁵⁹ AIDA, *Country Report Greece, 2018 Update*, March 2019, 190, <https://bit.ly/35O83rd>.

⁶⁰ Note that, according to Article 33 IPA, beneficiaries of international protection have a right to accommodation under the same conditions as other legally residing third-country nationals. The law does not guarantee them equal treatment to Greek nationals.

shelters (except one for refugees with serious mental problems) are **unavailable to persons with mental health conditions**; (3) the only shelter designed for families has been suspended, **only two shelters exceptionally admit families** and one accepts women with children, notably victims of domestic violence; (4) **state-run shelters require a tax clearance** – which in turn requires possession of **AFM** – and medical examinations; and (5) their **capacity is consistently extremely restricted**,⁶¹ taking into account the general increase in homelessness over the past decade. Some of the facilities only offer dormitories and thereby require residents to leave the shelter during daytime, while the period of stay in dormitories cannot exceed 15 days to one month.⁶²

46. On 2 June 2020, KYADA responded that no free capacity existed in its shelter, suitable for male adults speaking Greek or English who do not suffer from a mental health condition, and that it operates on the basis of waiting lists.⁶³ In April 2020, RSA contacted shelters in the Attica region and was informed that **all except one** – the MdM dormitory – **had no availability and none were accepting placements**, in some cases partly due the COVID-19 outbreak. There were no available places for families.
47. **The interveners submit that beneficiaries of international protection, including those returned to Greece from other countries, run a real risk of destitution and complete lack of accommodation engaging Article 3 ECHR.**⁶⁴ RSA continues to monitor several cases of homeless refugees who remain unregistered in precarious conditions in open reception facilities in the Attica region, live in overcrowded private apartments under insalubrious conditions or sleep rough in parks of Athens.⁶⁵ Since the government's systematic operations following the summer 2019 to evacuate and close down squats in the wider Athens area,⁶⁶ makeshift accommodation solutions have largely ceased to be used for beneficiaries. In a recent operation of 18 May 2020 to evacuate an abandoned building in Exarcheia, Athens,⁶⁷ residents who were found to be status holders – including families with young children – were left to sleep rough on the street. Under the aforementioned plan to evict status holders from reception facilities, thousands of beneficiaries are in immediate danger of homelessness in Greece.

Employment [Question 3 of the Court]

48. The aforementioned persisting difficulties to obtaining AFM and AMKA and to opening a bank account, which are necessary preconditions for access to work, hinder beneficiaries of international protection from gaining access to the labour market. Even those who are formally able to do so, however, face extremely limited opportunities in the labour market. Beneficiaries do not possess the same prerequisites as Greek nationals in terms of language skills, social networks, geographic and cultural knowledge, and **no national strategy or targeted programmes to enable their access to employment have been put into place by OAED**. The lack of state-provided language courses remains one of the most severe omissions of the state, as knowledge of the Greek language is necessary to draft a CV, to communicate with employers and to fill most positions,⁶⁸ while language courses remain unavailable. As UNHCR reported in May 2020, most refugees do not benefit from language courses or integration

⁶¹ See Annex 1. Lack of capacity is a recurring concern: RSA & PRO ASYL, *Legal Note on the living conditions of beneficiaries of international protection in Greece*, August 2018, 6, <https://bit.ly/35i36GU>, as well as 2019.

⁶² *Ibid.*

⁶³ Information provided by KYADA, 2 June 2020. This was also stated by KYADA on 3 December 2019.

⁶⁴ See *inter alia* (Germany) Administrative Court Gießen, 8 L 4715/19.GI.A, 14 January 2020; Administrative Court Osnabrück, 5 A 2019/19, 27 February 2020; (Netherlands) Regional Court Middelburg, NL20.4937, 31 March 2020.

⁶⁵ See also Greek Council for Refugees, '«Μένουμε σπίτι» ή «Μένουμε στο δρόμο»; ΔΤ του ΕΣΠ για την αστέγεια υπό συνθήκες κορονοϊού', 16 April 2020, <https://bit.ly/3eStz20>.

⁶⁶ See *inter alia* RSA, "'Neither here, nor there": Refugees transferred to Corinth transit camp are left in precarious limbo', 1 November 2019, <https://bit.ly/3cgb3PD>.

⁶⁷ Ta Nea, 'Εκκενώθηκε κατάληψη προσφύγων στα Εξάρχεια', 18 May 2020, <https://bit.ly/36d9rnw>.

⁶⁸ Accordingly, refugees who succeed in securing employment usually find opportunities in positions where language knowledge is not required e.g. agriculture, textile industry, woodwork: AMNA, 'Οι δουλειές που αναζητούν στην Ελλάδα μετανάστες και πρόσφυγες', 1 October 2019, <https://bit.ly/2LbSWhL>.

programmes in Greece.⁶⁹ HELIOS offers job counselling to beneficiaries and had provided 862 sessions and 798 integration courses by 29 May 2020.⁷⁰

49. Beneficiaries who have lost their employment are entitled to unemployment benefits similar to Greek nationals. However, they are excluded from long-term unemployment benefits, which are only accessible by Greek and EU citizens.⁷¹
50. Additionally, Greece has no mechanism to assess and recognise professional skills and qualifications, resulting in further barriers to access to work or to vocational training.⁷² Due to those omissions, **the interveners submit that beneficiaries do not enjoy the same employment opportunities as nationals in practice.**
51. At the same time, the Greek labour market remains crippled by high unemployment rates, compounded by severe loss of jobs following the recent COVID-19 outbreak. As observed by the European Commission, Greece's economy is expected to be severely hit by the COVID-19 pandemic and the measures to halt its spread in 2020. The forecast unemployment rate is 19.9 % for this year.⁷³ Meanwhile, International Monetary Fund projections point to a deficit of 10% and an unemployment rise up to 22.3% in 2020.⁷⁴
52. According to the latest statistics of O.A.E.D., over 1.1 million persons are registered as unemployed in Greece. Of those, 124,448 are third-country nationals, mostly concentrated in the regions of Attica (48,981) and Central Macedonia (22,759). These figures are not disaggregated by category of residence permit, meaning that statistics on the situation of unemployed beneficiaries are not available.⁷⁵
53. A near-two-decade record 41,903 jobs were lost during the first month of implementation of COVID-19 restrictive measures.⁷⁶ These developments will undoubtedly exacerbate already onerous obstacles to access of beneficiaries of international protection to the Greek labour market in the coming months.

Remedies against violations of rights [Question 6 of the Court]

54. The interveners submits that there is no effective remedy available to beneficiaries of international protection who have suffered violations of Article 3 ECHR stemming from denial of socio-economic rights and extreme material deprivation in Greece, including those returned from other European countries. The **compensation claim** (αγωγή αποζημίωσης) against acts or omissions of the state, is an **ineffective remedy**, given that it: (1) only entitles the claimant to financial compensation and **not redress with regard to the rights denied**; and (2) entails **lengthy procedures**, during which **the claimant cannot apply for interim measures** to be protected from Article 3 risks.
55. Additionally, the **application for annulment** (αίτηση ακύρωσης) before the Administrative Court against acts or omissions of the administration is also an **ineffective remedy**, since it: (1) entails lengthy procedures of up to 2-3 years and high fees; (2) examines points of law and not fact; (3) does not have automatic suspensive effect, while a suspension request is not allowed in cases of omission of state duties (παράλειψη οφειλούμενης πράξης).

⁶⁹ in.gr, "Υπατη Αρμοστέα ΟΗΕ για πρόσφυγες: Δίκαιη απονομή ασύλου, όχι μόνο γρήγορη", 6 May 2020, <https://bit.ly/2LazMJf>.

⁷⁰ IOM, *HELIOS Factsheet*, 29 May 2020, <https://bit.ly/3gKtWgl>.

⁷¹ Article 1(IA)(IA1) Law 4093/2012, Gov. Gazette A' 222/12.11.2012.

⁷² See further Ombudsman, *Αναγνώριση αλλοδαπών τίτλων σπουδών & επαγγελματικά δικαιώματα*, 2019, <https://bit.ly/2ZVAiP4>.

⁷³ European Commission, *European Economic Forecast – Spring 2020*, May 2020, 88, <https://bit.ly/2ZFggNf>.

⁷⁴ Kathimerini, 'IMF: Greek economy to contract 10 pct in 2020', 14 April 2020, <https://bit.ly/2YbsIZM>.

⁷⁵ O.A.E.D., *Στατιστικά στοιχεία ανά μήνα*, April 2020, <https://bit.ly/2KxdlOb>.

⁷⁶ Flash, 'Κορονοϊός απολύσεις: Συντριπτικά τα στοιχεία σύμφωνα με την ΕΡΓΑΝΗ', 11 April 2020, <https://bit.ly/2WqEibV>.

Kurdistan Darwesh and others v. Greece and the Netherlands
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Annexes to the written submissions for the interveners
Refugee Support Aegean (RSA) & Stiftung PRO ASYL

Annex 1 – Short-term homeless shelters in the Attica region as of April 2020

Shelter	Management	Capacity	Requirements & availability
KYADA shelter	Municipality of Athens	:	<p>KYADA has a shelter with a known capacity of 100-150 places open to single adults. It requires prior medical tests and a tax clearance certificate. Families and persons with a psychiatric condition are not admitted.¹ The shelter only admits Greek or English speakers.</p> <p>In addition to this shelter, which remains in operation, the Municipality of Athens announced in April 2020 the inauguration of a new "Multi-Purpose Homeless Shelter" (Πολυδύναμο Κέντρο Αστεγών) with a capacity of 400 places.² The building complex has been provided to the Municipality for three months, subject to a further three-month extension.³</p> <p>As of April 2020, no placements were carried out in KYADA. New applications made following the COVID-19 outbreak are referred to the new homeless shelter operated by the Municipality. Persons who possess a homelessness certificate have priority in obtaining a placement in the new shelter, while access operates on the basis of waiting lists. The Multi-Purpose Shelter hosted about 200 persons at the end of May 2020.⁴ Persons hosted by KYADA are to be moved to the new shelter in the coming weeks.</p> <p>On 2 June 2020, RSA was informed by KYADA that there was no availability in their shelters and that they operated based on waiting lists.</p>
"Multi-Purpose Homeless Shelter"	Municipality of Athens	:	
"Provisional Accommodation Shelter"	Municipality of Athens, OKANA & KETHEA	70	The shelter was inaugurated in April 2020 and is exclusively dedicated to homeless persons suffering from drug addiction. It offers stay for up to 6 months. ⁵
"Relief" (Ανακούφιση)	Municipality of Piraeus	35-40	The Relief (Ανακούφιση) ⁶ short-term shelter run by the Utility of the Municipality of Piraeus (Κοινοφελής Δημοτική Επιχείρηση Πειραιά, KODEP). It rarely accepts non-nationals and upon condition they are registered citizens of Piraeus. Persons suffering from psychiatric conditions are not admitted.

¹ Amnesty International, *Resuscitation required: The Greek health system after a decade of austerity*, April 2020, 8, <https://bit.ly/2y1H1jP>.

² City of Athens, 'Πολυδύναμο Κέντρο Αστεγών - ευρωπαϊκό πρότυπο από τον Δήμο Κώστας Μπακογιάννης: Αξιοπρεπείς συνθήκες διαβίωσης των συνανθρώπων μας τώρα αλλά και μετά την κρίση', 8 April 2020, <https://bit.ly/3cL2hJ7>.

³ Εfsyn, 'Κέντρο Αστεγών για τον κοινωνικό έλεγχο και όχι για την αστεγία', 22 April 2020, <https://bit.ly/2SmlHwf>.

⁴ Το Ραφόν, 'Στο Πολυδύναμο Κέντρο Αστεγών του Δήμου Αθηναίων η Πρόεδρος της Δημοκρατίας', 20 May 2020, <https://bit.ly/3gtvevZ>.

⁵ City of Athens, 'Ξενώνας για άστεγους τοξικοεξαρτημένους από Δήμο Αθηναίων - OKANA – ΚΕΘΕΑ - Κώστας Μπακογιάννης: Κανένας μόνος του, κανένας αποκλεισμένος', 22 April 2020, <https://bit.ly/2SnE7g1>.

⁶ KODEP, *Short Term Shelter for the homeless of Piraeus "Relief"*, <https://bit.ly/2W7T8Uw>.

			Currently, it has no availability and does not accept placements due to COVID-19.
Social Shelter	Municipality of Vouliagmeni	34	The shelter requires a recent tax clearance certificate. Families are admitted only in exceptional cases, while persons with mental health conditions are not admitted. No information was provided regarding current availability.
Salamina Dormitory	Municipality of Salamina	:	The shelter does not accept placements due to COVID-19.
Archbishop Shelter (Αρχιεπισκοπή)	Church of Greece	10	Only persons who can speak commonly used languages are admitted, due to a lack in interpretation services. The shelter requires prior medical tests and does not admit persons suffering from psychiatric conditions. No placements are accepted at the moment due to COVID-19.
"Galini"	Church of Greece	10	Placements are not accepted at the moment. In any event, prior coordination with the Church is needed for a placement.
Homeless Dormitory	Médecins du Monde	55	The dormitory does not accept families and only admits persons who speak Greek or English. The dormitory currently has available space. However, no placements are accepted due to COVID-19.
Homeless Day Centre Piraeus	Unesco Piraeus	65	The dormitory does not accept people who do not speak Greek or English, due to a lack of interpretation services. It has available space at the time of writing. However, no placements are currently accepted due to COVID-19. At the end of March 2020, a resident tested positive to the virus. ⁷
	Centre for Disease Prevention and Control (KEELPNO)	:	The shelter is only available to HIV+ positive persons. A limited number of beds could be made available at the facility in case of urgent need. Conditions include HIV+ certificate, certificate attesting that the person does not have active tuberculosis, psychiatric evaluation and COVID-19 test.
Kareas	National Centre for Social Solidarity (EKKA)	65	The EKKA shelter requires prior medical tests and only accepts persons who speak Greek or English. Families are rarely admitted. Stay is permitted for up to three months. Currently, EKKA has no availability and does not accept placements in either of its facilities, i.e. Central Athens and Social Shelter Kareas.
Red Cross Shelter	Hellenic Red Cross	80	The shelter accommodates families, but has been suspended since May 2019 and is not yet operational.
"Fivi" Shelter		8-10	The shelter is designed for women victims of violence and can offer a 3-month stay. Fivi has no availability and does not carry out placements at the moment.
"Iolaos" Shelter	Klimaka	10	The shelter is available to non-nationals, asylum seekers and status holders with psychiatric problems. Only severe medical cases referred by the Health Authority can be accepted.
	Social Housing Network (Δίκτυο Κοινωνικής Κατοικίας)	15 flats	The network has 15 apartments available to families, including single-parent families. There are no available places at the moment.

⁷ | Efimerida, 'Ο ΕΟΔΥ δίπλα στο Ανοικτό Κέντρο Ημέρας Αστέγων -Άμεση ανταπόκριση στην έκκληση της UNESCO Παιραιώς και Νήσων', 29 March 2020, <https://bit.ly/3f7p2sU>.

Annex 2 – Case of returned family of beneficiaries followed by the interveners

RSA monitored and recorded the living conditions of a Syrian refugee family with two minor children, upon their return to Greece from the Netherlands (2018-2019), during fact-finding visits and legal counselling and assistance.

22 Apr 2016: The Syrian family was granted refugee status on Lesbos island.

May 2017: The applicants were granted residence permits as refugees, as well as travel documents. Fearing eviction and in the absence of a long-term national integration programme for refugees and of any prospects of ensuring a dignified and safe life in Greece, the family left Greece and went to the Netherlands, where a second child was born.

Oct 2018: The family of four was deported by the Netherlands to Greece. Upon arrival in Greece, they faced extreme poverty and homelessness. No information or help was provided to them upon arrival. In particular, upon their return, the family of four was not provided with a place in the accommodation scheme of the ESTIA programme or in camps for asylum seekers.

18 Jan 2019: The responsible authority for the Social Solidarity Income (Κοινωνικό Επίδομα Αλληλεγγύης, ΚΕΑ) responded via email that persons who are accommodated in houses of friends or acquaintances and do not have a permanent address or persons living in abandoned houses or squatted spaces are not eligible for ΚΕΑ.

Feb 2019: The family approached the Centre of Social Integration (Κέντρο Κοινωνικής Ένταξης) of the National Centre of Social Solidarity (Εθνικό Κέντρο Κοινωνικής Αλληλεγγύης, ΕΚΚΑ) in Athens, the Social Service of the Municipality of Athens, Centre for Reception and Solidarity of the Municipality of Athens (Κέντρο Υποδοχής και Αλληλεγγύης Δήμου Αθηναίων, ΚΥΑΔΑ), the Centre of Integration of Migrants (Κέντρο Ένταξης Μεταναστών, ΚΕΜ) of the Municipality of Athens, the Social Shelter of Red Cross and different non-governmental organisations (Khora, Solidarity Now, Greek Council of Refugees) asking for housing, but no solution was offered. The family's efforts to find a place in a short-term shelter for the homeless also failed. The only shelter for homeless that accepts families had suspended its operations since May 2018. Attempts to find accommodation under the Athens Municipality "Social Housing Scheme" also proved fruitless as the scheme has limited places and a long waiting list.

26 Feb 2019: The family submitted through an RSA lawyer an application for housing before the Department of Management of Housing Claims of the Directorate of Protection of Asylum Seekers under the (then) Ministry of Migration Policy.

7 Mar 2019: The Ministry of Migration Policy responded: *"The Department for the Management of Housing Claims of the Directorate of Protection of Asylum Seekers is responsible for collecting and managing requests addressed to competent public authorities and social bodies for the accommodation of applicants for international protection and referral to appropriate hosting structures. Therefore, for a request concerning beneficiaries of international protection, our service may not further consider this request."*

21 Mar 2019: The family submitted through an RSA lawyer an application in writing to all the competent authorities, namely ΕΚΚΑ, the Social Services of the Municipality of Athens and ΚΥΑΔΑ. In their application, the family mentioned that they temporarily lived in an abandoned building in 57 Spyridonos Trikoupi str. and they requested (i) to be granted with housing or to be informed of any other possibilities for temporary

housing; (ii) to be included in any integration programme or employment programme; (iii) to be provided with a homelessness certificate, necessary for applying for social benefits.

1 Apr 2019: KYADA responded: *"In reply to your above email, we inform you that the City of Athens Reception and Solidarity Center (K.Y.A.D.A) has a short-stay housing unit for sole adults, as stipulated in its regulation (ΑΔΑ:Ψ5ΞΒΟΡΘΟ-5Σ0), and, as such, may not satisfy your request for housing of a family. Regarding your request for confirmation of homelessness, we inform you that our organization can only issue a confirmation for individuals residing in the streets that have been located by the street work team. The ... family voluntarily came to our offices on 01/03/2019, stating as their point of residence the outer entrance of an apartment building located at 44, Ithakis str. However, the street work team operated in the field on 26/03/2019, 27/03/2019 and 30/03/2019 without locating this family of four. Based on the above, our organization cannot issue a confirmation of homelessness."* Note that the address mentioned by KYADA is different from the one indicated by the family in their written application, as the family did not have a place of residence.

Since the family did not have an address, they could not be registered by the tax authorities and obtain a Tax Identification Number (Αριθμός Φορολογικού Μητρώου, AFM). Consequently, they could not submit a tax declaration or obtain a tax clearance.

The family did not manage to apply for KEA as they could not provide documents such as proof of address or a homelessness certificate by the municipality's social services, tax clearance and a family status certificate. They could not apply for rental benefits or child support benefits, as they did not fulfil the 5-year residence requirement and had no tax clearance. Therefore the family did not receive any financial support or allowance and therefore the family could not secure the necessary money for their food.

The parents could not find employment and did not receive any benefit by the competent authorities. They could not even get an unemployment card by the Unemployment Office of the Hellenic Manpower Employment Organisation (OAED) as they did not have proof of permanent residence or a homelessness certificate. The lack of an unemployment card meant that the family could not have access to a free public transport card and could not otherwise afford metro or bus tickets.

As described, the family did not have either AFM or the funds to privately rent a flat and did not have access to any other secure housing solution. They were forced to sleep in the streets and in houses of acquaintances. Later, the family was temporarily accommodated in an abandoned place at 57 Spyridonos Trikoupi str. An RSA researcher met them in their living place, where access to security, hygiene, water and electricity was not secured. Between October 2018 and May 2019, the family did not always have access to drinkable water and hot water for bathing. They did not always have access to electricity either. Therefore, they had to survive the cold winter months without heating. The abandoned place where they used to live was insalubrious, humid and infested with insects. Additionally, the family reportedly faced security problems. In May 2019, having no prospect of living under minimum standards of dignity, the family left Greece again.