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International and Regional Instruments

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
IOB.1.a	1954 Convention	Is your country party to the 1954 Statelessness Convention?	UN Convention Relating to the Status of Stateless Persons, 1954	Yes.	United Nations: Treaty Collection : Chart of signatures and ratifications of the Convention relating to the Status of Stateless Persons (1954)
IOB.1.b		If yes, when was ratification/accession?		Accession: 4/11/1975.	United Nations: Treaty Collection : Chart of signatures and ratifications of the Convention relating to the Status of Stateless Persons (1954)
IOB.1.c		Are there reservations in place? Please list them.	Best practice is no reservations. If there are, they should have little or no impact on the rights of stateless people.	No reservations.	United Nations: Treaty Collection : Chart of signatures and ratifications of the Convention relating to the Status of Stateless Persons (1954)
IOB.1.d		Does the Convention have direct effect?	Best practice is that the Convention has direct effect, though this may depend on the legal regime.	Yes.	The Constitution of Greece [Article 28 (1)] Law 139/1975 “Ratification of the New York 28 September 1954 International Convention and its accompanying Annex on the status of stateless persons”, Official Gazette of the Hellenic Republic 176/A/25.08.1975
IOB.2.a	1961 Convention	Is your country party to the 1961 Statelessness Convention?	UN Convention on the Reduction of Statelessness, 1961	No.	United Nations: Treaty Collection : Chart of signatures and ratifications of the Convention on the Reduction of Statelessness (1961)
IOB.2.b		If yes, when was ratification/accession?		-	-
IOB.2.c		Are there reservations in place? Please list them.	As above	-	-
IOB.2.d		Does the Convention have direct effect?	As above	-	-
IOB.3.a	Other conventions	State party to European Convention on Nationality 1997? Please list any reservations.	European Convention on Nationality, 1997	Signed: 6/11/1997 Ratified: not yet acceded. No reservations.	Council of Europe : Chart of signatures and ratifications of the European Convention on Nationality (1997)
IOB.3.b		State Party to European Convention on Human Rights 1950? Please list any relevant reservations.	European Convention on Human Rights, 1950	Signed: 28/11/1950, Ratified: 28/11/1974. No reservations.	Council of Europe : Chart of signatures and ratifications of the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)
IOB.3.c		State Party to Council of Europe Convention on the avoidance of statelessness in relation to State succession 2006? Please list any reservations.	Council of Europe Convention on the Avoidance of Statelessness in Relation to State Succession, 2006	No.	Council of Europe : Chart of signatures and ratifications of the European Convention on the avoidance of statelessness in relation to State succession (2006)
IOB.3.d		Bound by Directive 2008/115/EC of the European Parliament and of the Council (EU Returns Directive)? Please list any relevant reservations.	Directive 2008/115/EC of the European Parliament and of the Council (EU Returns Directive)	Yes. The Directive 2008/115/EC has been transposed into Greek legislation by Law 3907/2011.	Law 3907/2011 «On the establishment of an Asylum Service and a First Reception Service, transposition into the Greek legislation of the provision of Directive 2008/115/EC «on common standards and procedures in Member States for returning illegally staying third-country nationals» and other provisions» & its amendments, Official Gazette of the Hellenic Republic 7/A/26-01-2011
IOB.3.e		State Party to Convention on the Rights of the Child 1989? Please list any relevant reservations.	Convention on the Rights of the Child 1989	Yes. No reservations.	United Nations: Treaty Collection : Chart of signatures and ratifications of the Convention on the Rights of the Child (1989)
IOB.3.f		State Party to International Covenant on Civil and Political Rights 1966? Please list any relevant reservations.	International Covenant on Civil and Political Rights 1966	Yes. No reservations.	United Nations: Treaty Collection : Chart of signatures and ratifications of the International Covenant on Civil and Political Rights (1966)
IOB.3.g		State Party to International Covenant on Economic, Social and Cultural Rights 1966? Please list any relevant reservations.	International Covenant on Economic, Social and Cultural Rights 1966	Yes. No reservations.	United Nations: Treaty Collection : Chart of signatures and ratifications of the International Covenant on Economic, Social and Cultural Rights (1966)

IOB.3.h		State Party to Convention on the Elimination of all Forms of Discrimination Against Women 1979? Please list any relevant reservations.	Convention on the Elimination of all Forms of Discrimination Against Women 1979 Gen. Rec. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness.	Yes. No reservations	United Nations: Treaty Collection : Chart of signatures and ratifications of the Convention on the Elimination of all Forms of Discrimination Against Women (1979)
IOB.3.i		State Party to Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984? Please list any relevant reservations.	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984	Yes. No reservations	United Nations: Treaty Collection : Chart of signatures and ratifications of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
IOB.3.j		State Party to International Convention on the Elimination of All Forms of Racial Discrimination 1966? Please list any relevant reservations.	International Convention on the Elimination of All Forms of Racial Discrimination 1965	Yes. No reservations	United Nations: Treaty Collection : Chart of signatures and ratifications of the International Convention on the Elimination of All Forms of Racial Discrimination (1966)
IOB.3.k		State Party to the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families 1990? Please list any relevant reservations.	International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families 1990	No.	United Nations: Treaty Collection : Chart of signatures and ratifications of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990)
IOB.3.l		State Party to the Convention on the Rights of Persons with Disabilities 2006? Please list any relevant reservations.	Convention on the Rights of Persons with Disabilities 2006	Yes, with a reservation on Article 27 (Work and employment): “The provisions of Article 27(1) of the Convention on the Rights of Persons with Disabilities shall not apply with respect to employment and occupation in the armed and security forces in so far as it relates to a difference of treatment on grounds of disability concerning the service thereto, as provided in Article 8(4) of Law 3304/2005 for the implementation of the principle of equal treatment, adopted pursuant to Articles 3(4) & 4 of the Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.”	United Nations: Treaty Collection : Chart of signatures and ratifications of the Convention on the Rights of Persons with Disabilities

Stateless Population Data

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
POP.1.a	Availability and sources	Does the Government have a 'stateless' category in its data collection systems (e.g. census)? Please list available figures for the total stateless population on the territory and describe how data is disaggregated (e.g. by sex, age, residence).	Gen. Rec. 32, CEDAW : States parties should gather, analyse and make available sex-disaggregated statistical data and trends. Council of the European Union (2015) : Recognise the importance of exchanging good practices among Member States concerning the collection of reliable data on stateless persons as well as the procedures for determining statelessness. UNHCR (2014) : Improve quantitative and qualitative data on stateless populations. Institute on Statelessness and Inclusion (2014) : States should strengthen measures to count stateless persons on their territory.	The 2011 National Population Census recorded 4,825 persons as "stateless persons or persons with unspecified citizenship". As this category refers to both stateless persons and persons with unspecified citizenship, we can conclude that there is not a discrete category for statelessness in the Greek data collection system. The National Population Census Questionnaire (2011 National Census) includes a field for information on nationality to be provided. The options in this field are: 1) Greek citizen 2) Citizen of Greece and another country (mention which) 3) Without citizenship 4) Undetermined citizenship	Hellenic Statistic Authority : Demographic and Social Characteristics of the Permanent Population according to the Revision of the Results of the Population-Housing Census 2011 (20/3/2014), pp. 7 UNCHR Greece
POP.1.b		Do government authorities define data categories that may overlap (e.g. unknown nationality) or where stateless people might be more highly represented (e.g. Palestinian)? Please explain and provide any available figures.	As above	For the data collected by the Hellenic Statistical Authority, see POP 1a. Other Greek authorities use tools that contain citizenship categories such as "Unknown Citizenship", "Undetermined Citizenship", "Stateless". There is no formal centralised guidance on the use of these terms and no published figures are available.	Hellenic Statistic Authority Greek Council for Refugees ' Legal Unit
POP.1.c		What is UNHCR's estimate for the stateless/at risk of statelessness population and what is the source for this estimate?	As above	Until the end of 2018, UNHCR used data reported by the Ministry of Interior in a letter dated 2015. However, this data is not accurate or updated. As of end 2019, UNHCR uses the number of stateless persons reported in the general population census results adapted to the number of known reductions of stateless persons (i.e., due to acquisition of Greek citizenship) and increases (i.e., due to new stateless persons arriving in Greece and reported in asylum statistics).	UNCHR Greece
POP.1.d		Have there been any surveys or mapping studies to estimate the stateless population in the country?	As above	Yes. UNHCR Greece carried out two mapping studies, one in 2011 and one in 2013, but these have not been published.	UNHCR Greece. Surveys not publicly available.
POP.1.e		Are there any other sources of estimates for the stateless population not covered by the above? Please list sources and figures.	As above	1) Greek Asylum Service: Statistical data relating to the asylum procedure (from 07.06.2013 to 31.07.2019): - Number of Palestinians who applied for international protection per year (2013: 17 persons, 2014: 74 persons, 2015: 60 persons, 2016: 850 persons, 2017: 1,304 persons, 2018: 1,520 persons, 2019: 2,157 persons) 2) Greek Asylum Service: Statistical data per month 3) Greek Asylum Service: Statistical data relating to Relocation Scheme (until 30.03.2018): -Number of applications for relocation lodged by stateless people: 231 persons -Number of applications for relocation lodged by Palestinians: 603 persons 4) Appeals Authority (the responsible authority for the examination of asylum applications at second instance): Registered appeals per nationality in 2019 - Nationality unknown: 1 person. - Persons without nationality (§1 Convention 1954): 8 persons. - Western Sahara: 1 person. - Palestinian: 1 person. - Palestinian Authority: 18 persons. 5) A number of "stateless people" appear in the monthly reports of IOM (Supporting the Greek authorities in managing the national reception system for asylum seekers and vulnerable migrants (SMS))	1) Greek Asylum Service: Statistical data relating to the asylum procedure (reviewed on 09.03.2020; not available online) 2) Greek Asylum Service: Statistical data per month 3) Greek Asylum Service: Statistical data relating to Relocation Scheme (Not available online) 4) Appeals Authority. Information provided to the Greek Council for Refugees . 5) IOM 6) ESTIA Accommodation Scheme 7) UNHCR Operational portal 8) - UNHCR Report: Refugees and Migrants arrivals to Europe in 2018 - UNHCR Report: Refugees and Migrants arrivals to Europe in 2019 9) UNHCR Statistical Yearbooks 10) Asylum Information Database. Country Report: Greece 11) National Centre for Social Solidarity (EKKA): Registry of unaccompanied minors .

				<p>6) A number of "Palestinians" appear in the reports of the ESTIA Accommodation Scheme</p> <p>7) UNHCR Operational portal contains data on sea arrivals to Greek islands as provided by Hellenic Police and data on returns from Greece to Turkey in the framework of the EU-Turkey Statement. These figures are subject to adjustments and should not be considered final. According to the most recent data (January 2020 to 31 July 2020) the country of origin of 307 persons who arrived to Greece in this time period was the State of Palestine, and 49 persons were registered as stateless.</p> <p>8) UNHCR Report: refugee and migrant arrivals to Europe contains data on sea and land arrivals to Greece. The country of origin of 1,550 persons who arrived in Greece in 2018 was the State of Palestine. In 2019 the country of origin of 3,300 persons who arrived was the State of Palestine.</p> <p>9) A number of persons under UNHCR's Statelessness mandate appear in UNHCR Statistical Yearbooks: In 2016: 198 persons. In 2015: 199 persons.</p> <p>10) Country Reports for Greece of the Asylum Information Database contain several statistical data relating to the asylum procedure including some nationality data.</p> <p>11) National Centre for Social Solidarity (EKKA): Registry of unaccompanied minors contains data of all unaccompanied minors (foreign nationals or stateless persons) referred to it by any source (not available online).</p> <p>12) Hellenic Police: Statistical data relating to irregular immigration (figures available for 2006-2018): 2018 -Number of Palestinians arrested by the police and port authorities due to illegal entrance and illegal staying: 2,317 persons. -Number of Palestinians who have been deported: 21 persons. -Number of people from Western Sahara who have been deported: 1 person. 2017 -Number of Palestinians arrested by the police and port authorities due to illegal entrance and illegal staying: 1,054 persons. -Number of people from Western Sahara arrested by the police and port authorities due to illegal entrance and illegal staying: 5 persons. -Number of people of 'unknown nationality' arrested by the police and port authorities due to illegal entrance and illegal staying: 498 persons. -Number of stateless people arrested by the police and port authorities due to illegal entrance and illegal staying: 10 persons. -Number of Palestinians who have been deported: 30 persons. 2016 -Number of Palestinians arrested by the police and port authorities due to illegal entrance and illegal staying: 2,126. -Number of people from Western Sahara arrested by the police and port authorities due to illegal entrance and illegal staying: 15 persons. -Number of people of 'unknown nationality' arrested by the police and port authorities due to illegal entrance and illegal staying: 115 persons. -Number of stateless people arrested by the police and port authorities due to illegal entrance and illegal staying: 2 persons. -Number of Palestinians who have been deported: 22 persons.</p>	<p>12) Hellenic Police: Statistical data relating to irregular immigration (2006-2018)</p> <p>13) Ministry of Citizen Protection: Statistical data provided to Greek Council for Refugees (Not available online)</p> <p>14) Ministry of Migration and Asylum: Statistical Data</p> <p>15) Ministry for Migration & Asylum</p> <p>16) myschool</p> <p>17) Ministry of Interior</p>
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				<p>-Number of people from Western Sahara who have been deported: 3 persons.</p> <p>13) Ministry of Citizen Protection: Statistical data for 2019:</p> <p>i) Decisions on Deportation/Return:</p> <ul style="list-style-type: none"> - Nationality unknown: 49 persons. - Persons without nationality (§1 Convention 1954): 92 persons. - Unclear nationality: 1 person - Western Sahara: 30 persons. - Palestinian: 2,931 persons. <p>ii) Decisions on Deportation/Return (Detention)</p> <ul style="list-style-type: none"> - Nationality unknown: 31 persons. - Persons without nationality (§1 Convention 1954): 92 persons. - Unclear nationality: 1 person - Western Sahara: 2 persons. - Palestinian: 2,731 persons. <p>iii) Deportations</p> <ul style="list-style-type: none"> -Palestine: 24 persons. <p>iv) Registered decisions of Readmission (Police Directorate of Lesvos, Samos, Chios, A' & B' Dodecanese)</p> <ul style="list-style-type: none"> - Nationality unknown: 9 persons. - Persons without nationality (§1 Convention 1954): 92 persons. - Western Sahara: 2 persons. - Palestinian: 2,556 persons. <p>v) Registered suspensions of deportation (General Regional Police Directorates of South and North Aegean)</p> <ul style="list-style-type: none"> - Nationality unknown: 5 persons. - Persons without nationality (§1 Convention 1954): 94 persons. - Western Sahara: 2 persons. - Palestinian: 2,219 persons. <p>14) Ministry for Migration Policy (now Ministry for Migration & Asylum): Statistical data on legal migration (August 2016 – April 2020) contain figures for the number of resident permits issued per month. In the most recent data (April 2020) under the category nationality appear registrations of:</p> <ul style="list-style-type: none"> - “Palestine” (written in Greek) = 237 persons. - “Palestine” (written in English) = 130 persons. - “Person without nationality (§1 Convention 1954)” = 22 persons. - “Unspecified nationality” = 50 persons - “(blank)” = 2 persons. <p>15) Ministry for Migration & Asylum: Data on the granting/renewal of residence permits issued to "Persons de facto deprived of passport". No detailed statistics are publicly available.</p> <p>16) Ministry of Education: MySchool Database (of all students enrolled at state schools) (Not available online).</p> <p>17) Online Civil Registry run by the Ministry of Interior and the Municipalities for recording deaths and issuing Death Certificates (Ληξιαρχική Πράξη Θανάτου) on which the citizenship of the deceased is recorded. (Not available online)</p>	
POP.1.f		Are there issues with the reliability of data or indications that the stateless population may be over/under reported? If yes, please describe.	As above	<p>In the context of immigration data, yes, there are issues with the reliability of statelessness data due to the fact that the authorities do not use a common and standard system when they register the country of citizenship of third country nationals. For example, Hellenic Police use in the same statistical data terms such as “nationality unknown”, “People with no country (Απάτριδες) & Convention 1954”, “Palestinians”, “Western Sahara”. Only the Asylum Service has central guidance on this issue.</p> <p>There are indications that the stateless population is underreported. The experience from the field indicates the following reasons:</p>	<p>Hellenic Police: Statistical data relating to irregular immigration (2006-2018)</p> <p>Ministry of Citizen Protection: Statistical data provided to Greek Council for Refugees. (Not available online)</p> <p>Greek Council for Refugees Legal Unit</p> <p>UNHCR Greece</p>

				<p>-The lack of standard guidelines during the registration procedure.</p> <p>- Very often migrants do not declare the fact that they are stateless simply because they don't know the existence of the term "stateless" and its legal dimensions.</p> <p>- In the asylum procedure, sometimes the deciding authority realises that the person doesn't have the nationality they were initially registered under. In such cases very often the deciding authority is reluctant to change the nationality to stateless.</p> <p>One strong indication that the population is seriously under-reported is the discrepancy between Hellenic Police statistics on the citizenship of those apprehended for irregular entry in the five hotspot islands and the statistics of the Asylum Service concerning the same caseload in the same locations (when they are registered as asylum applicants).</p>	
POP.1.g		Please provide any available figures for stateless refugees and/or asylum-seekers and clarify if the Government also counts these groups in figures for the stateless population (i.e. to avoid under/over-reporting).	As above	See POP 1e. There is no official government figure on the stateless population in Greece. All that exists is the 2011 National Population Census result.	See POP 1e
POP.2.a	Stateless in detention data	Does the Government record and publish figures on stateless people held in immigration detention? If yes, please provide.	As above and see also norms in Detention section.	<p>The Government does not publish such data. Nevertheless, according to statistics provided by the Hellenic Police to the Greek Council for Refugees in 2018 under the category "Registered deportations/returns with detention" appear the following nationalities:</p> <ul style="list-style-type: none"> - "Nationality unknown": 49 persons. - Persons with no country (Απάτριδες & Convention 1954): 87 persons. - Palestinians: 364 persons. - Western Sahara: 4 persons. <p>In 2019 in the data provided by the Hellenic Police to the Greek Council for Refugees under the category "Registered deportations/returns with detention" appear the following data:</p> <ul style="list-style-type: none"> - "Nationality unknown": 31 persons - Persons with no country (Απάτριδες & 1954 Convention): 92 persons. - Unclear nationality: 1 person. - Palestinians: 2,731 persons. - Western Sahara: 2 persons. 	Information provided by the Directorate of the Hellenic Police to Greek Council for Refugees
POP.2.b		Does the Government record and publish figures on people released from immigration detention due to un-removability? If yes, please provide.	As above	No. The Hellenic Police collects some data on decisions suspending the return of foreigners. Such decisions contain information on the nationality of the person concerned, the date of detention etc. However, this data is not statistically processed nor published by the Hellenic Police.	UNHCR Greece

Statelessness Determination and Status

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
SDS.1.a	Definition of a stateless person	Is there a definition of a stateless person in national law? Do the definition and exclusion provisions align with the 1954 Convention? Please provide details.	UN Convention Relating to the Status of Stateless Persons, 1954 : Articles 1(1) & 1(2).	Two Greek laws contain a definition of the term “stateless”: 1) Law 139/1975 which ratifies the 1954 Statelessness Convention and transposes its text/term “stateless person”; 2) Immigration and Social Inclusion Code (as ratified by Law 4251/2014) according to which “a stateless person is the person who meets the conditions of the New York Convention of 1954 on the status of stateless persons, ratified by Law 139/1975”.	Law 139/1975 (Article 1) “Ratification of the New York 28 September 1954 International Convention and its accompanying Annex on the status of stateless persons”, Official Gazette of the Hellenic Republic 176/A/25.08.1975 Immigration and Social Inclusion Code as ratified by Law 4251/2014 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 80/A/01.04.2014
SDS.1.b	Training	Is there training to inform different government bodies about statelessness? If yes, please provide details (e.g. who provides training to whom/how often?)	UNHCR Executive Committee (2006) : Requests UNHCR to actively disseminate information and, where appropriate, train government counterparts on appropriate mechanisms for identifying, recording, and granting a status to stateless persons.	There is no central training on statelessness for government bodies. UNHCR and other actors include statelessness in their training schedules for Asylum Authorities, Police, Coastguard, Municipalities, etc.	UNHCR Greece
SDS.1.c		Is there training for judges and lawyers on statelessness? If yes, please provide details (e.g. provider, frequency).	UNHCR (2016) : Officials who may be in contact with stateless persons need to be trained to identify potential applicants for stateless status and refer them to appropriate channels. UNHCR (2010) : It is recommended that States provide specialised training on nationality laws and practices, international standards and statelessness to officials responsible for making statelessness determinations.	There is no judicial training on statelessness. Regarding lawyers there is only ad hoc training.	National School of Judges: Curriculum
SDS.1.d	Existence of a dedicated SDP	Which of the following best describes the situation in your country? Choose only one and then proceed to question indicated. 1. There is a dedicated statelessness determination procedure (SDP) established in law, administrative guidance, or judicial procedure, leading to a dedicated stateless status (proceed to Question 2a). 2. There is no dedicated SDP leading to a dedicated stateless status, but there are other procedures in which statelessness can be identified (e.g. partial SDPs with no status/rights attached, residence permit or naturalisation applications, refugee status determination, ad hoc procedures, etc.), or other routes through which stateless people could regularise their stay and/or access their rights (proceed to Question 10a). 3. There is a dedicated stateless status but no formal procedure for determining this (proceed to Question 16a).	UNHCR (2014) : It is implicit in the 1954 Convention that States must identify stateless persons to provide them appropriate treatment to comply with their Convention commitments. UNHCR (2016) : Establishing a statelessness determination procedure is the most efficient means for States Parties to identify beneficiaries of the Convention.	Group 2. In April 2016, Law 4375/2016 (Article 1) assigned the responsibility for the conduct of a statelessness determination procedure to the Greek Asylum Service and provided the authorisation (Article 7 (7)) for a Presidential Decree (regulating the modalities for a Statelessness Determination Procedure) to be issued. This Presidential Decree has not yet been issued.	Law 4375/2016 (Articles 1 & 7) “ Organisation and functioning of the Asylum Service, Appeals Authority, Reception and Identification Service, establishment of General Secretariat for Reception, transposition of Directive 2013/32/EU of the European Parliament and of the Council “on common procedures for granting and withdrawing international protection (recast)” (L 180/29.6.2013), provisions on employment of beneficiaries of international protection” and other provisions & its amendments, Official Gazette of the Hellenic Republic 51/A/03.04.2016

SDS.10.a	Procedures in which statelessness can be identified and other routes to regularisation (Group 2)	<p>If there is no dedicated SDP leading to a stateless status, are there any procedures in which statelessness can be identified (e.g. partial SDPs with no status/rights attached, residence permit or naturalisation applications, refugee status determination, ad hoc procedures, etc.)?</p> <p>If yes, please state the relevant procedures and then proceed to question 11a. If no, proceed to question 10b.</p>	<p>ENS (2013): For SDPs to be effective, the determination must be a specific objective of the mechanism in question, though not necessarily the only one.</p> <p>Hoti v. Croatia ECtHR (2018): [the State has a] positive obligation to provide an effective and accessible procedure or a combination of procedures enabling the applicant to have the issues of [their] further stay and status determined.</p>	<p>There is no dedicated SDP in Greece, but there are other administrative procedures through which statelessness may be identified. However, these procedures do not lead to the formal recognition of stateless status nor rights under the 1954 Convention.</p> <p>1. Acquisition of Greek citizenship: The Greek Citizenship Code stipulates that in general, stateless people or people with unknown nationality born in Greece may acquire Greek citizenship (see PRS 1a). There is also a facilitated naturalisation procedure for stateless people in Greece.</p> <p>2. Ad-hoc procedure implementing the 1954 Convention: until 2016 the Police issued Stateless Persons' IDs (under Article 27 of the 1954 Convention) to former Greek citizens - mainly from the Thrace and Dodecanese Muslim minority – who became stateless after losing their Greek citizenship under the now abolished Article 19 of the Greek Citizenship Code</p> <p>3. Procedure to acquire a residence permit for people "de facto deprived of a passport": this procedure applies to third-country nationals legally entering Greece for one of the reasons in the Immigration Code. The term «Person de facto deprived of a passport» is defined as 'a third country national deprived of a passport or travel documents due to special circumstances or situations'. A Circular from the Greek Ministry for Migration Policy (now Ministry for Migration & Asylum) clarifies that the procedure refers to third country nationals who do not hold a passport or any other travel document and it is objectively impossible for them to obtain one either temporarily or permanently.</p> <p>4. International Protection procedures: Statelessness may be identified as a relevant fact during international protection procedures and for refugee status determination, in line with relevant asylum law and policy.</p> <p>5. Other: It may also be possible for stateless people to obtain a residence permit under other discretionary provisions in the Immigration Code, for example, for humanitarian reasons or under provisions based on birth and schooling in Greece for second generation migrants.</p> <p>A procedure had been established in 2019 to allow the acquisition of Greek citizenship by Romani people with a long historical presence in Greece (Article 46 of Law 4604/2010); however, this procedure was revoked in 2020 (by L. 4674/2020, Article 40).</p>	<p>1. Greek Citizenship Code as ratified by Law 3284/2004 & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004</p> <p>2. UNHCR Greece, Mapping Statelessness Project: Greece (2016) (not publicly available)</p> <p>3. Code of Immigration and Social Inclusion as ratified by Law 4251/2014 (Articles 1 & 134) & its amendments, Official Gazette of the Hellenic Republic 80/A/1.4.2014; Ministry of Migration Policy Directorate of Migration Policy: Circular No 2 «Residence of third-country nationals with no passports» (16/7/2018)</p> <p>4. Law 4375/2016 (Articles 1 & 7) "Organisation and functioning of the Asylum Service, Appeals Authority, Reception and Identification Service, establishment of General Secretariat for Reception, transposition of Directive 2013/32/EU of the European Parliament and of the Council "on common procedures for granting and withdrawing international protection (recast)" (L 180/29.6.2013), provisions on employment of beneficiaries of international protection" and other provisions & its amendments, Official Gazette of the Hellenic Republic 51/A/03.04.2016</p> <p>5. Code of Immigration and Social Inclusion as ratified by Law 4251/2014 & its amendments, Official Gazette of the Hellenic Republic 80/A/1.4.2014</p> <p>Law 4604/2019 (Article 46, 'Acquisition of Greek nationality by Romani persons with a long historical presence in Greece'), Official Gazette of the Hellenic Republic 50/A/26.03.2019, revoked by Law 4674/2020 (Article 40) "Strategic development perspective of Local Government organizations, regulation of issues within the competence of the Ministry of Interior and other provisions", Official Gazette of the Hellenic Republic 53/A/11.03.2020.</p>
SDS.10.b		<p>Are there any other routes through which stateless people could regularise their stay and/or access their rights without their statelessness being identified or determined?</p> <p>If yes, please describe these and then proceed to question 14a. If no, proceed to question 15a.</p>	<p>UN Convention Relating to the Status of Stateless Persons, 1954</p> <p>UNHCR (2014) : It is implicit in the 1954 Convention that States must identify stateless persons to provide them appropriate treatment to comply with their Convention commitments.</p>	<p>Procedure for people who are "de facto deprived of a passport" to acquire a residence permit: although this procedure applies to third-country nationals legally entering Greece for one of the reasons referred to in the Immigration Code, and does not explicitly refer to statelessness, it is likely that some people entering the procedure are stateless. One of the general conditions to be granted a residence permit in Greece is that the person holds a valid travel document recognised by the authorities. If a person provides an explanation and any supporting documents for their objective inability to present a valid travel document, residence may be granted to them as 'a person deprived of a passport'. The term «Person de facto deprived of a passport» is defined as 'a third country national deprived of a passport or travel documents due to special circumstances or situations'. A Circular from the Greek Ministry for Migration Policy (now Ministry for Migration & Asylum) clarifies that the procedure refers to third country</p>	<p>Code of Immigration and Social Inclusion as ratified by Law 4251/2014 (Articles 1 & 6) & its amendments, Official Gazette of the Hellenic Republic 80/A/01.04.2014;</p> <p>b) Ministry for Migration Policy (now Ministry for Migration & Asylum): Directorate of Migration Policy: Circular No 2 «Residence of third-country nationals with no passports» (16/7/2018)</p>

				nationals who do not hold a passport or any other travel document and it is objectively impossible for them to obtain one. The responsible Immigration Committee may consider the degree of integration in the country in their decision. The permits are issued by the Ministry of Migration Policy.	
SDS.11.a	Access to procedures (Group 2)	Please provide details on how statelessness may be identified in other procedures.	UNHCR (2016) : Efficient referral mechanisms should be established, while officials who may be in contact with stateless persons need to be trained to identify potential applicants for statelessness status and refer them to appropriate channels.	<p>1. Acquisition of Greek nationality: (see PRS1a and SDS15a).</p> <p>2. Procedure for people who are ‘de facto deprived of a passport’ to acquire a residence permit: although this procedure applies to third-country nationals legally entering Greece for one of the reasons referred to in the Immigration Code, and does not explicitly refer to statelessness, it is likely that some people entering the procedure are stateless. One of the general conditions to be granted a residence permit in Greece is that the person holds a valid travel document recognised by the authorities. If a person provides an explanation and any supporting documents for their objective inability to present a valid travel document, residence may be granted to them as ‘a person deprived of a passport’. The responsible Immigration Committee may consider the degree of integration in the country in their decision. The permits are issued by the Ministry of Migration Policy.</p> <p>3. International protection procedures: statelessness may be identified as a relevant fact during procedures for refugee status determination in line with relevant asylum law and policy.</p>	<p>1. Greek Citizenship Code as ratified by Law 3284/2004 & its amendments Official Gazette of the Hellenic Republic 217/A/10.11.2004; Citizenship Directorate: Model Case</p> <p>2. Code of Immigration and Social Inclusion as ratified by Law 4251/2014 (Article 1 & 6) & its amendment, Official Gazette of the Hellenic Republic 80/A/01.04.2014; Ministry for Migration Policy: Directorate of Migration Policy: Circular No 2 «Residence of third-country nationals with no passports»</p> <p>3. Law 4636/2019 "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019</p>
SDS.11.b		Are there obligations in law on authorities to consider a claim of statelessness made within another procedure?	UNHCR (2016) : Access to the procedure must be guaranteed.	No.	
SDS.11.c		Are there clear, accessible instructions for stateless people on how to claim their rights under the 1954 Convention and/or be identified as stateless?	<p>UNHCR (2014): For procedures to be fair and efficient, access must be ensured (dissemination of info, targeted info campaigns, counselling on the procedures, etc.).</p> <p>UNHCR (2016): Information on the procedure and counselling services must be available to potential applicants in a language they understand.</p> <p>UN Convention Relating to the Status of Stateless Persons, 1954</p>	No.	
SDS.11.d		Is the examination and/or identification of statelessness conducted by a centralised body with relevant expertise? Please note the competent authority and evaluate appropriateness to national context.	<p>UNHCR (2014) : States may choose between a centralised procedure or one that is conducted by local authorities. Centralised procedures are preferable as they are more likely to develop the necessary expertise.</p> <p>UNHCR (2016): It is important that examiners develop expertise while ensuring that the procedures are accessible.</p>	See SDS11a.	
SDS.11.e		Is there cooperation between agencies that may have contact with stateless people?	UNHCR (2016) : Cooperation between actors working on statelessness and the various government agencies involved in determining statelessness is good practice.	No, there is no official cooperation between agencies that have contact with stateless people and no referral to a central procedure to determine statelessness.	UNHCR Greece
SDS.12.a	Assessment (Group 2)	Who has the burden of proof when determining or identifying statelessness (in law and practice)?	<p>UNHCR (2014): The burden of proof is in principle shared (both applicant and examiner must cooperate to obtain evidence and establish the facts).</p> <p>UNHCR (2016): SDPs must take into consideration the difficulties inherent in proving statelessness.</p> <p>UNHCR Expert Meeting (2010): Individuals must cooperate to establish relevant facts. The burden should shift to the State if an individual can demonstrate they are not a national, on the basis of reasonably available evidence.</p> <p>Hoti v. Croatia ECtHR (2018): State has responsibility to at least share the burden of proof with the applicant</p>	Statelessness is not determined under any of the procedures, but when identifying statelessness, as a general principle, the burden of proof lies on the person concerned. The competent authorities ask the individual to provide document(s) that prove that they do not have the nationality of their country of origin (or another country) and generally require people to present evidence to support a claim. In the facilitated naturalisation procedure, authorities may use official online sources to examine the claim of statelessness. In two relevant cases, the Greek Ombudsperson has expressed the opinion that the burden of proof in relation to whether an applicant holds another nationality lies with the competent	<p>Ministry of Interior: Special Secretary for Citizenship (Information obtained in 2019)</p> <p>Citizenship Directorate: Model Case</p> <p>Greek Ombudsperson: Case 1</p> <p>Greek Ombudsperson: Case 2</p>

			when establishing the fact of statelessness.	authorities.	
SDS.12.b		What is the standard of proof to evidence statelessness?	UNHCR (2014) : States are advised to adopt the same standard of proof as in refugee status determination ('reasonable degree'). Inter-Parliamentary Union (2018) The standard of proof should be in keeping with the humanitarian objectives of statelessness status determination and the inherent difficulties of proving statelessness in the likely absence of documentary evidence. Hoti v. Croatia ECtHR (2018) : If statelessness is a relevant factor in the context of access to human rights, the standard of proof when determining the status of statelessness cannot be too high.	No information is available as to the standard of proof in procedures for facilitated naturalisation. Asylum claims based on statelessness are assessed against the threshold of 'reasonable possibility'.	Greek Council for Refugees
SDS.12.c		Is there clear guidance for decision makers on how to identify or determine statelessness (including e.g. sources of evidence and procedures for evidence gathering, etc.)?	ENS (2013) : Determining authorities can benefit from concrete guidance that sets clear benchmarks and pathways for the establishment of material facts and circumstances.	No. Where an assessment of statelessness is relevant to a decision under Greek law, such as obtaining/renewing an immigration residence permit as a person 'de facto deprived of a national passport', the competent authorities follow disparate and often contradictory practices.	UNHCR Greece
SDS.13.a	Procedural safeguards (Group 2)	Is free legal aid available to stateless people?	UNHCR (2014) : Applicants should have access to legal counsel; where free legal assistance is available, it should be offered to applicants without financial means. ENS (2013) : If state funded legal aid is available, it should be provided to stateless claimants. If there is no state funded legal aid but asylum claimants can access free legal aid free of charge, the same level of access should be provided to stateless people.	Legal aid is not explicitly foreseen for procedures relating to statelessness or acquisition of nationality, though people may access it under the general provisions in Greek law. However, there are practical obstacles, for example: the request must be submitted in writing in Greek and free legal aid is only granted if the legal remedy is not considered manifestly inadmissible or unfounded. A state-funded legal aid scheme is in place for appeals against international protection decisions based on a list of providers managed by the Greek Asylum Service, but capacity is limited.	Law 3226/2004 "Provision of legal aid to low-income citizens and other provisions" , Official Gazette of the Hellenic Republic 24/A/4.2.2004 Code of Administrative Procedure as ratified by Law 2717/1999 (Articles 276 & 276A) & its amendments, Official Gazette of the Hellenic Republic 97/A/17.5.1999 AIDA Country Report: Greece (2019) Joint Ministerial Decision 3686 /19-2-2020 'on the provision of legal aid to applicants for international protection' , Official Gazette of the Hellenic Republic 1009/B/24.3.2020
SDS.13.b		Do stateless people always have an opportunity to claim their statelessness in an interview (whether the purpose of the interview is to identify statelessness or not?)	UNHCR (2014) : The right to an individual interview [is] essential.	An interview is always foreseen only in international protection procedures.	Law 4636/2019 (Article 77) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019
SDS.13.c		Is free interpreting available to stateless people?	UNHCR (2014) : The right to assistance with interpretation/translation [is] essential. ENS (2013) : Assistance should be available for translation and interpretation.	In international protection procedures, the interview is conducted with the assistance of an interpreter free of charge.	Law 4636/2019 (Article 77) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019
SDS.13.d		Are decisions (refusals and grants) given in writing with reasons?	UNHCR (2014) : States are encouraged to incorporate the safeguard that decisions are made in writing with reasons.	Yes, decisions are given in writing with reasons according to general rules of administrative procedure.	Code of the administrative procedure as ratified by law 2690/1999 (Article 26) & its amendments, Official Gazette of the Hellenic Republic 45/A/9.3.1999
SDS.14.a	Protection (Group 2)	Are there any rights granted to stateless people on the basis of their statelessness? If yes, please provide details.	UNHCR (2014) : The status granted to a stateless person in a State Party must reflect international standards. Although the 1954 Convention does not explicitly require States to grant a person determined to be stateless a right of residence, granting such permission would fulfil the object and purpose of the treaty.	No.	Greek Council for Refugees , UNHCR Greece
SDS.14.b		Are stateless people otherwise able to access their rights under the 1954 Convention? (e.g. right to reside, travel document, work, healthcare, social security, education, housing, family reunification, right to vote, etc.)? Please provide details.	UN Convention Relating to the Status of Stateless Persons, 1954 UNHCR (2014) : The status granted to a stateless person in a State Party must reflect international standards. It is recommended that States grant recognised stateless people a residence permit valid for at least two years, although longer permits, such as five years, are preferable in the interests of stability. Permits should be renewable.	Regarding beneficiaries of international protection: people who are granted asylum receive a three-year residence permit. Those who are granted subsidiary protection receive a one-year residence permit. Recognised refugees have the right to apply for travel documents. Beneficiaries of subsidiary protection also have this right on the condition that they cannot obtain a national passport. Beneficiaries of international protection are allowed to engage in salaried or independent	Law 4636/2019 (Articles 23- 25, 27-28, 30-31, 33, 51, 53) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019 Law 4375/2016 (Article 69, 71) "Organisation and functioning of the Asylum Service, Appeals Authority, Reception and Identification Service, establishment of General Secretariat"

				<p>professional activity. Additionally, they can participate in adult education programs related to employment and vocational training.</p> <p>However, access to the labour market is seriously hampered by the economic conditions prevailing in Greece, the high unemployment rate, further obstacles posed by competition and administrative obstacles, which may lead to undeclared employment with severe repercussions on the enjoyment of basic social rights.</p> <p>Minors, who have been granted international protection, are obliged to join the primary and secondary compulsory education units of the public education system under the conditions that apply to Greek citizens. Access to the general education system and further training or education programs is allowed to adult beneficiaries of international protection under the same conditions that apply to third-country nationals legally residing in Greece.</p> <p>Beneficiaries of international protection are provided with the necessary assistance in matters of social assistance in accordance with the conditions applicable to Greek citizens.</p> <p>Family members of beneficiaries of international protection are entitled to the same rights upon request, even if they do not individually meet the criteria for recognition of international protection status. Recognised refugees have the right to apply for family reunification.</p> <p>According to law, beneficiaries of international protection have access to accommodation on the same terms applicable to third-country nationals legally residing in the country, “taking into account the need to disperse them nationally and to ensure equal access to accommodation”. In fact, those in need of shelter who lack the financial resources to rent a house remain homeless or reside in abandoned houses or overcrowded apartments, which are, on many occasions, sublet.</p> <p>Only Greek citizens have the right to vote in parliamentary elections.</p> <p>Regarding asylum seekers: Up to the end of 2019, asylum seekers had access to the labor market from the moment an asylum application had been formally lodged and they had obtained an asylum seeker’s card. Applicants who had not yet completed the full registration and lodged their application did not have access to the labor market. Following the entry into force of the new Asylum Law (1 January 2020), a 6-month time limit has been introduced for asylum seekers’ to access the labour market. This right is granted if no first instance decision has been taken by the Asylum Service within 6 months of the lodging of the application, through no fault of the applicant. The right is automatically withdrawn upon issuance of a negative decision which is not subject to a suspensive appeal.</p> <p>Asylum-seeking children are required to attend primary and secondary school under the public education system under similar conditions as Greek nationals. Facilitation is provided in case of incomplete documentation, as long as no removal measure against them or their parents is actually enforced.</p> <p>Law (4368/2016) provides free access to public health services and pharmaceutical treatment for persons without social insurance and vulnerable, which is also applicable for asylum seekers and members of their families. However, in spite of the favourable legal framework, actual access to health care services has been consistently hindered in practice by significant shortages of resources and capacity for both foreigners and the local population, as the public health</p>	<p>for Reception, transposition of Directive 2013/32/EU of the European Parliament and of the Council “on common procedures for granting and withdrawing international protection (recast)” (L 180/29.6.2013), provisions on employment of beneficiaries of international protection” and other provisions & its amendments, Official Gazette of the Hellenic Republic 51/A/03.04.2016</p> <p>P.D. 131/2006 “Third country nationals: Right to family reunification” & its amendments, Official Gazette of the Hellenic Republic 143/A/13.7.2006</p> <p>P.D. 167/2008 “Completion of P.D. 131/2006”, Official Gazette of the Hellenic Republic 223/A/4.11.2008</p> <p>P.D. 26/2012 “Codification of the provisions on the elections of the members of the Parliament” (article 4) & its amendments, Official Gazette of the Hellenic Republic 57/A/15.3.2012</p> <p>AIDA Country Report: Greece (2019)</p> <p>Law 4368/2016 (Article 33) “Measures to speed up government work and other provisions”, Official Gazette of the Hellenic Republic A 21/A/21.2.2016</p>
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				<p>sector is under extreme pressure and lacks the capacity to cover all the needs for health care services, as well as the lack of adequate cultural mediators.</p> <p>Concerning sheltering, in general lines, the Greek reception system (in the Greek islands and in mainland) is inadequate and the camps are not suitable for long-term accommodation. Therefore many applicants in the mainland prefer to cover the cost of their accommodation or they risk remaining homeless. A better alternative for sheltering is the Emergency Support to Integration and Accommodation (ESTIA) program aiming to provide urban accommodation and cash assistance for a limited time period.</p> <p>Nevertheless, after the issuance of the decision granting the status of international protection, material reception conditions in form of cash or in kind are interrupted. Beneficiaries residing in accommodation facilities have the obligation to leave them, within 30 days of the communication of a decision granting international protection.</p> <p>Undocumented migrants who did not apply for international protection do not have the right to work, social security, accommodation, education or healthcare (although people without social insurance who are considered vulnerable have access to public health services). Exceptionally, irregularly residing third country nationals may be able to work in order to cover the urgent needs of the Greek rural economy. Children under 18 can always enrol in public education and have the right to accommodation even if they have not applied for international protection (see DET 4b for further details).</p>	
SDS.15.a	Access to nationality (Group 2)	In what timeframe do stateless people acquire the right to apply for naturalisation and how does this compare to others with a foreign nationality? Please describe the procedure and note whether this is facilitated for stateless people (e.g. exemption from nationality/language tests, fee waiver).	<p>UN Convention Relating to the Status of Stateless Persons, 1954: Article 32 UNHCR (2016): It is recommended that States Parties facilitate, as far as possible, the naturalisation of stateless persons.</p> <p>Council of Europe Committee of Ministers (1999): Each State should facilitate the acquisition of its nationality by stateless persons lawfully and habitually resident on its territory.</p> <p>ENS (2013): The main benchmark is if there is any preferential treatment for stateless people compared to the general rules applied to those with a foreign nationality.</p>	Stateless people acquire the right to apply for naturalisation after three years' legal stay in Greece. This is a reduction from the standard seven years for other foreigners. Stateless people may also benefit from a reduced administrative fee (100 EUR) compared to the standard naturalisation fee (550 EUR).	Acquisition of Greek citizenship: Greek Citizenship Code as ratified by Law 3284/2004 (Articles 5 & 6) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
SDS.15.b		Are there requirements relating to 'good character' or previous criminal convictions that could prevent some stateless people from accessing nationality? If yes, please describe.	Council of Europe Committee of Ministers (1999) : States should ensure that offences, when relevant for the decision concerning the acquisition of nationality, do not unreasonably prevent stateless persons seeking the nationality of a state.	In all cases, when a person applies to obtain Greek citizenship, the competent authority seeks ex officio a criminal record certificate and a certificate of non-deportation, and addresses (through the police authority) a question to the competent security services of the Ministry of Citizen Protection, on whether there are matters of public or national security relevant to the request.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 7) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004

Detention

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
DET.1.a	Detention screening	Are immigration detention powers provided for in law? Please provide the legal source(s).	ICCPR Article 9(1) ECHR Article 5 (1)	<p>Yes. Concerning pre-removal detention: Greek law provides that third country nationals who are subject to return procedures are detained for the preparation of the return procedure. Authorities apply other less restrictive measures if these are deemed effective and if the police deem: a) there is no risk of absconding; or b) the third country national is cooperative and does not hamper the preparation of the return procedure; or c) there are no national security reasons.</p> <p>In the asylum procedure, Greek law provides that third country nationals must not be detained purely because they applied for international protection. Greek law allows for the detention of asylum seekers who apply for international protection while already detained. In this case, detention is allowed on one of five grounds:</p> <ol style="list-style-type: none"> 1) when there is a need to determine the person's identity or nationality; 2) when authorities need to determine those elements of the asylum application which could not be otherwise obtained, in particular when there is a risk of absconding; 3) when, on the basis of objective criteria, it is ascertained that there are reasonable grounds to believe that the individual applied for international protection purely in order to delay or hinder the enforcement of a return decision; 4) when the person constitutes a danger to national security or public order; 5) when there is a serious risk of the applicant absconding, in order to ensure the enforcement of a transfer according to the EU Dublin III Regulation. <p>Furthermore, Greek law allows for the detention of asylum applicants who have applied for international protection at liberty. In this case, detention is allowed for one of five grounds:</p> <ol style="list-style-type: none"> 1) when there is a need to determine the person's identity or nationality; 2) when authorities need to determine those elements of the asylum application which could not be otherwise obtained, in particular when there is a risk of absconding; 3) when the person constitutes a danger to national security or public order; 4) when there is a serious risk of the applicant absconding, in order to ensure the enforcement of a transfer according to the EU Dublin III Regulation. 5) In order to decide, in the context of a procedure, on the applicant's right to enter the territory. 	<p>Law 3907/2011 (Article 30) "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying third country nationals" and other provisions & its amendments, Official Gazette of the Hellenic Republic 7/A/26.01.2011</p> <p>Law 4636/2019 (Article 46) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019</p> <p>Law 3386/2005 (Article 76) "Entry, Residence and Social Integration of Third Country Nationals on the Greek Territory" & its amendments, Official Gazette of the Hellenic Republic 212/A/23.08.2005</p>
DET.1.b		Does domestic law allow immigration detention for purposes other than those listed under ECHR 5(1)(f)?	ECHR Article 5(1)(f)	<p>The new asylum law (introduced in 2019) expanded the possibility of detention even for applicants who are not being detained in view of return/deportation procedures. UNHCR has stated that this expansion of detention grounds is not in line with international law.</p>	<p>UNHCR Comments on the Law on "International Protection and other Provisions"</p> <p>Law 4636/2019 (Article 46) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019</p> <p>Law 3907/2011 (Article 30) "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying third country nationals" and other provisions & its amendments, Official Gazette of the Hellenic Republic 7/A/26-01-2011</p>

					Law 3386/2005 (Article 76) "Entry, Residence and Social Integration of Third Country Nationals on the Greek Territory" & its amendments, Official Gazette of the Hellenic Republic 212/A/23.08.2005
DET.1.c		Does a proposed country of removal need to be identified before a person is detained for removal? Please describe the situation in law and in practice.	ICCPR Article 7 : Repeated attempts to expel a person to a country that refuses to admit them could amount to inhuman or degrading treatment. Auad v Bulgaria ECtHR (2011) : The only issue is whether the authorities were sufficiently diligent in their efforts to deport the applicant. EU Returns Directive : Any detention shall only be maintained as long as removal arrangements are in progress and executed with due diligence.	No. An individual assessment mechanism to determine the necessity, proportionality and reasonableness of detention in each individual case is not consistently applied in Greece.	Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 19 April 2018 UN Human Rights Council, Reports of the Special Rapporteur on the human rights of migrants on his mission to Greece, 24 April 2017 Asylum Information Database. Country Report: Greece
DET.1.d		Is statelessness juridically relevant in decisions to detain? Please describe how (risk of) statelessness is identified and whether referral to an SDP is possible from detention.	Auad v Bulgaria ECtHR (2011) Mikolenko v. Estonia ECtHR (2009) : Detention may only be justified as long as deportation proceedings are being conducted with due diligence. UNHCR (2014) : Routine detention of individuals seeking protection on the grounds of statelessness is arbitrary. Equal Rights Trust (2012) : States must identify stateless persons within their territory or subject to their jurisdiction as a first step towards ensuring the protection of their human rights. International Commission of Jurists (2014) : The detention of stateless persons can never be justified when there is no active or realistic progress towards transfer to another State.	No (see DET1c). In Greece there is no SDP currently in place.	See DET1c.
DET.1.e		Are stateless people detained in practice?		Yes. See POP 2a.	Information provided by the Directorate of the Hellenic Police to Greek Council for Refugees (08.02.2020) Greek Council for Refugees: The administrative detention in Greece. Findings from the field.
DET.1.f		Does law (and/or policy) provide that immigration detention should be used only as a last resort, after all alternatives have been exhausted in each individual case?	UNHCR (2014) : Detention is a measure of last resort and can only be justified where other less invasive or coercive measures have been considered and found insufficient. EU Returns Directive : Article 15(1)	Yes. Law requires authorities to examine and apply alternatives to detention before resorting to detention. A non-exhaustive list of alternatives to detention is provided by national legislation, both for third-country nationals under removal procedures and asylum seekers. However, alternatives to detention are neither examined nor applied in practice.	Law 4636/2019 (Article 46) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019 Law 3907/2011 (Articles 30 & 22) "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying third country nationals" and other provisions" & its amendments, Official Gazette of the Hellenic Republic 7/A/26-01-2011
DET.1.g		Are individual vulnerability assessments carried out before a decision to detain (or soon after)? Please note whether statelessness is considered to be a factor increasing vulnerability.	ENS (2015) : Arbitrary and disproportionately lengthy detention can ensue when the particular vulnerabilities of stateless people are not addressed. EU Returns Directive : Article 16(3) EU Returns Handbook (2017) : Attention should be paid to the specific situation of stateless persons. Council of the European Union (2013) : European entities should assess the situation of LGBTI persons in detention.	No (see DET1c). An individual assessment mechanism to determine the necessity, proportionality and reasonableness of detention in each individual case is not consistently applied in Greece. Therefore, an individual vulnerability assessment is not carried out before a decision to detain.	Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 19 April 2018 UN Human Rights Council, Reports of the Special Rapporteur on the human rights of migrants on his mission to Greece, 24 April 2017 Asylum Information Database. Country Report: Greece
DET.2.a	Alternatives to detention	Are alternatives to detention established in law and considered prior to any decision to detain?	ICCPR Article 9 FKAG v Australia HRC (2013) : Any decision relating to detention must consider less invasive means of achieving the same ends. UN General Assembly (2009) : Calls upon all States to adopt alternative	A non-exhaustive list of alternatives to detention is provided by national legislation, both for third-country nationals under removal procedures and asylum seekers. Regular reporting to the authorities and an obligation to reside at a specific area are included on this list. The possibility of a	Law 3907/2011 [Articles 22(3) & 30(1)] "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying

			<p>measures to detention.</p> <p>UNHCR (2014): Detention can only be justified where other less invasive or coercive measures have been considered and found insufficient.</p> <p>Human Rights Council (2012) : The obligation to always consider alternatives before resorting to detention should be established by law.</p> <p>EU Returns Directive: Article 15(1)</p> <p>Equal Rights Trust (2012): States have an obligation to consider and apply appropriate and viable alternatives to immigration detention that are less coercive and intrusive.</p> <p>International Detention Coalition (2015) : Immigration detention should be used only as a last resort in exceptional cases after all other options have been shown to be inadequate in the individual case.</p>	<p>financial guarantee as an alternative to detention is also foreseen in the law, provided that a Joint Decision of the Minister of Finance and the Minister of Public Order will be issued with regard to the determination of the amount of such financial guarantee. This has never been applied. Alternatives to detention are very rarely applied in practice.</p>	<p>third country nationals" and other provisions & its amendments, Official Gazette of the Hellenic Republic 7/A/26-01-2011</p> <p>Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 19 April 2018</p> <p>Greek Council for Refugees (2015): Applying the alternatives to detention in Greece</p> <p>Asylum information Database: Alternatives to detention: Greece</p> <p>UN Human Rights Council, Report of the Special Rapporteur on the human rights of migrants on his mission to Greece, 24 April 2017</p> <p>Greek Ombudsman (2017): Migration flows and refugee protection – administrative challenges and human rights - Special Report 2017</p>
DET.2.b		Is there evidence that immigration detention is used in practice prior to all alternatives being considered?	As above.	Yes (see DET 2a).	See DET 2a.
DET.3.a	Procedural safeguards	Is there a maximum time period for immigration detention set in law? What is it?	<p>UN Human Rights Council (2010) : A maximum period of detention must be established by law and upon expiry the detainee must be automatically released.</p> <p>UNHCR (2012) : To guard against arbitrariness, maximum periods of detention should be set in national law.</p> <p>EU Returns Directive: Article 15(5)</p> <p>Equal Rights Trust (2012) : Detention should always be for the shortest time possible.</p>	<p>Yes. According to Law 3907/2011 (transportation into Greek legislation of Directive 2008/115/EC) the initial period of detention is up to 6 months. This period can be extended by up to 18 months if despite all reasonable efforts employed by authorities, return proceedings last longer due to a lack of cooperation of the detainee or due to delays in obtaining the necessary documents from destination countries.</p> <p>The detention of an asylum seeker may be successively prolonged up to a maximum period of 18 months. Furthermore, the time limit for detention does not include the period of detention for the purposes of removal, thus the total maximum period of immigration detention may reach 36 months (18 months while in the asylum procedure plus 18 months for the purposes of removal).</p>	<p>Law 4636/2019 (Article 46) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019</p> <p>Law 3907/2011 (Article 30) "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying third country nationals" and other provisions & its amendments, Official Gazette of the Hellenic Republic 7/A/26-01-2011</p> <p>Law 3386/2005 (Article 76) "Entry, Residence and Social Integration of Third Country Nationals on the Greek Territory" & its amendments, Official Gazette of the Hellenic Republic 212/A/23.08.2005</p>
DET.3.b		Does law/policy provide that individuals must be informed in writing of the reasons for their immigration detention?	<p>UN General Assembly (1988) : Anyone who is arrested shall be informed at the time of the reason for his arrest.</p> <p>EU Returns Directive: Detention shall be ordered in writing with reasons being given in fact and in law.</p> <p>Equal Rights Trust (2012) : Stateless detainees shall receive their order of detention in writing and in a language they understand.</p> <p>International Commission of Jurists (2014): The authorities shall ensure that sufficient information is available to detained persons in a language they understand on the nature of their detention and reasons for it.</p>	<p>Yes. According to the law the decision that orders detention must contain a factual and legal justification and it is issued in writing. The detainee must be informed in a language they understand, about the reasons for their detention.</p>	<p>Law 3907/2011 (Article 30) "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying third country nationals" and other provisions & its amendments, Official Gazette of the Hellenic Republic 7/A/26-01-2011</p> <p>Law 3386/2005 (Article 76) "Entry, Residence and Social Integration of Third Country Nationals on the Greek Territory" & its amendments, Official Gazette of the Hellenic Republic 212/A/23.08.2005</p> <p>Law 4636/2019 (Article 46) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019</p>

DET.3.c		Are detainees provided with information on their rights, contact details of legal advice and support providers, and guidance on how to access an SDP?	Equal Rights Trust (2012) : Detaining authorities are urged to provide stateless detainees with a handbook in a language and terms they understand, containing information on all their rights and entitlements, contact details of organisations which are mandated to protect them, NGOs and visiting groups and advice on how to challenge the legality of their detention and their treatment as detainees.	The authorities must facilitate communication with the detainee's lawyer. In practice, there are problems concerning the information on the rights of the detainees and the provision of legal advice for issues related to detention is generally inadequate. In Greece there is no SDP currently in place.	Asylum Information Database. Country Report: Greece Human Rights Council, Report of the Special Rapporteur on the human rights of migrants on his mission to Greece, 24 April 2017 Greek Ombudsman (2017): Migration flows and refugee protection – administrative challenges and human rights - Special Report 2017 Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 19 April 2018
DET.3.d		Are there regular periodic reviews of detention before a court or independent body, which can order release?	Kim v Russia ECtHR (2014) : The purpose of Article 5(4) ECHR is to guarantee to persons who are detained the right to judicial supervision of the lawfulness of the measure. Equal Rights Trust (ERT) (2012) : To avoid arbitrariness, detention should be subject to automatic, regular and periodic review throughout the period of detention, before a judicial body independent of the detaining authorities.	<p>According to the law the necessity for the continuation of detention must be reviewed by the institution that issued the detention order every 3 months. In the event of an extension of the duration of the detention, the relevant decisions shall be forwarded to the Administrative Court which considers the legality of the prolongation of the detention.</p> <p>Detainees are not released even when it becomes evident that their removal will not be possible due to the fact that an effective assessment mechanism to determine the necessity, proportionality and reasonableness of detention in each individual case is not consistently applied in Greece.</p>	Law 3907/2011 (Article 30) "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying third country nationals" and other provisions & its amendments, Official Gazette of the Hellenic Republic 7/A/26-01-2011 Law 3386/2005 (Article 76) "Entry, Residence and Social Integration of Third Country Nationals on the Greek Territory" & its amendments, Official Gazette of the Hellenic Republic 212/A/23.08.2005 Law 4636/2019 (Article 46) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019 Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 19 April 2018 UN Human Rights Council, Reports of the Special Rapporteur on the human rights of migrants on his mission to Greece, 24 April 2017 Asylum Information Database. Country Report: Greece
DET.3.e		What remedies are available to challenge detention? Please mention any obstacles to accessing effective remedies in practice.	ICCPR Article 9(4) ECHR: Article 5(4) Kim v Russia ECtHR (2014) : The purpose of Article 5(4) ECHR is to guarantee to persons who are detained the right to judicial supervision of the lawfulness of the measure. Alimuradov v. Russia ECtHR (2019) : The individual must have at their disposal a procedure for judicial review of the lawfulness of detention capable of leading to release.	<p>Detainees may challenge detention through Objections against detention. Objections against detention are not examined by a court composition but solely by the President of the Administrative Court whose decision is not appealable.</p> <p>However, in practice the ability of detained persons to challenge their detention is severely restricted by the fact that detainees are often unaware of their legal status and their rights. The main obstacle is the lack of interpreters and translation of the administrative decisions in a language they understand and the lack of free legal assistance.</p>	Law 3907/2011 (Article 30) "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying third country nationals" and other provisions & its amendments, Official Gazette of the Hellenic Republic 7/A/26-01-2011 Law 3386/2005 (Article 76) "Entry, Residence and Social Integration of Third Country Nationals on the Greek Territory" & its amendments, Official Gazette of the Hellenic Republic 212/A/23.08.2005 Law 4636/2019 (Article 46) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019 Asylum Information Database. Country Report: Greece

					UN Human Rights Council, Reports of the Special Rapporteur on the human rights of migrants on his mission to Greece, 24 April 2017 Greek Council for Refugees: The administrative detention in Greece. Findings from the field (2018).
DET.3.f		Are there guidelines in place governing the process of re-documentation and ascertaining entitlement to nationality for the purpose of removal?	Equal Rights Trust (2012) : The inability of a stateless person to cooperate with removal proceedings should not be treated as non-cooperation. ENS (2015) : The detaining state should have rules in place that govern the process of re-documentation and/or ascertaining entitlement to nationality.	There is no available information.	
DET.3.g		Is free legal aid available to challenge detention? Please describe any barriers to accessing legal aid in practice.	UNHCR (2014) : Judicial oversight of detention is always necessary and detained individuals need to have access to legal representation, including free counselling for those without means. EU Returns Directive : Article 13(3)	According to the law, detainees who are applicants for international protection shall be entitled to free legal assistance and representation to challenge the detention order. In practice no free legal aid is available for asylum seekers to challenge detention. Legal aid may only be requested under the general provisions of Greek law. These provisions cannot be accessed easily by asylum seekers due to a number of obstacles.	Law 4636/2019 (Article 46) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019 Law 3226/2004 "Provision of legal aid to low-income citizens and other provisions" , Official Gazette of the Hellenic Republic 24/A/4.2.2004 Code of Administrative Procedure as ratified by Law 2717/1999 (Articles 276 & 276A) & its amendments, Official Gazette of the Hellenic Republic 97/A/17.5.1999 Asylum Information Database. Country Report: Greece Report to the Greek Government on the visit to Greece carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 19 April 2018 ECtHR, O.S.A. v. Greece, Application No 39065/16, Judgment of 21 March 2019 ECtHR, Kaak v. Greece, Application No 34215/16, Judgment of 3 October 2019
DET.4.a	Protections on release	Are people released from detention issued with identification documents (including confirmation of their stateless status) and protected from re-detention?	UN Convention Relating to the Status of Stateless Persons, 1954 : Article 27 UNHCR (2014) : Being undocumented cannot be used as a general justification for detention. ENS (2015) : State parties to the 1954 Convention have an obligation to provide stay rights to stateless people who have been released from detention. Equal Rights Trust (2012) : Released stateless detainees should be provided with appropriate documentation and stay rights suitable to their situation.	People released from detention are not issued with any identification, nor confirmation of their stateless status. If the person has not applied for asylum in detention and they are released there are different types of documents that they may be issued: <ul style="list-style-type: none"> • A decision postponing removal; • An administrative note ordering voluntary departure; • An administrative note stating the remedy (Objection against detention) has been accepted and the judge has decided to release them If the person is an asylum seeker or has expressed a wish to register an application for international protection, they leave detention with a decision that grants them international protection; or an administrative note ordering their appearance before the Asylum Service within 10 days. No confirmation of their stateless status is issued.	Greek Council for Refugees Legal Unit
DET.4.b		If the purpose of detention cannot be fulfilled and the person is released, what legal status and rights are provided to them in law?	Saïd Shamilovich Kadzoev v Direktsia Migratsia' pri Ministerstvo na vatreashnite raboti ECJ (2009) : After the maximum period of detention has expired, the person must be released immediately. A lack of valid documentation or inability to support themselves should not be a deterrent to release. Equal Rights Trust (2012) : Released stateless detainees should be provided with appropriate documentation and	If the person is released without having applied for asylum, they are protected from re-detention for a specific time period (up to 6 months) but do not have the right to social security, accommodation, education and healthcare, or work. Exceptionally, irregularly residing third country nationals may be able to work in order to cover the urgent needs of the Greek rural economy. Law 4368/2016 provides free access to public health services and pharmaceutical treatment for people without social insurance who are considered	Greek Council for Refugees Legal Unit & Social Unit Headquarters of the Hellenic Police: Circular no. 1604/15/14234412 "Application of the provisions of Law 4332/2015 "Modification of provisions of Greek citizenship etc. "" (10.08.2018) Headquarters of the Hellenic Police Force: Circular no. 1604/16/1195968

			stay rights suitable to their situation.	vulnerable. Concerning minors (under 18 years old) from third countries, they can enrol in public schools even without supporting documents and they have the right to accommodation even if they have not applied for international protection. Additionally, holders of Decisions Postponing their Return have a temporary right to stay (Article 24 of Law 3907/2011) as well as the right to be accommodated in public facilities and have their basic needs covered by competent authorities. If those authorities are unable to deliver on this responsibility, then the right of employment as salaried workers is granted through the issuance of a Presidential Decree (Art 37 (5) of Law 3907/2011). This Presidential Decree has not yet been issued.	"Management of irregular aliens in Reception and Identification Centres - Asylum Procedures - Implementation of the EU-Turkey Joint Declaration of 18 March 2016 (Readmission in Turkey)" (18.06.2016) Law 3907/2011 (Articles 24 & 37) "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying third country nationals" and other provisions & its amendments, Official Gazette of the Hellenic Republic 7/A/26-01-2011 Law 4368/2016 (Article 33) "Measures to speed up government work and other provisions", Official Gazette of the Hellenic Republic A 21/A/21.2.2016 Law 4384/2016 (Article 58) "Agricultural Cooperative, forms of collective organization of the rural area and other provisions " Agricultural Insurance Organization: Circular no. 9/2016
DET.4.c		If re-detention occurs, is the cumulative time spent in detention counted towards any maximum time limits?	Equal Rights Trust (2012) : When calculating the total time spent by an individual in detention, it is highly desirable that time spent in detention on previous occasions is taken into consideration.	No, there is no specific provision for re-detention in the law. However, according to Law 3907/2011 (transposition into Greek legislation of Directive 2008/115/EC) the period of detention can be extended up to 18 months.	Law 3907/2011 (Article 30) "on the establishment of an Asylum Service and a First Reception Service, transposition into Greek legislation of Directive 2008/115/EC "on common standards and procedures in Member States for returning illegally staying third country nationals" and other provisions & its amendments, Official Gazette of the Hellenic Republic 7/A/26-01-2011 Law 3386/2005 (Article 72) "Entry, Residence and Social Integration of Third Country Nationals on the Greek Territory" & its amendments, Official Gazette of the Hellenic Republic 212/A/23.08.2005
DET.5.a	Return and readmission agreements	Is statelessness considered a juridically relevant fact in any bilateral readmission and/or return agreements?	UNHCR (2014) : Efforts to secure admission or readmission may be justified but these need to take place subsequent to a determination of statelessness.	<p>The Greek state has signed and ratified more than 15 bilateral readmission agreements. In terms of how statelessness is considered, the agreements can be divided as follows:</p> <p>a) those that do not expressly provide for stateless persons; therefore, statelessness is not a juridically relevant fact (at least five).</p> <p>b) those that disjunctively use the terms "stateless persons"/"third country nationals", without differentiating between them or containing specific provisions for stateless persons (at least three).</p> <p>c) at least two agreements specifically provide that stateless persons can be readmitted only if they entered the applicant state using a travel document issued by the state requested to readmit them, which enables them to travel back even after its expiration.</p> <p>d) the remaining agreements expressly exclude from readmission procedures those persons that have been recognised as stateless by the applicant state, according to the New York Convention of 1954.</p> <p>It should be noted that, for the purposes of readmission, the nationality of a person may be presumed based on a number of documents (other than ID or travel documents) and, in case of doubt, an interview may take place.</p> <p>In March 2016, the adoption of the highly controversial EU-Turkey Statement brought a transformation of the so-called hotspots on the Greek islands of the Aegean. Although the EU-Turkey Statement was initially described</p>	<p>Laws of the Greek state, ratifying bilateral readmission agreements (the other contracting state is indicated in parentheses):</p> <p>Law 3547/2007 (Bosnia-Herzegovina), Official Gazette of the Hellenic Republic 67/A/20.3.2007</p> <p>Law 2406/1996 (Bulgaria), Official Gazette of the Hellenic Republic 102/A/04.06.1996</p> <p>Law 2917/2001 (France), Official Gazette of the Hellenic Republic 115/A/11.6.2001</p> <p>Law 3726/2008 (Switzerland), Official Gazette of the Hellenic Republic 256/A/17.12.2008</p> <p>Law 2857/2000 (Italy), Official Gazette of the Hellenic Republic 246/A/7.11.2000</p> <p>Law 2350/1995 (Croatia), Official Gazette of the Hellenic Republic 225/A/01.11.1995</p> <p>Law 2911/2001 (Lithuania),</p>

				<p>as “a temporary and extraordinary measure”, it continues to be implemented with regard to those arriving by sea to the Aegean islands. Asylum seekers arriving after 20 March 2016 on the Greek islands are subject to a fast-track border procedure with limited guarantees. Currently, returns of non-Turkish nationals from Greece to Turkey take place (in parallel) under:</p> <p>i) The Bilateral Greek-Turkish Readmission Protocol (L. 3030/2002), implemented in cooperation between the national authorities of Greece and Turkey;</p> <p>ii) The EU-Turkey Statement, implemented with the direct participation of Frontex. From the published data it appears that the majority of non-Turkish nationals are returned under the EU-Turkey Statement. From April 2016 till March 2020, 2,140 individuals were returned to Turkey on the basis of the EU-Turkey Statement. The EU-Turkey Statement is not under the judicial control of EU bodies, according to the decision of the EU General Court (28 February 2017) which ruled that regardless of whether the Statement is a political document with binding legal consequences, its content cannot be attributed to the European Council or any other EU body, but to the leaders of the Member States.</p>	<p>Official Gazette of the Hellenic Republic 93/A/9.5.2001</p> <p>Law 2861/2001 (Latvia), Official Gazette of the Hellenic Republic 255/A/16.11.2000</p> <p>Law 3321/2005 (Hungary), Official Gazette of the Hellenic Republic 53/A/01.03.2005</p> <p>Law 2384/1996 (Poland), Official Gazette of the Hellenic Republic 41/A/7.3.1996</p> <p>Law No. 2301/1995 (Romania), Official Gazette of the Hellenic Republic 70/A/12.4.1995</p> <p>Law 4466/2017 (Russia), Official Gazette of the Hellenic Republic 55/A/12.04.2017</p> <p>Law 3125/2003 (Malta), Official Gazette of the Hellenic Republic 63/A/14.3.2003</p> <p>Law 2353/1995 (Slovenia), Official Gazette of the Hellenic Republic 229/A/6.11.1995</p> <p>Law 2926/2001 (Turkey), Official Gazette of the Hellenic Republic 139/A/27.06.2001 & Law 3030/2002 (Turkey), Official Gazette of the Hellenic Republic 163/A/15.07.2002</p> <p>EU-Turkey statement, 18 March 2016</p> <p>Asylum Information Database. Country Report: Greece</p> <p>The Greens/European Free Alliance in the European Parliament: The EU-Turkey Statement and the Greek Hotspots (2018)</p> <p>UNHCR, Returns from Greece to Turkey, Returns from Greece to Turkey, in the framework of the EU - TUR Statement</p> <p>Hellenic Police, Treatment of immigrants at the Reception and Identification Centres (RIC) – Asylum Procedures – Implementation of EU-Turkey Common Statement of the 18th March 2016 (readmissions to Turkey), circular 1604/16/1195968/18.06.2016. Available at: https://www.synigoros.gr/resources/docs/egkyklios-elas-ths-18-6-2016.pdf</p> <p>The Greek Ombudsman: Return of Third Country Nationals - Special Report The Greek Ombudsman: Return of Third Country Nationals - Special Report 2017</p> <p>The Greek Ombudsman: Return of Third Country Nationals - Special Report 2018</p>
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					The Greek Ombudsman: Return of Third Country Nationals - Special Report 2019 Ministry of Citizen Protection: Press Release (24-1-2019): "Four Syrian refugees and four irregular Turkish migrants return to Turkey" EU-Turkey Statement: Questions and Answers UNHCR Greece
DET.5.b		Are you aware of cases of cases of stateless people being returned under such agreements?		Yes, stateless persons have been returned to Turkey in the context of implementation of the EU Turkey Statement (18 March 2016).	UNHCR Greece

Prevention and Reduction

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
PRS.1.a	Stateless born on territory	Is there a provision in law for stateless children born on the territory to be granted nationality? [If yes, continue to PRS1b. If no, proceed to PRS1h]	UN Convention on the Reduction of Statelessness, 1961 : Article 1 European Convention on Nationality, 1997 : Article 2 Convention on the Rights of the Child 1989 : Article 7 Committee on the Rights of Migrant Workers and Members of their Families & Committee on the Rights of the Child (2017) : States should strengthen measures to grant nationality to children born in their territory in situations where they would otherwise be stateless. European Parliament (2018) : The EU and its MS should ensure that childhood statelessness is adequately addressed in national laws in full compliance with Article 7 CRC.	Yes. According to the Greek Citizenship Code, Greek citizenship is acquired upon birth in Greece if: 1) One of the parents was born in Greece and has been permanently domiciled in the Country since their birth. This refers mainly to third generation immigrants, who have been fully integrated into Greek society and whose legal situation is similar to stateless people [Article 1(2) (a)]; 2) The child does not acquire a foreign nationality by birth nor can a nationality be acquired by the child by way of a relevant declaration by the parents to the relevant foreign authorities, whenever the law of the state of the parents' nationality requires such a declaration. This provision is a subsidiary adoption of the "jus soli" principle in Greek citizenship law. It applies in cases where it is impossible for the child to acquire the nationality of their parents on grounds of national law of the parents' countries of origin [Article 1(2) (b)]; This specific provision has a lower threshold of implementation than a formal recognition of stateless status: it is enough to prove that the child did not acquire nationality at birth. 3) The nationality of the child is unknown, in the event that the failure to ascertain any foreign nationality to be acquired by birth is not due to their parents' refusal to cooperate. This concerns children whose nationality cannot be determined, despite the authorities' efforts. Most likely, they will be children of unknown parents (e.g., foundlings). It may apply in cases of children whose parents are known but are of unspecified nationality because, for example, they are not found or have died or, for objective reasons, cannot assist the Greek authorities in verifying their nationality [Article 1(2) (c)]. See also PRS 7a.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 1 (2) (a-c)) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 Ministry of Interior: Citizenship Directorate, Circular No 8, «Amendment of Greek Citizenship Code» (28/5/2010)
PRS.1.b		Is the provision for otherwise stateless children to acquire nationality automatic or non-automatic (i.e. by application)?	UNHCR (2012) : The 1961 Convention provides Contracting States with two alternatives for granting nationality to otherwise stateless children born in their territory: either automatic acquisition upon birth or upon application. ENS (2015) : The 1961 Convention and the ECN oblige the conferral of nationality to otherwise stateless children born on the territory. The optimal method is to grant nationality automatically at birth.	In all the above cases, it is automatic, although, the person must submit an application and the necessary documents. The decision that accepts the application identifies the nationality and is not a formative action. The time of acquisition of Greek citizenship starts from the child's birth.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 Ministry of Interior: Citizenship Directorate, Circular No 8, «Amendment of Greek Citizenship Code» (28/5/2010)
PRS.1.c		Is it a requirement that the parents are also stateless for the otherwise stateless child to acquire nationality?	UNHCR (2012) : The test is not an inquiry into whether a child's parents are stateless. ENS (2015) : Only allowing access to nationality for stateless children whose parents are stateless fails to account for the circumstance where the parents hold a nationality but are unable to pass this on.	No (see PRS 1a).	See PRS 1a
PRS.1.d		Are stateless children required to prove they cannot access another nationality to acquire the nationality of the country of birth? If yes, please describe how this is determined in practice.	UNHCR (2012) : A Contracting State cannot avoid the obligations to grant its nationality to a person who would otherwise be stateless based on its own interpretation of another State's nationality laws. The burden of proof must be shared between the claimant and the authorities. Decision-makers must consider Articles 3 & 7 CRC and adopt an appropriate standard of proof. Special procedural considerations to address the acute challenges faced by children in communicating basic facts about their nationality should be respected.	There is no central guidance on how to prove that the child does not acquire another nationality at birth. The general rule in Greek administration is that the applicant must substantiate their claim before the administration. Different and often contradictory practices are followed by the competent Greek authorities on this issue.	UNHCR Greece

PRS.1.e		Is a stateless child born on the territory required to fulfil a period of residence to be granted nationality? If yes, please specify length and if this must be legal residence.	UN Convention on the Reduction of Statelessness, 1961 : Article 1(2) UNHCR (2012) : States may stipulate that an otherwise stateless individual born in its territory fulfils a period of 'habitual residence' (understood as stable, factual residence, not legal or formal residence) not exceeding five years preceding an application nor ten years in all. Convention on the Rights of the Child, 1989 : Articles 3 & 7 Committee on the Rights of the Child (2015) : Recommends the State party ensure that all stateless children born in its territory, irrespective of residency status, have access to nationality without any conditions. European Convention on Nationality, 1997 : Article 6(2)(b)	No. The law does not provide for such a period of residence.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
PRS.1.f		Are the parents of a stateless child required to fulfil a period of residence for the child to be granted nationality? If yes, please specify length and if this must be legal residence.	Committee on the Rights of the Child (2011) : The outcome of an application by the parents of a child born on the territory should not prejudice the right of the child to acquire the nationality of the State. ENS (2015) : Demanding that the child or their parents reside lawfully on the territory is prohibited by the 1961 Convention.	No.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
PRS.1.g		What are the age limits (if any) for making an application for nationality for a stateless person born on the territory?	UN Convention on the Reduction of Statelessness, 1961 : Article 1(2) UNHCR (2012) : Contracting States need to accept applications lodged at a time beginning not later than the age of 18 and ending not earlier than the age of 21. ENS (2015) : Closing the window of opportunity to apply for a nationality has the effect of leaving it in the hands of parents to take the necessary steps to secure a nationality for their child.	There are no age limits.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
PRS.1.h		Are there specific provisions to protect the right to a nationality of children born to refugees?	UNHCR (2012) : Where the nationality of the parents can be acquired through a registration or other procedure, this will be impossible owing to the very nature of refugee status which precludes refugee parents from contacting their consular authorities.	No.	Greek Citizenship Code as ratified by Law 3284/2004 & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
PRS.2.a	Foundlings	Are foundlings granted nationality automatically by law? If not automatic, please describe the procedure.	UN Convention on the Reduction of Statelessness, 1961 : Article 2 European Convention on Nationality, 1997 : Article 6(1)(b)	According to Article 1(2)(c) of the Greek Citizenship Law, Greek citizenship is acquired upon the birth of a child in Greece in the event that the child is of unknown nationality, in the event that the failure to ascertain any foreign nationality to be acquired by birth is not due to the parents' refusal to cooperate. This applies in the case of foundlings. There is no exact information about the necessary documents. The applicant (or their legal representative) should provide all available documents. It is certain that the competent authorities will try to find out whether the parents are registered, and the child will not acquire Greek citizenship until the authorities are quite certain that the child's parents will not appear. It is unknown how long this wait will last, maybe some years.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 Ministry of Interior: Special Secretary for Citizenship Citizenship Directorate: Model Case
PRS.2.b		Is there an age limit (e.g. 'new-born' or 'infant') in law or practice specifying when a foundling would qualify for nationality?	UNHCR (2012) : At a minimum, the safeguard should apply to all young children who are not yet able to communicate information about the identity of their parents or their place of birth.	No, there is no age limit. Every case is examined on an ad hoc basis.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
PRS.2.c		Can nationality be withdrawn from foundlings if this leads to statelessness?	UNHCR (2012) : Nationality acquired by foundlings may only be lost if it is proven that the child possesses another nationality.	There is no specific provision in law, but this is not likely, especially if there is no fraudulent conduct. Generally, according to jurisprudence, the revocation of an administrative act after the expiry of a reasonable period it is not allowed, unless there are reasons of public interest or fraudulent conduct of the person. The Greek Ombudsperson, in a document concerning a specific case, mentions the expressed opinion of the Ministry of Interior, according to which the subsequent	Ministry of Interior: Special Secretary for Citizenship (information obtained in 2019) Indicative jurisprudence: Council of State, Case 2616/2012 Greek Ombudsman: Relative Case

				acquisition of a foreign nationality does not influence the acquisition of Greek citizenship by a stateless person born in Greece.	
PRS.3.a	Adoption	Where a child national is adopted by foreign parent(s), does the child lose their original nationality before the new nationality is acquired?	UN Convention on the Reduction of Statelessness, 1961 : Article 5 ENS (2015) : Children may be exposed to a (temporary) risk of statelessness during the adoption process due to the nationality law of the child's country of origin.	A Greek national who was adopted by a foreigner before the completion of the 18th year of age can lose their Greek nationality at the request of the adopter if they acquire the nationality of their parent. The Minister of the Interior decides on the application after considering the opinion of the Citizenship Council and assessing the special circumstances of the case.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 20) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
PRS.3.b		Does a foreign child adopted by national parents acquire nationality? Please specify any age limits and/or risk of statelessness during the adoption process.	European Convention on Nationality, 1997 : Article 6(4)(d) Committee on the Rights of the Child (2015) : Ensure that the child is not stateless or discriminated against during the waiting period between arrival and formal adoption.	Yes. A foreigner adopted by a Greek citizen before the completion of the 18th year of age becomes Greek from the day of the adoption. There does not seem to be any risk of statelessness during the adoption process.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 3) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
PRS.4.a	<i>Ius sanguinis</i>	Can children born to nationals abroad acquire nationality by descent (<i>ius sanguinis</i>) in general and/or if they would otherwise be stateless?	UN Convention on the Reduction of Statelessness, 1961 : Article 4 UNHCR (2012) : Where a child who would otherwise be stateless is born to parents of another Contracting State but does not acquire the nationality of the State of birth responsibility falls to the Contracting State of the parents to grant its nationality to the child.	Yes. A child born to a Greek mother or father acquires citizenship by descent (<i>jus sanguinis</i> principle). The place of birth does not matter.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
PRS.4.b		Are there any discriminatory conditions in law and/or practice for the acquisition of nationality by descent (e.g. differential treatment of children born out of wedlock, rights of father/mother/same-sex parents to confer nationality, etc.)?	Genovese v. Malta ECtHR (2011) : The state must ensure that the right to nationality is secured without discrimination. CEDAW Gen. rec. No. 32, 2014 : Requires States parties to ensure that women and men have equal rights to confer their nationality to their children and that any obstacles to practical implementation of such laws are removed. UNHCR (2014) : Action 4	There are no discriminatory conditions.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
PRS.5.a	Birth registration	Does the law provide that all children are registered immediately upon birth regardless of the legal status and/or documentation of parents?	Convention on the Rights of the Child, 1989 : Article 7 International Covenant on Civil and Political Rights, 1966 : Article 24(2) Council of Europe (2009) : Member states should register the birth of all children born on their territory even if they are born to a foreign parent with an irregular immigration status or the parents are unknown. UNHCR (2012) : Article 7 CRC applies irrespective of the nationality, statelessness or residence status of the parents. UNHCR (2014) : Action 7 UN Sustainable Development Goal 16.9	Yes. Greek law provides that all children are registered immediately. Regarding the registration of births that take place in maternity hospitals/clinics, a recently introduced law (L. 4659/2020) provides that newborns are registered digitally through the online system of birth registrations by the responsible employees of the hospital/clinic where the birth took place. During the registration, all the necessary documents (that prove that the registered details are correct) must be provided. Generally, Greek law provides that public authorities are obliged not to provide their services to third-country nationals who do not have a passport or other travel document recognised by international conventions and an entry visa or residence permit, and generally they cannot prove that they have entered and reside legally in Greece. However, this general provision excludes hospitals and clinics in the case of third-country nationals admitted urgently for hospitalisation, childbirth and whenever the patient is a minor. Until recently, situations where the mother of the newborn was an undocumented foreigner were extremely problematic. In August 2018, Law 4554/2018 (Article 62) regulated this issue in a favourable manner: the undocumented mother about to give birth, is by law admissible in public hospitals in order to give birth and issued with an ad hoc Identity Document which includes her personal information upon her statement. This document is used solely for the purpose of birth registration of her child. Joint Ministerial Decision No 53033/672/2018 defined the template of the ad hoc Identity Document to be used by the competent Greek authorities. Until now there is no clear picture regarding any problems that undocumented persons may face during the new digital birth registration procedure introduced in 2020. Considering that stateless	Law 344/1976 (Articles 20-21 & 24) "on Birth Certificates" & its amendments, Official Gazette of the Hellenic Republic 143/A/11.06.1976 Law 4554/2018 (Article 62) "Arrangements concerning Insurance and pension - Addressing undeclared work - Enhancing worker protection - Unaccompanied Minors' Guardianship and other provisions" & its amendments, Official Gazette of the Hellenic Republic 130/A/18.07.2018 Joint Ministerial Decision No. 53033/672/2018 , Official Gazette of the Hellenic Republic 4743/B/23.10.2018 Law 4659/2020 (Article 13) "Childbirth allowance and other provisions", Official Gazette of the Hellenic Republic 21/A/03.02.2020 Ministry of Interior: Circular No. 8/2020 "Regulations of issues of registry events in accordance with article 13 of L.4659/2020"

				<p>persons, asylum seekers and beneficiaries of international protection are often not in possession of a social security number or of a fiscal registration number, and that access to the citizens taxation system is required to print the birth registration certificate, challenges may arise in the implementation of the new law.</p> <p>Regarding births that take place in other spaces, birth registration takes place at the local birth registry within 10 days of birth, only upon the physical presence at a civil registry office of the father or the mother or any person present during birth or a duly authorised representative, and the submission of specific documents (or, in the absence of documents, testimonies).</p> <p>Regarding the birth registration of foundlings, the person who finds a newborn foundling must declare the event to the police authority by the next morning. All the necessary information must be provided to the local civil registry within 3 days. If the foundling was found at a nursery or institution, the respective administration must declare the event to the local civil registry.</p>	
PRS.5.b		Are all children issued with birth certificates upon registration? If no, please describe legal status of documentation issued.	UN Human Rights Council, Resolution A/HRC/RES/20/4 : Underscores the importance of effective birth registration and provision of documentary proof of birth irrespective of immigration status and that of parents or family members. Committee on the Rights of Migrant Workers and Members of their Families & Committee on the Rights of the Child (2017) : Take all necessary measures to ensure that all children are immediately registered at birth and issued birth certificates, irrespective of their migration status or that of their parents.	<p>In Greece, birth registration may be proven by two different documents: a) Birth Certificate (Πιστοποιητικό Γέννησης); b) Civil Registry Certificate (Ληξιαρχική Πράξη Γέννησης). Document A (Birth Certificate) only contains factual information from the time of birth (name of mother, father (if declared), place and time of birth, nationality of mother/father etc.). It is issued only to individuals who are already registered with a municipality. Because only Greek nationals are allowed by law to register with a municipality, the Birth Certificate may be used for documenting Greek citizenship but does not, as such, constitute proof of it. Document B (Civil Registry Certificate) may contain both factual information valid at the moment of birth and updated information after birth (corrected name of mother/father etc.). Greek citizens not registered with any municipality are also issued Civil Registry Certificates (rather than Birth Certificates). In its publicly available document under protocol No 2019/0007040, the Head of the Citizenship Directorate of the Ministry of Interior officially recognises the following documents as acceptable proof of Greek citizenship:</p> <p>a) Greek ID b) Valid Greek passport c) Any certificate issued by municipal registration authorities (Αρχές Δημοτολόγησης)</p> <p>Birth certificates do not as such constitute proof of Greek citizenship. However, they are issued to persons already registered with a municipality.</p>	<p>Law 344/1976 (Articles 20-21) "on Birth Certificates" & its amendments, Official Gazette of the Hellenic Republic 143/A/11.06.1976</p> <p>UNHCR Greece</p>
PRS.5.c		Is the child's nationality determined or recorded upon birth registration? If yes, please describe how and by whom (e.g. if the mother/father's nationality is recorded and/or automatically attributed to the child, if there's a formal procedure, if information on both parents is recorded etc.)	Convention on the Rights of the Child, 1989 : Articles 3 & 7	<p>The child's nationality is not mentioned in the birth registration procedure (Ληξιαρχική πράξη γέννησης-Civil Registry Certificate). Nevertheless, the place of birth and the nationality of the parents are mentioned.</p>	<p>Law 344/1976 (Articles 9, 22) "on Birth Certificates" & its amendments Official Gazette of the Hellenic Republic 143/A/11.06.1976</p>
PRS.5.d		If a child's nationality is not determined or recorded upon birth registration, is there a legal framework to determine the child's nationality later? If yes, please describe the	Convention on the Rights of the Child, 1989 : Articles 3 & 7 UN Convention on the Reduction of Statelessness, 1961 : Articles 1 & 4 UNHCR (2012) : States need to determine whether a child would otherwise be stateless as soon as possible so as not to prolong a child's	<p>The procedure for determining Greek nationality foreseen in the Greek Citizenship Code was amended in March 2019 by Law 4604/2019. This was a major positive development as it introduced strong elements of transparency and stronger procedural safeguards in what was previously a "black box". Nevertheless, the legal</p>	<p>Greek Citizenship Code as ratified by Law 3284/2004 (Article 26 & 26A) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004</p> <p>Law 4604/2019 (Articles 40 & 45) "On promoting gender equality, preventing and combating gender-based violence</p>

		procedure, including the legal grounds, deadlines and competent authority.	status of undetermined nationality. Such a period should not exceed five years.	<p>framework was amended again in 2020 (by L.4735/2020). The new law provides for specific cases in which a person can acquire Greek nationality within this procedure. According to the new provision every person belonging to the following cases acquires Greek nationality:</p> <p>a) S(he) was born in wedlock by parents who were not Greek at the time s(he) was born but whose Greek citizenship was acquired by birth after his birth.</p> <p>b) S(he) is a child born within a legally existent marriage according to the Greek law by a Greek father and a foreign mother before 18.7.1982, and</p> <p>c) S(he) is a child born within a legally non-existent marriage according to Greek law, by a Greek mother and a foreign father before 8.5.1984.</p> <p>The person who wishes to determine their Greek nationality, must apply to the competent Regional Directorate for Citizenship. If the person lives abroad, the application may also be submitted to the Greek Consul at the applicant's place of residence. The Consul, after conducting an inquiry in the consular registers, shall forward the application to the competent Regional Directorate. The application shall be accompanied by the relevant supporting documents. The Regional Directorate shall examine whether the requirements for the determination of nationality are fulfilled and issue a declaration of the determination of Greek nationality or a refusal of this determination. In the event of rejection, the person may appeal.</p>	<p>- Regulations on Citizenship etc." & its amendments, Official Gazette of the Hellenic Republic 50/A/26.03.2019</p> <p>Law 4735/2020 (Article 10) "Amendment of the Greek Citizenship Code, new framework for the selection of administration in the public sector, regulation of organizational issues General Secretariat of Citizenship etc.", Official Gazette of the Hellenic Republic 197/A/12.10.2020</p>
PRS.5.e		Are there credible reports to suggest that children are prevented from registering in practice because of parents' legal status or other reasons (please specify)?	<p>Committee on the Rights of Migrant Workers and Members of their Families & Committee on the Rights of the Child (2017): Urge States parties to take all necessary measures to ensure that all children are immediately registered at birth and issued birth certificates, irrespective of their migration status or that of their parents. Legal and practical obstacles to birth registration should be removed.</p> <p>Global Compact for Safe, Orderly and Regular Migration: States will contribute resources and expertise to strengthen the capacity of national civil registries to facilitate timely access by refugees and stateless persons to civil and birth registration.</p> <p>Global Compact on Refugees: States commit to fulfil the right of all individuals to a legal identity and ensure that migrants are issued documentation and civil registry documents.</p> <p>European Parliament Resolution (2019): Calls on Member States to take immediate corrective measures to stop discriminatory birth registration.</p>	<p>There are reports, mainly concerning certain profiles of Romani people, that describe the problems they face in Greece, including difficulties registering in the municipal registry. This led to the adoption of certain measures such as Article 46 of Law 4604/2019 (Acquisition of Greek nationality by Romani persons with a long historical presence in Greece). However, this was revoked in 2020 (by L. 4674/2020, Article 40) and Article 62 of Law 4554/2018 (Issuance of identity documents to undocumented mothers giving birth in Greek hospitals for the purpose of birth registration only).</p> <p>Until 2019, registration of civil status events (including births in Greece) were taking place exclusively before the Civil Registrar with the physical presence of the person concerned, their authorised proxy or as otherwise foreseen in Greek law.</p> <p>UNHCR Greece had documented examples of administrative barriers which may amount to prevention of registration:</p> <p>The procedure is conducted in Greek and if the person does not speak Greek, there must be an interpreter to support the procedure after taking an oath as per in civil court procedures. There were two main issues with the implementation of these provisions, mainly concerning asylum seekers and persons granted international protection:</p> <p>a) When they present to the Civil Registrar without an interpreter, they are usually turned away.</p> <p>b) If they opt to complete the procedure through a proxy, an authorisation validated by a Notary Public is required rather than a simple authorisation validated by the Police. For the former there is a relatively high fee. In practice in certain regions of Greece birth registration of asylum seeking/refugee children is extremely difficult while in Athens it is easier (as it is easier to obtain pro-bono interpretation by NGOs, solidarity groups etc.).</p> <p>According to the new provision (L. 4659/2020), newborns born in hospitals are registered digitally through the online system of birth registration by the responsible</p>	<p>Greek Ombudsman: "Registering Greek Roma on the Municipal Pole" (2009)</p> <p>National Commission of Human Rights: "The situation of Roma in Greece"(2001)</p> <p>National Commission of Human Rights: "Report and suggestions on issues related to situation and rights of Roma people in Greece" (2009)</p> <p>Acquisition of Greek citizenship of persons belonging to the Roma people with a long historical presence in Greece: Law 4604/2019 (Article 46) "On promoting gender equality, preventing and combating gender-based violence - Regulations on Citizenship etc." & its amendments, Official Gazette of the Hellenic Republic 50/A/26.03.2019</p> <p>Law 4674/2020 (Article 40) "Strategic development perspective of Local Government organizations, regulation of issues within the competence of the Ministry of Interior and other provisions", Official Gazette of the Hellenic Republic 53/A/11.03.2020</p> <p>Law 4554/2018 (Article 62)"Arrangements concerning Insurance and pension - Addressing undeclared work - Enhancing worker protection - Unaccompanied Minors' Guardianship and other provisions" & its amendments, Official Gazette of the Hellenic Republic 130/A/18.07.2018</p> <p>UNHCR Greece</p> <p>Law 4659/2020 (Article 13) "Childbirth allowance and other provisions", Official Gazette of the Hellenic Republic 21/A/03.02.2020</p>

				employees of the hospital/clinic where the birth took place. Nevertheless, if parents do not have access to the citizen's taxation system, they cannot print the birth registration certificate. In that case, they must approach the Civil Registrar to obtain it. In order to book an appointment, they also need access to the citizen's taxation system. An alternative way is to book an appointment through a public phone line. In that case, they need to speak Greek or at least be able to communicate in English. Generally, challenges may arise in the implementation of the new law.	
PRS.5.f		Are there mandatory reporting requirements that would deter undocumented parents from coming forward to register their children (e.g. health or civil registry authorities required to report undocumented migrants)?	Committee on the Rights of Migrant Workers and Members of their Families & Committee on the Rights of the Child, JGC No. 4 (2017) and JGC No. 3 (2017) : Legal and practical obstacles to birth registration should be removed, including by prohibiting data sharing between health providers or civil servants responsible for registration with immigration enforcement authorities; and not requiring parents to produce documentation regarding their migration status. Children's personal data, in particular biometric data, should only be used for child protection purposes. Council of Europe: ECRI General Policy Recommendation No. 16(2016) on safeguarding irregularly present migrants from discrimination : States should clearly prohibit the sharing of information about migrants suspected of irregular presence with immigration authorities. These firewalls must be binding on state authorities and the private sector.	No.	No.
PRS.5.g		Is there a statutory deadline for birth registration? If yes, please state the deadline and whether late birth registration is possible in law and practice.	Committee on the Rights of Migrant Workers and Members of their Families & Committee on the Rights of the Child (2017) : Measures should also be taken to facilitate late registration of birth and to avoid financial penalties for late registration. UN Human Rights Council, Resolution A/HRC/RES/20/4 : Calls upon States to ensure free birth registration, including free or low-fee late birth registration, for every child.	Yes. Greek law provides that all children are registered immediately. Specifically, a new-born child should be registered with the local birth registry within 10 days of birth. Late registration is possible, but the parent must pay a penalty fee.	Law 344/1976 (Article 20) "on Birth Certificates" & its amendments, Official Gazette of the Hellenic Republic 143/A/11.06.1976
PRS.5.h		Are there additional requirements for late birth registration (e.g. fees, documents, court procedure)? Please describe the procedure including the competent authority and procedural deadlines.	As above	The penalty fee for late registration is 30 EUR; and for births registered after the 90th day the penalty is 60 EUR.	Law 344/1976 (Article 49) "on Birth Certificates" & its amendments, Official Gazette of the Hellenic Republic 143/A/11.06.1976
PRS.6.a	Reduction	Does the government have any programmes in place to promote civil registration (including birth registration)? If yes, please provide details.	UNHCR (2014) : Action 7	No programme as such exists. In previous years, two favourable legal provisions [Law 4604/2019 (Article 46) and Law 4554/2018 (Article 62)] were enacted to facilitate birth registration/civil registration. However, Article 46 of Law 4604/2019 was revoked in 2020.	Acquisition of Greek citizenship of persons belonging to the Roma people with a long historical presence in Greece: Law 4604/2019 (Article 46) "On promoting gender equality, preventing and combating gender-based violence - Regulations on Citizenship etc." & its amendments, Official Gazette of the Hellenic Republic 50/A/26.03.2019 Law 4554/2018 (Article 62) "Arrangements concerning Insurance and pension - Addressing undeclared work - Enhancing worker protection - Unaccompanied Minors' Guardianship and other provisions" & its amendments, Official Gazette of the Hellenic Republic 130/A/18.07.2018
PRS.6.b		Are there particular sections of the population - such as minority groups or people affected by	UN Convention on the Reduction of Statelessness, 1961 : Article 9 UNHCR (2014) : Action 4 UN Human Rights Council (2019) : States should take legislative,	Yes. It is estimated that a few dozen stateless people live in the area of Thrace. It is believed that part of this population are members of the Muslim Minority of Western Thrace who were deprived of their Greek citizenship	Ministry of Interior: Letter of The Special Secretary of Citizenship (23/04/2019) «Collection of data on stateless people as part of efforts to eliminate statelessness in Greece»

		conflict - believed to be stateless/at risk of statelessness? Please provide details and source of information.	administrative and policy measures aimed at eliminating statelessness affecting minorities.	under Article 19 of the Greek Citizenship Code of 1955, and another part comes from the ex-Soviet Union. Recently, the Ministry of Interior started an effort to identify these cases in order to address their statelessness. Another affected group is Romani people. Another section of the population believed to be stateless is a (probably) small number of people who are members of the Greek Orthodox genos (homogenis from Constantinople and the islands of Imvros or Tenedos) who were born in Turkey or Greece and live in Greece. Other groups of people on whom there are no official statistics, but who might be at risk of statelessness are: (i) Foreign children born in Greece whose births must be registered with the consular authority of their country and no such authority exists in Greece; (ii) Children of beneficiaries of international protection born in Greece whose births must be registered with the consular authority of their country.	Zeibek v. Greece (ECHR) «Efimerida ton Sintakton», Newspaper (04.04.2019) Generation 2.0: Press Release (2020) Efsyn: Greek Roma: without citizenship, without rights, without obligations (03.03.2020) Hellenic League for Human Rights (02.10.2015) Vice.com: The Greek «sans papier» Explanatory memorandum of law 4604/2019 Ministry of Interior: Circular No Φ.130181/17760 «Provision of instructions for the acquisition of Greek nationality by expatriates (stateless or non-stateless) coming from Turkey» (24/7/2018) UNHCR Greece
PRS.6.c		Has the Government implemented any other measures specifically aimed at reducing (risk of) statelessness? (e.g. identification, registration or naturalisation campaigns, removal of treaty reservations, reform of discriminatory laws, etc.)	UN Convention on the Reduction of Statelessness, 1961 UNHCR (2014): Actions 1 & 8 UNHCR (2015): States parties to the 1954 Convention are required to help stateless persons become naturalised nationals.	<p>1. On 21/01/2019 the Ministry of Interior and UNHCR signed a Memorandum of Cooperation on statelessness prevention and nationality acquisition issues.</p> <p>2. In a letter signed by the (ex) Special Secretary for Citizenship (under the previous Government in 2019), the Head of the Directorate for Citizenship had requested to collect data on persons who are possibly stateless in the areas of Eastern Macedonia and Thrace. Collection of data would have been done through proactive communication with local hospitals, police authorities and social services of municipalities in the concerned region. After the change of Greek Government (July 2019) the Regional Director of Citizenship for Eastern Macedonia and Thrace responded that there were no cases of possible stateless persons known to the Directorate (according to UNHCR, as the letter with this information has not been publicly shared). The letter did not include any reference to the methodology used or the actors contacted by the Regional Director of Citizenship.</p>	UNHCR Greece Ministry of Interior: Letter of The Special Secretary of Citizenship (23/04/2019) «Collection of data on stateless people as part of efforts to eliminate statelessness in Greece» UNHCR Greece
PRS.7.a	Deprivation of nationality	Are there any provisions on deprivation of nationality that could render a person stateless? Please state whether there is a safeguard against statelessness established in law and on what grounds deprivation of nationality may result in statelessness (e.g. national security, fraud, etc.).	UN Convention on the Reduction of Statelessness, 1961: Article 8 & 9 European Convention on Nationality, 1997: Article 7(3) Universal Declaration of Human Rights: Article 15(2) Principles on Deprivation of Nationality and the Draft Commentary : Principle 2.2: Deprivation of nationality refers to any loss, withdrawal or denial of nationality that was not voluntarily requested by the individual; Principles 4, 5 & 6 Report of the Secretary-General on Human Rights and Arbitrary Deprivation of Nationality (2009): para. 23 UNHCR Guidelines on Statelessness No.5 (2020): the prohibition of arbitrary deprivation of nationality also includes situations where there is no formal act by a State but where the practice of its competent authorities clearly shows that they have ceased to consider a particular individual/group as national(s) (e.g. where authorities persistently refuse to issue or renew documents without providing an explanation or justification).	<p>The Greek Constitution provides for the deprivation of Greek nationality. Withdrawal of Greek citizenship is permitted only in case of voluntary acquisition of another citizenship or of undertaking service contrary to national interests in a foreign country, under the conditions and procedures more specifically provided by law (Greek Citizenship Code).</p> <p>The Greek Citizenship Code includes provisions on loss and deprivation of nationality. The law is applied in practice. There is explicit protection from statelessness in the law except in cases of a) disloyalty to the Greek State (Article 17) and b) loss of Greek nationality due to declaration of renunciation (Article 18). In these cases, the law does not provide explicitly for protection against statelessness.</p> <p>Loss of Greek nationality due to acquisition of foreign nationality (Article 16): in this case the protection from statelessness is absolute. The Minister of the Interior may grant permission to an individual who wishes to renounce Greek nationality, if the person:</p> <p>a) voluntarily acquired the nationality of a foreign state or</p> <p>b) took on a service in the public sector of a foreign state and, by taking that position would have to acquire the nationality of that state.</p> <p>In exceptional cases, permission is granted after the acquisition of the other nationality,</p>	Greek Constitution (Article 4 par. 3) Greek Citizenship Code as ratified by Law 3284/2004 (Articles 16-21) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 Ministry of Interior: Directorate of Citizenship, Circular No. 14 «Providing instructions for the withdrawal of naturalization decisions of homogenis holders of the Special homogenis' Identity Card for doubting their status as homogenis» Law AN 261/1968 «Recall of unlawful administrative acts», Official Gazette of the Hellenic Republic 12/A/1968 Ministry of Interior: Circular No 40 (Protocol Number 102744/17205 issued on 23.7.2014) Law 4604/2019 (Article 41) "On promoting gender equality, preventing and combating gender-based violence - Regulations on Citizenship etc." & its amendments, Official Gazette of the Hellenic Republic 50/A/26.03.2019 Law 4735/2020 (Article 11)

				<p>therefore, Greek nationality is renounced following the granting of permission. An individual who has acquired a foreign nationality can renounce Greek nationality provided that the Minister of the Interior accepts an application for the renunciation of Greek nationality. In this case, renunciation is effective from the date of the acceptance of the application. The granting of permission and acceptance of the application are carried out on the basis of an opinion of the Citizenship Council.</p> <p>Loss of Greek nationality due to revocation (Article 17): in this case the protection from statelessness does not cover the person concerned, only their spouse and children. Greek nationality can be revoked if the person:</p> <ul style="list-style-type: none"> a) undertook public service in a foreign country and even though the Minister of the Interior, Public Administration and Decentralization asked him/her to refrain within a set time limit from this service, as contrary to the interests of the country, (s)he insists in this service; b) during his residence outside of Greece acts in the interests of a foreign state, unyielding to their status as a Greek national and contrary to the interests of Greece; c) has acquired Greek nationality because of their status as a novice on Mount Athos, and provably left their monastery and the Holy Community of Mount Athos. <p>Revocation is announced by a decision of the Minister of the Interior following a justified concurrent opinion of the Citizenship Council. Loss of nationality by revocation is personal and does not affect the nationality of any spouse or children.</p> <p>Loss of Greek nationality due to declaration of renunciation (Article 18): in this case there is no explicit protection from statelessness but it is implied in law that the person in question already has another nationality . The renunciation of Greek nationality is permitted provided that the person is an adult, declares they have no connection with the country and resides abroad. A written declaration must be submitted before the Greek Consul at their place of residence together with an application to the Ministry of the Interior. The application is approved by a decision of the Minister following an opinion of the Citizenship Council. Loss of nationality is effective from the day of the approval of the application.</p> <p>Circular Note No 40 (Protocol Number 102744/17205 issued on 23.7.2014) clarifies that in this specific case, the "renunciation application" is examined by the Citizenship Council, which adopts a recommendation binding on the Minister of Interior, who is the body deciding on the application. The views of the competent Greek Consul are mandatorily included in the file before the Citizenship Council reaches its recommendation. The Citizenship Council or the Minister theoretically have discretion to reject the application for reasons of public interest or because it runs contrary to the international obligations of Greece. Loss of nationality by renunciation is personal and does not affect the nationality of any spouse or children.</p> <p>Loss of Greek nationality by children of foreign nationals who acquired it by declaration or naturalisation of their parents (Article 19): in this case the protection from statelessness is absolute. The child of foreign nationals who became Greek as a minor, may renounce Greek nationality by submitting a relevant declaration and application to the municipality in which they are registered, or,</p>	<p>"Amendment of the Greek Citizenship Code, new framework for the selection of administration in the public sector, regulation of organizational issues General Secretariat of Citizenship etc.", Official Gazette of the Hellenic Republic 197/A/12.10.2020</p>
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				<p>if they reside abroad, to the Greek consulate at their place of permanent domicile within one year after they become an adult. The application is rejected if through acceptance of the application the applicant would become stateless.</p> <p>Loss of Greek nationality due to adoption by a foreign national (Article 20): in this case the protection from statelessness is absolute. A Greek national adopted before they become an adult by a foreign national may, upon the application of the adopter, if they acquire the nationality of the adopter, renounce their Greek nationality. This can only occur with the approval of the Minister of the Interior, who evaluates the special circumstances of the case following an opinion of the Citizenship Council.</p> <p>Loss of Greek nationality by a woman through declaration due to marriage to a Greek citizen (Article 21): in this case the protection from statelessness is absolute. A foreign national who acquired Greek nationality through marriage to a Greek national and maintains a foreign nationality, renounces Greek nationality if she declares her relevant intention to the General Secretary of the Prefecture or to the Greek Consulate in her place of domicile or residence. For the loss of Greek nationality, the General Secretary of the local Prefecture issues a recognition decision.</p> <p>A major positive development of year 2019 was the procedure established for contesting Greek nationality as per Article 41 of Law 4604/2019. This article added a new Article 26A to the Greek Citizenship Code (on contesting Greek nationality). This article was also amended in 2020 [Law 4735/2020 (Art. 11)].</p> <p>The new provision has direct impact on the applications of those who apply for Greek citizenship as stateless persons and, concurrently, lowers the threshold for initiating revocation procedures as a result of the contestation.</p> <p>According to the law, whenever a public authority or a person, having a legitimate interest, disputes (providing reasons) the citizenship of a person or doubts the legal basis for the acquisition of Greek citizenship, submits a request for the resolution of the dispute before the Citizenship Council.</p> <p>The General Director of Citizenship is competent authority to decide on any dispute of citizenship. The General Director's decision must be reasoned and it is issued after having the consent of the Citizenship Council.</p> <p>According to the new provision there is a basis for contestation whenever:</p> <ul style="list-style-type: none"> a) a doubt arises whether a person is a Greek citizen or not; b) it is questionable whether the person applying for Greek citizenship as a stateless person has another citizenship or not; c) a person has Greek citizenship, but there are doubts that the citizenship was acquired on an erroneous legal basis. <p>Prior to the filing of the case before the Citizenship Council, the Citizenship Determination Department of the Central Citizenship Directorate of the Ministry of Interior informs (in written) the person whose citizenship is disputed. The person has the right to submit their views to the Citizenship Council within thirty (30) days after the notification.</p> <p>The General Director of Citizenship must take a decision within six (6) months after the day that the Citizenship Council has expressed his opinion.</p> <p>If the person whose Greek citizenship is disputed is registered in the register of</p>	
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PRS.7.b		Who is the competent authority for deprivation of nationality and what procedural safeguards are in place (e.g. due process, fair trial, participation in the proceedings, legal aid, judicial oversight, appeal, time limit, subject to prior sentencing)?	UN Convention on the Reduction of Statelessness, 1961 : Article 8(4) European Convention on Nationality, 1997 : Article 11 Principles on Deprivation of Nationality : Principle 7. Deprivation of nationality must be carried out in pursuance of a legitimate purpose, provided for by law, necessary, proportionate and in accordance with procedural safeguards; Principle 8: Everyone has the right to a fair trial or hearing and to an effective remedy and reparation.	<p>See PRS 7a. The person concerned may appeal against the decision ordering deprivation before the competent administrative court (Three-member Administrative Court). The decisions of the Three-member Administrative Court may be appealed before the Council of State. The application of annulment is exercised within a period of 60 days commencing on the day following the notification of the contested act or its publication, if the latter is required by law or, otherwise, since the applicant has been fully aware of the act. Free legal aid is available under general conditions for access to legal aid in Greece.</p>	<p>Law 3068/2002 (Article 15) (3b) «Confirmation of the Administration to court decisions, promotion of judges of ordinary administrative courts to the rank of State Counselor and other provisions», Official Gazette of the Hellenic Republic 274/A/14.11.2002 & its amendments</p> <p>Law 702/1977 (Article 5) «Regarding subsumption of cases in the administrative courts, replacement, amendment and repeal of provisions of the Degree Law 170/1973 "on the Council of State"» & its amendments, Official Gazette of the Hellenic Republic 268/A/19.9.1977</p> <p>Presidential Decree 18/1989 (Article 46 (1)) «Codification of legal provisions for the Council of State» & its amendments, Official Gazette of the Hellenic Republic 8/A/9.1.1989</p> <p>Code of Administrative Procedure as ratified by Law 2717/1999 (Articles 276 & 276A) & its amendments, Official Gazette of the Hellenic Republic 97/A/17.5.1999</p>

PRS.7.c		Are provisions on deprivation of nationality that may render a person stateless applied in practice?		Yes.	Hellenic League for Human Rights (02.10.2015) «Proto Thema» Newspaper (12.08.2017)
PRS.7.d		Are there safeguards in law and practice to prevent renunciation or other forms of voluntary loss of nationality from resulting in statelessness?	UN Convention on the Reduction of Statelessness, 1961 : Article 7 European Convention on Nationality, 1997 : Articles 7 and 8	See PRS.7.a. In one case of voluntary loss of nationality (Article 18 of Greek Citizenship Code) there is no explicit protection from statelessness (Voluntary renunciation of nationality). However, it is implied in law that the person in question already has another nationality. The provision of Article 18 may refer for example to those who have acquired Greek citizenship as minors due to the naturalization of their parents, or obtained, involuntarily, Greek citizenship being born by Greek parents even though they have no connection with Greece.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 16, & Articles 18-21) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 Ministry of Interior: Circular No 40 (Protocol Number 102744/17205 issued on 23.7.2014)
PRS.7.e		Are there any provisions on deprivation of nationality in a national security context (regardless of whether they could render a person stateless)? Please describe these provisions and if/how they are applied in practice.	Principles on Deprivation of Nationality Principle 4: States shall not deprive persons of nationality for the purpose of safeguarding national security. Where provisions exist, these should be interpreted narrowly and in accordance with international law standards.	Yes. Article 17 of the Greek Citizenship Code provides for deprivation of nationality on national security grounds and there is no explicit safeguard to prevent statelessness (although there is a safeguard to prevent statelessness in the case of the person's spouse and children). See PRS.7.a.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 17) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004
PRS.7.f		Are there any provisions on deprivation of nationality that directly or indirectly discriminate a person or group of persons on any ground prohibited under international law or that discriminate between nationals? Please describe these provisions and if/how they are applied in practice.	ICCPR : Article 26 UN Convention on the Reduction of Statelessness, 1961 : Article 9 European Convention on Nationality, 1997 : Article 5 Principles on Deprivation of Nationality : Principle 6. Prohibited grounds for discrimination include race, colour, sex, language, religion, political or other opinion, national or social origin, ethnicity, property, birth or inheritance, disability, sexual orientation or gender identity, or other real or perceived status, characteristic or affiliation. Each State is also bound by the principle of non-discrimination between its nationals.	To the extent that "deprivation" also encompasses revocation, then the contestation of citizenship leading to its revocation is one area where such discrimination could exist. This is based on the fact that contestation concerns only three categories of persons (a) those applying for Greek citizenship as stateless persons; (b) those for whom there are doubts about their Greek citizenship; (c) those who are Greek citizens but there are doubts that the citizenship was acquired on an erroneous legal basis. See PRS 7a.	Law 4735/2020 (Article 11) "Amendment of the Greek Citizenship Code, new framework for the selection of administration in the public sector, regulation of organizational issues General Secretariat of Citizenship etc.", Official Gazette of the Hellenic Republic 197/A/12.10.2020

Resources

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
RES.1.a	Published judgments	Number of published judgments adjudicating statelessness (broken down by level of jurisdiction). Please list the most relevant ones.		No available information. The total number of court decisions it is not possible to be counted as not all judgments are published in the private professional legal information databases.	
RES.1.b		Number of published judgments mentioning statelessness (broken down by level of jurisdiction). Please list the most relevant ones.		No available information.	
RES.2.a	Pro Bono	Are there specialised lawyers or organisations providing free advice to stateless people or those at risk of statelessness? If yes, please describe.	UNHCR (2014) : Applicants must have access to legal counsel.	<p>The specialised lawyers in the field of statelessness and nationality in Greece are few. Most of the professionals work on such cases in the framework of their general legal activities. Concerning asylum, NGOs work with stateless asylum seekers or beneficiaries of international protection in the framework of the general services that they provide. The following NGOs are more active in the field of statelessness:</p> <ul style="list-style-type: none"> - Greek Council for Refugees (GCR): NGO active since 1989 in the field of asylum and human rights in Greece. - Danish Refugee Council (DRC): Denmark's largest international NGO active in Greece since 2015. - Generation 2.0 for Rights, Equality & Diversity: NGO consisting of people with different origins who work together to promote equal participation in a diverse society, through the empowerment of communities. - Association for the Social Support of Youth (ARSIS): NGO specialising in the social support of youth in difficulty or danger and in the advocacy of their rights. 	
RES.3.a	Literature	Is there domestic academic literature on statelessness? Please list and provide references and hyperlinks (where available).		<p>In English:</p> <p>Akgonul, S. (2013). The minority concept in the Turkish context. Practices and perceptions in Turkey. Greece and France. Leiden: Brill.</p> <p>Alexandridis, T. (2003). "Faces of Romani statelessness in Greece". European Roma Rights Center.</p> <p>Anagnostou, D., (2011). Citizenship Policy Making in Mediterranean EU States: GREECE, EUDO Citizenship Observatory</p> <p>Christopoulos D. (2013).Country Report: GREECE, EUDO Citizenship Observatory</p> <p>Foundation for Middle East and Balcan Studies & YTU Department of political science and international relations (2007). Proceedings of the International Conference on Minority Issues in the Balcans and the EU.</p> <p>Greek Helsinki Monitor (1999). Minority rights in Greece.</p> <p>Grigoriadis, I. (2008). "On the europeanization of minority rights protection: Comparing the cases of Greece and Turkey". Mediterranean Politics, 13, 1, p.p. 23-41.</p> <p>Gruberg, S. (2011). "De facto statelessness among undocumented migrants in Greece". Georgetown Journal on Poverty Law & Policy, XVIII, 3, Symposium Issue.</p> <p>Human Rights Watch (1990). Destroying ethnic identity: The Turks of Greece.</p> <p>Human Rights Watch (1992). Greece. Improvements for Turkish minority; Problems remain.</p>	

				<p>Human Rights Watch (1999). Greece: The Turks of Western Thrace.</p> <p>Institute on Statelessness and Inclusion & ASKV steunpunt vluchtelingen & European Network on Statelessness (2019). From Syria to Europe: Experience of Stateless Kurds and Palestinian Refugees from Syria seeking protection in Greece.</p> <p>Kalantzi, E. (2016). "Greece moves one step closer to introducing an effective statelessness determination procedure. (https://www.statelessness.eu)</p> <p>Keramitsi, K. (2019). Addressing Statelessness in Greece under EU law</p> <p>Mavrommatis, G. (2018). "Greek Citizenship tradition in flux? Investigating contemporary tensions between ethnic and civic elements of nationality". The Journal of Nationalism and Ethnicity, 46-iss. 3, pp. 484-500.</p> <p>Sitaropoulos, N. (2006). Discriminatory Denationalisations Based on Ethnic Origin: The Dark Legacy of Ex Art 19 on the Greek Nationality Code. In P. Shah, W. F. Menski. (Eds.), Migration, diasporas and legal systems in Europe, pp. 107-125. London: Routledge-Cavendish, 2006.</p> <p>Sitaropoulos, N. (2004). "Freedom of Movement and the Right to a Nationality v. Ethnic Minorities: The Case of ex Article 19 of the Greek Nationality Code". European Journal of Migration and Law, 6, p.p. 205-223.</p> <p>Tsitselikis K. (2006). "Citizenship in Greece: Present challenges for future changes. In Kalekin-Fishman, D. & Pitkanen, P. (Eds.) Multiple Citizenship As a Challenge To European Nation-States, pp. 145-170. Roderdam: Sense Publishers.</p> <p>Tsitselikis, K. (2012). Old and New Islam in Greece. From Historical Minorities to Immigrant Newcomers. Leiden, Boston: Martinus Nijhoff Publishers.</p> <p>Veikou, M. (2017). "Back to Basics: Stateless Women and Children in Greece". Journal of Balcan and near eastern Countries, 19, 5, p.p. 557-570.</p> <p>In Greek: Vogli, E. (2007). "Greek by genos": Citizenship and identity in the national state of the Greeks (1821-1844). Heraklion, University Publications of Crete. (Βόγλη, Ε. (2007). «Έλληνες το γένος»: Η ιθαγένεια και η ταυτότητα στο εθνικό κράτος των Ελλήνων (1821-1844). Ηράκλειο, Πανεπιστημιακές Εκδόσεις Κρήτης).</p> <p>Vrontakis, M. (1999). "The loss of Greek citizenship and the jurisprudence of the Council of State". Armenistis, pp. 1382-1386 (Βροντάκης, Μ. (1999). " «Η απώλεια της ελληνικής ιθαγένειας και η νομολογία του Συμβουλίου της Επικρατείας». Αρμενιστής 1999, σελ. 1382-1386).</p> <p>Kostopoulos, T. (2003). Deprivations of citizenship. The dark side of Modern Greek History (1926-2003). Synhrona Themata, 83, pp. 53-76. (Κωστόπουλος, Τ. (2003). «Αφαιρέσεις ιθαγένειας. Η σκοτεινή πλευρά της Νεοελληνικής Ιστορίας (1926-2003)». Σύγχρονα Θέματα, 83, σελ. 53-76).</p> <p>Baltsiotis, L. (2004). "The citizenship during the Cold War". In Tsapogas, M. &</p>	
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				<p>Christopoulos, D. (Eds), The rights in Greece 1953-2003. Athens, Kastaniotis.</p> <p>(Μπαλτσώτης, Λ. (2004). «Η ιθαγένεια στον Ψυχρό Πόλεμο». Στο Τσαπόγας, Μ. και Χριστόπουλος, Δ. (Επιμ.), Τα δικαιώματα στην Ελλάδα 1953-2003, σελ. 82. Αθήνα: Καστανιώτης).</p> <p>Papassiopi-Pasia, Z. (2013). "The treatment of the de facto stateless persons at national and European Union level". In Review of Immigration Law, pp. 123-136.</p> <p>(Παπασιώπη-Πασιά, Ζ. (2013). «Η αντιμετώπιση των de facto ανιθαγενών σε εθνικό και κοινοτικό Επίπεδο». Επιθεώρηση Μεταναστευτικού Δικαίου, σελ. 123-136).</p> <p>Papassiopi-Pasia, Z. (2012). "The 'jus sanguinis principle': Greek ethnicity or Greek nationality? Contemporary trends and developments of the Greek nationality law. In Journal of Administrative Law 2012, pp. 293-303.</p> <p>Παπασιώπη-Πασιά, Ζ. (2012). «Η αρχή του αίματος: Εθνικότητα ή ελληνικότητα; Εξελίξεις και σύγχρονες τάσεις του ελληνικού δικαίου ιθαγένειας. Εφημερίδα Διοικητικού Δικαίου, σελ. 293-303. Papassiopi-Pasia, Z. (2011). "The legal status of stateless persons in the Greek legal order". In Yearbook of refugee and immigration law, pp. 547-579. Athens, Komotini: Ant. Sakoulas Publications.</p> <p>(Παπασιώπη-Πασιά, Ζ. (2011). «Το νομικό καθεστώς των ανιθαγενών στην ελληνική έννομη τάξη». Στο Επετηρίδα Δικαίου Προσφύγων και Μεταναστών, σελ. 547-579. Αθήνα, Κομοτηνή: Εκδόσεις Αντ. Σάκκουλας).</p> <p>Papassiopi-Pasia, Z. (2011). Citizenship Law. Athens, Thessaloniki: Sakkoulas Publications.</p> <p>(Παπασιώπη-Πασιά, Ζ. (2011). Δίκαιο Ιθαγένειας. Αθήνα, Θεσσαλονίκη: Εκδόσεις Σάκκουλας)</p> <p>Sitaropoulos, N. (2007). "Deprivation of Greek citizenship on the basis of ethnic origin: The heavy shadow of Article 19 of the Code of Greek Citizenship of 1955 (Law 3370/1955)". In Yearbook of refugee and immigration law, pp. 683-716. Athens, Komotini: Ant. Sakoulas.</p> <p>(Σιταρόπουλος, Ν. (2007). «Αφαίρεση της ιθαγένειας με κριτήριο την εθνότητα: Η βαριά σκιά του άρθρου 19 του Κώδικα Ελληνικής Ιθαγένειας του 1955 (Ν.Δ. 3370/1955)». Στο Επετηρίδα δικαίου Προσφύγων & Αλλοδαπών, σελ. 683-716. Αθήνα, Κομοτηνή: Εκδόσεις Αντ. Σάκκουλας).</p> <p>Tsolakou, E. (2011). "The risks for fundamental rights in cases of involuntary deprivation of citizenship. Thoughts on the basis of the Decision 3328/2011 of the Council of State". In Yearbook of refugee and immigration law, pp. 579-616. Athens, Komotini: Ant. Sakoulas.</p> <p>(Τσολάκου, Ε. (2011). «Ο κίνδυνος για τα θεμελιώδη δικαιώματα στις περιπτώσεις ακούσιας αφαίρεσης ιθαγένειας. Σκέψεις με αφορμή την απόφαση 3328/2011 του Συμβουλίου της Επικρατείας». Στο Επετηρίδα δικαίου Προσφύγων & Αλλοδαπών, σελ. 579-616. Αθήνα, Κομοτηνή: Εκδόσεις Αντ. Σάκκουλας).</p> <p>Tsolakou, E. (2012): "Greek citizenship between national inclusion and political integration".</p> <p>Τσολάκου, Ε. (2012): «Η ελληνική ιθαγένεια μεταξύ εθνικής ενσωμάτωσης και πολιτικής ένταξης».</p> <p>(https://www.constitutionalism.gr)</p> <p>Tsouka, C. (Ed. 2019): Citizenship Law. Greek citizenship in the midst of national solutions and international evolution.</p>	
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