

Contents

Contents..... 1

Country context 2

International and Regional Instruments..... 3

 1954 Convention 3

 1961 Convention 3

 Other conventions..... 3

Stateless Population Data 5

 Availability and sources 5

 Stateless in detention data..... 7

Statelessness Determination and Status 9

 Definition of a stateless person..... 9

 Training..... 9

 Existence of a dedicated SDP 9

 Procedures in which statelessness can be identified and other routes to regularisation (Group 2) 10

 Access to procedures (Group 2) 11

 Assessment (Group 2) 12

 Procedural safeguards (Group 2) 13

 Protection (Group 2) 13

Detention 16

 Immigration detention 16

 Identification of statelessness 18

 Procedural safeguards..... 19

 Protections on release..... 20

 Return and readmission agreements 22

Prevention and Reduction..... 25

 Naturalisation..... 25

 Stateless born on territory 26

 Foundlings 28

 Adoption..... 29

 Ius sanguinis 29

 Birth registration 29

 Reducing *in situ* statelessness 32

 Deprivation of nationality 34

Resources..... 40

 Published judgments 40

 Pro Bono 41

 Literature..... 42

Country context (optional)

<p>Please use this field to provide any relevant contextual or background information about the country’s law, policy, and practice, or the stateless population, to help contextualise the information in the survey (optional question).</p>
<p>Greece is State Party to the UN Convention relating to the Status of Stateless Persons (1954) with no reservations, but it is not Party to the UN Convention on the Reduction of Statelessness (1961). There is no dedicated statelessness determination procedure (SDP) in Greece. A law introduced in 2016 assigned responsibility for the conduct of a statelessness determination procedure to the Greek Asylum Service and authorised the issuance of a Presidential Decree to regulate an SDP, but this has yet to be issued.</p> <p>In Greece, there are increased sensitivities (political, social, historical, cultural, religious) around the use of the term ‘nationality’. For this reason, Greek authorities prefer to use the term ‘citizenship’ to denote that individuals who can be Greek citizens do not necessarily belong to the Greek nation (as defined historically, culturally, religiously etc.).</p> <p>The Greek Citizenship Code is based on a dual system for the confirmation or acquisition of Greek citizenship, distinguishing between people of ethnic Greek background ("Omogenis") and others ("Allogenis"). "Omogenis" is a person who has the citizenship of another country but is of Greek descent and is associated with strong ties with Greece. On the other hand, "Allogenis" is a person who belongs to another ethnic community. Those falling in the former category ("Omogenis") benefit, as a general rule, from more favourable provisions under the Greek Citizenship Code, irrespective of whether they hold the nationality of another country or are stateless.</p> <p>Determination, acquisition, and confirmation of Greek citizenship falls under the competence of the Ministry of Interior. Determination of statelessness falls under the Ministry for Migration and Asylum, which is not actively exercising this competence at the moment.</p> <p>While stateless people who can prove their ethnic Greek background have access to Greek citizenship (without being required to undergo a formal Statelessness Determination Procedure), other stateless people remain in limbo as there is no SDP in place.</p>

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) (Last accessed on 7/12/2021)
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) (Last accessed on 7/12/2021)
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) (Last accessed on 7/12/2021)
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)] (Last accessed on 7/12/2021) 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 (In Greek)
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) (Last accessed on 7/12/2021)
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 ratified yet No reservations.	Council of Europe : Chart of signatures and ratifications of the European Convention on Nationality (1997) (Last accessed on 7/12/2021)
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) (Last accessed on 7/12/2021)
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) (Last accessed on 7/12/2021)
IOB.3.d		Bound by Directive 2008/115/EC of the European Parliament and of the Council (EU Return Directive)? Please list any relevant reservations.	Directive 2008/115/EC of the European Parliament and of the Council (EU Return 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 (Last accessed on 7/12/2021)
/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) (Last accessed on 7/12/2021)

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) (Last accessed on 7/12/2021)
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) (Last accessed on 7/12/2021)
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 CEDAW, 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) (Last accessed on 7/12/2021)
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) (Last accessed on 7/12/2021)
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) (Last accessed on 7/12/2021)
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) (Last accessed on 7/12/2021)
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 (Last accessed on 7/12/2021)

Stateless Population Data

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
POP.1.a	Availability and sources	Does the State 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).	<p>CEDAW, Gen. Rec. 32 (2014): States parties should gather, analyse and make available sex-disaggregated statistical data and trends.</p> <p>Council of the European Union, Conclusions on Statelessness (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.</p> <p>UNHCR, Global Action Plan to End Statelessness 2014-24 (2014): Improve quantitative and qualitative data on stateless populations.</p> <p>ISI, The World's Stateless (2014): States should strengthen measures to count stateless persons on their territory.</p>	<p>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) included a field for information on citizenship to be provided. The options in this field were:</p> <ol style="list-style-type: none"> 1) Greek citizen 2) Citizen of Greece and another country (mention which) 3) Without citizenship 4) Undetermined citizenship <p>It may be further noted that in the data published, those categories are grouped together (individuals "without citizenship" and with "undetermined citizenship") and disaggregated by</p> <ol style="list-style-type: none"> (a) sex, age groups and place of residence/prefecture; (b) sex, marital status and place of residence/prefecture; (c) sex, education level and place of residence/prefecture. Information on nationality is also included in the questionnaire used for the 2021 National population census that was conducted between October and November 2021, the results of which have not been published yet. The new questionnaire, again, does not include a discrete category for statelessness and provides the following options to declare citizenship: <ol style="list-style-type: none"> a) Greece b) Greece and other country c) Other country d) Without citizenship e) Undetermined citizenship 	<p>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</p> <p>Hellenic Statistic Authority: The 2021 National Population Census' Questionnaire (In Greek) (Last accessed on 7/12/2021)</p> <p>Hellenic Statistic Authority: Demographic characteristics /2011</p> <p>UNCHR Greece</p>
POP.1.b		Do public 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	<p>For the data collected by the Hellenic Statistical Authority, see POP 1a.</p> <p>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. In addition, there is also a lack of consistency in the way those terms are used; there is evidence that a person can be found to be registered by the public authorities under different nationality categories.</p>	<p>Hellenic Statistic Authority</p> <p>Greek Council for Refugees' Legal Unit</p>
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	<p>UNHCR reported 4,488 stateless people under its mandate in Greece at the end of 2021. 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 2021, 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).</p>	<p>UNCHR Greece</p> <p>UNHCR Refugee Data Finder</p>
POP.1.d		Have there been any surveys or mapping studies to estimate the stateless population in the country?	As above	<p>Yes. UNHCR Greece carried out two mapping studies, one in 2011 and one in 2013, but these have not been published.</p>	<p>UNHCR Greece. Surveys not publicly available.</p>
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	<p>According to the data published by the Greek Asylum Service for 2021, a total of 807 individuals whose nationality was recorded as "Palestinian Authority" were recognised as beneficiaries of international protection (796 as refugees & 11 as beneficiaries of subsidiary protection), representing 4% of the total</p>	<p>Greek Asylum Service: Statistical data (In Greek)</p> <p>Appeals Authority. Information provided to the Greek Council for Refugees (Data not available online)</p>

				<p>number of people recognised as refugees in Greece, in that year.</p> <p>Unfortunately, other stateless applicants and beneficiaries are not listed separately but are included under the "other nationality" category.</p> <p>The Appeals Authority (the responsible authority for the examination of asylum applications at second instance) presents the following data for 2020:</p> <p>i) Registered appeals per nationality: 9 persons without nationality, 26 from Palestinian Authority</p> <p>ii) Decisions taken on applications at second instance: 2 persons with nationality unknown, 18 persons without nationality, 2 from Western Sahara, 38 from Palestinian Authority.</p> <p>iii) Decisions granting refugee status: 2 persons without nationality, 2 from Palestinian Authority</p> <p>iv) Decisions granting subsidiary protection: 1 person without nationality</p> <p>v) Decisions referring for examination of the possibility of granting humanitarian status: 1 person without nationality</p> <p>vi) Decisions rejecting applications for international protection: 1 person with nationality unknown, 9 persons without nationality, 1 from Western Sahara, 19 from Palestinian Authority</p> <p>vii) Decisions that reject appeals against decisions that reject subsequent applications (admissibility): 1,220 from persons without nationality</p> <p>Country Reports for Greece of the Asylum Information Database (AIDA) contain several statistical data relating to the asylum procedure including some data regarding the citizenship of the applicants of international protection.</p> <p>According to the Ministry of Citizen Protection, in 2020 there were:</p> <p>i) Decisions on deportation/return:</p> <ul style="list-style-type: none"> - Nationality unknown: 33 persons. - Persons without nationality (§1 Convention 1954): 32 persons. - Unclear nationality: 1 person - Western Sahara: 7 persons. - Palestinian: 630 persons. <p>ii) Decisions on Deportation/Return (Detention)</p> <ul style="list-style-type: none"> - Nationality unknown: 26 persons. - Persons without nationality (§1 Convention 1954): 32 persons. - Palestinian: 479 persons. <p>iii) Deportations</p> <ul style="list-style-type: none"> - Palestine: 13 persons. <p>Statistics on acquisition of Greek citizenship are recorded and published by the General Secretariat for Citizenship of the Ministry of the Interior, although the exact number of stateless individuals applying for or acquiring Greek nationality is included under the "others" category and is not recorded separately. Based on information provided by the Central Directorate for Citizenship to UNHCR (not publicly available) a total of 12 individuals registered in the database of the Ministry of the Interior as "stateless", of "unknown" or "undetermined" nationality acquired Greek citizenship in 2019, and 17 in 2020. This data is not available online.</p> <p>The Greek authorities also keep data on irregular immigration, deportation, returns, readmission, residence permits, and other civil status data, nevertheless, without using a common, standardised system for identifying and registering the nationality of refugees and migrants in Greece.</p>	<p>Asylum Information Database. Country Report: Greece</p> <p>Ministry of Citizen Protection: Statistical data provided to Greek Council for Refugees (Data not available online)</p> <p>Ministry of Interior: Statistics on acquisition of Greek citizenship (not exact number of stateless people)</p> <p>For other data, see:</p> <ul style="list-style-type: none"> - IOM (SMS Factsheets) - Voluntary relocation scheme from Greece to other European Countries- Factsheets - ESTIA Accommodation Scheme (data for years 2017-2020) (In Greek) - Hellenic Integration Support for Beneficiaries of International Protection (HELIOS) (Data not available online) - UNHCR Greece - UNHCR Operational portal - UNHCR Report: Refugees and Migrants arrivals to Europe in 2018 and in 2019 - UNHCR Statistical Yearbooks - National Centre for Social Solidarity (EKKA): Registry of unaccompanied minors: https://www.ekka.org.gr/ - Hellenic Police: Statistical data relating to irregular immigration (2019) (In Greek) - Hellenic Police: Statistical data relating to irregular immigration (2006-2018) - Ministry of Migration and Asylum: Statistical Data (In Greek) - Ministry for Migration & Asylum (Data not available online) - myschool (Data not available online)
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				UNHCR also publishes migration and asylum data, e.g. on sea arrivals to Greek islands, which covers 'stateless' people or people from the 'State of Palestine'.	
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 standardized 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)", "Unclear nationality", "Palestinians", "Western Sahara". On the other hand, the Asylum Service has central guidance on this issue.</p> <p>Since no clear guidelines are in place, the nationality is often registered in an inaccurate or inconsistent (sometimes even with regards the same person) way. In that context, the data available cannot provide a clear picture of the population of stateless people in Greece.</p> <p>Additionally, there are indications that the stateless population is underreported. The experience from the field indicates the following reasons:</p> <ul style="list-style-type: none"> - The lack of standard guidelines during the registration procedure. - The lack of adequate training. - 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. - 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>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>	<p>Hellenic Police: Statistical data relating to irregular immigration (2006-2018) (In Greek) (Last Accessed on 7/12/2021)</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>
POP.1.g		Please provide any available figures for stateless refugees and/or asylum-seekers and clarify if the State 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 data of the National Population Census results.	See POP 1e
POP.2.a	Stateless in detention data	Does the State record and publish figures on stateless people held in immigration detention? If yes, please provide.	<p>UNHCR, Global Action Plan to End Statelessness 2014-24 (2014): Improve quantitative and qualitative data on stateless populations.</p> <p>CEDAW, Gen. Rec. 32 (2014): State parties should gather, analyse and make available sex-disaggregated statistical data and trends.</p> <p>ISI, The World's Stateless (2014): States should strengthen measures to count stateless persons on their territory.</p> <p>Equal Rights Trust, Guidelines (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.</p> <p>Council of the European Union, Conclusions on Statelessness (2015):</p>	<p>The Government does not publish such data. Nevertheless, according to statistics provided by the Hellenic Police to the Greek Council for Refugees in 2020 under the category "Registered deportations/returns with detention" appear the following nationalities: Decisions on Deportation/Return (Detention)</p> <ul style="list-style-type: none"> - Nationality unknown: 26 persons. - Persons without nationality (§1 Convention 1954): 32 persons. - Palestinian: 479 persons. <p>Additionally, according to the data provided by the Hellenic Police to the Greek Council for Refugees in 2020 under the category "Registered decisions of Readmission with detention - Police Directorate of Lesbos, Samos, Chios, A' & B' Dodecanese)" appear the following nationalities:</p> <ul style="list-style-type: none"> - Nationality unknown: 7 persons. - Persons without nationality (§1 Convention 1954): 32 persons. 	Information provided by the Directorate of the Hellenic Police to the Greek Council for Refugees

			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.	- Palestinian: 365 persons.	
POP.2.b		Does the State 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.	Greek Council for Refugees 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.	1954 Convention : 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) Code of Immigration and Social Inclusion (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 (In Greek) Code of Immigration and Social Inclusion as ratified by Law 4251/2014 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 80/A/01.04.2014 (In Greek)
SDS.2.a	Training	Is there training to inform different public authorities about statelessness? If yes, please provide details (e.g. who provides training to whom/how often?)	UNHCR Executive Committee, Conclusion No. 106 (LVII) (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.2.b		Is there training for judges and lawyers on statelessness? If yes, please provide details (e.g. provider, frequency).	UNHCR, Good Practices Papers – Action 6 (2020) : 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, Geneva Conclusions (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. Some lawyers may be trained on statelessness-related issues, though on an ad hoc basis.	National School of Judges: Curriculum (Last Accessed on 7/12/2021)
SDS.3.a	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 4a). 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 15a).	UNHCR, Handbook on Protection (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, Good Practices Papers – Action 6 (2020) : 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>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>ECtHR, Hoti v. Croatia (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. Furthermore, a special 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>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 of 1955. Furthermore, a number of individuals (who were not former Greek citizens) have benefitted from 'ad hoc' statelessness determination, having been issued travel documents for stateless persons (under the 1954 convention) by the competent authorities of the Hellenic Police. However, the exact procedure followed is not clear, and - moreover - no specific legislative provisions guide (or have guided) such a procedure.</p> <p>3. Procedure to acquire a residence permit for people "de facto deprived of a passport": this procedure applies to third-country nationals. 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 by 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>1. Greek Citizenship Code as ratified by Law 3284/2004 & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 (In Greek)</p> <p>2. UNHCR Greece</p> <p>3. 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 (In Greek) Ministry of Migration Policy Directorate of Migration Policy (2018): Circular No 2 "Residence of third-country nationals with no passports" (In Greek) (Last accessed on 7/12/2021)</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 (Last accessed on 7/12/2021)</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 (In Greek)</p> <p>Law 4604/2019 (Article 46), 'Acquisition of Greek citizenship 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. (In Greek)</p>
SDS.10.b		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>1954 Convention UNHCR, Handbook on Protection (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</p>	<p>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 (In Greek)</p> <p>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>

				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 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.	(In Greek) (Last accessed on 7/12/2021)
SDS.11.a	Access to procedures (Group 2)	Please provide details on how statelessness may be identified in other procedures, which authority is competent to examine and/or identify statelessness and evaluate appropriateness to the national context.	UNHCR, Handbook on Protection (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. UNHCR, Good Practices Papers – Action 6 (2020) : It is important that examiners develop expertise while ensuring that the procedures are accessible. 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.	1. Acquisition of Greek citizenship: (see PRS1a and SDS15a). 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. 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. 4. The Aliens' Directorate of the Hellenic Police Headquarters is the competent authority to issue Travel Documents under the 1954 Convention (according to Law 4375/2016 Article 80 par. 32) until the establishment of an SDP under the competence of the Asylum Service (as prescribed by 4375/2016 (Articles 1 & 7)). It should be further noted that the exact procedure in accordance with which the Hellenic Police authorities shall proceed to issuing 1954 Travel Documents is not known, neither if the abovementioned provision has been invoked and to what extent (i.e., number of Travel Documents issued).	1. i) Greek Citizenship Code as ratified by Law 3284/2004 & its amendments Official Gazette of the Hellenic Republic 217/A/10.11.2004; ii) Citizenship Directorate: Model Case (In Greek) (Last accessed on 7/12/2021) 2. i) 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 (In Greek) ii) 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) (In Greek) (Last accessed on 7/12/2021) 3. Law 4636/2019 "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019 (In Greek) (Last accessed on 7/12/2021) 4. Law 4375/2016 (Articles 1, 7 & 80 par. 32) "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 (In Greek)
SDS.11.b		Are there obligations in law on authorities to consider a claim of statelessness?	UNHCR, Good Practices Papers – Action 6 (2020) : Access to the procedure must be guaranteed.	Because an SDP is not currently in place, a claim of statelessness cannot be considered per se. However, taking into account that the provisions of the 1954 Convention is part of the Greek legislation, such a refusal could be - in principle - challenged before the competent courts. Notwithstanding the above, under other well established procedures (as described under SDS.11.a) relevant claims have to be assessed and answered by the authorities through reasoned decisions and in a timely manner - as foreseen by the general provisions of the Code of Administrative Procedure (law	Code of the administrative procedure as ratified by law 2690/1999 & its amendments, Official Gazette of the Hellenic Republic 45/A/9.3.1999 (In Greek)

				2690/1999). Any administrative act not adhering to those rules may be subject to judicial scrutiny (though - normally - not ex officio).	
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?	1954 Convention UNHCR, Handbook on Protection (2014) : For procedures to be fair and efficient, access must be ensured (dissemination of info, targeted info campaigns, counselling on the procedures, etc.). UNHCR, Good Practices Papers – Action 6 (2020) : Information on the procedure and counselling services must be available to potential applicants in a language they understand.	No.	
SDS.11.d		Is there cooperation between agencies that may have contact with stateless people?	UNHCR, Good Practices Papers – Action 6 (2020) : 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)?	UNHCR, Handbook on Protection (2014) : The burden of proof is in principle shared (both applicant and examiner must cooperate to obtain evidence and establish the facts). UNHCR, Good Practices Papers – Action 6 (2020) : SDPs must take into consideration the difficulties inherent in proving statelessness. UNHCR, Geneva Conclusions (2010) : In statelessness determination procedures, the burden of proof should therefore be shared between the applicant and the authorities responsible for making the determination. 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. ECtHR, Hoti v. Croatia (2018) : State has responsibility to at least share the burden of proof with the applicant when establishing the fact of statelessness.	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. In the procedure of determination of Greek citizenship, 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. 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 authorities.	Ministry of Interior: Special Secretary for Citizenship (Information obtained in 2019) Citizenship Directorate: Model Case (Last accessed on 7/12/2021) (In Greek) Greek Ombudsperson : Case 1 (In Greek) (Last accessed on 7/12/2021) Greek Ombudsperson : Case 2 (Last accessed on 7/12/2021) (In Greek)
SDS.12.b		What is the standard of proof to evidence statelessness?	UNHCR, Handbook on Protection (2014) : States are advised to adopt the same standard of proof as in refugee status determination ('reasonable degree'). UNHCR, Good practices in nationality laws (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. ECtHR, Hoti v. Croatia (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 the determination of Greek citizenship. 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.	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. In the process of the nationality determination procedures, general guidance on the implementation of the provisions with regards the acquisition of Greek citizenship by individuals born in Greece not acquiring any other citizenship or of unknown citizenship (art. 1 par. 2(b) & (c) of the Greek citizenship Code has been provided by circular No 8 (Φ.130181/29365/28.05.2010).	UNHCR Greece Greek Citizenship Code as ratified by Law 3284/2004 & its amendments Official Gazette of the Hellenic Republic 217/A/10.11.2004 (Last accessed on 7/12/2021) Ministry of Interior: Citizenship Directorate, Circular No 8, "Amendment of Greek Citizenship Code" (28/5/2010) (In Greek) (Last accessed on 7/12/2021)

				<p>The same Circular (Φ.130181/29365/28.05.2010) provides some guidance on the facilitated naturalisation procedure for stateless persons. It mentions that the recognition of the applicant as stateless by another Greek authority, and the possession of a relevant document (stateless ID card or a 1954 Convention Travel Document) is a prerequisite for the examination of the application under those provisions. The Circular was issued in the aftermath of the extensive amendments to the Code of Greek Citizenship by law 3838/2010.</p> <p>Separate guidance has also been issued with regards the acquisition of Greek citizenship for other categories of stateless persons, e.g. individuals of Greek origin from Turkey (circular Φ. 130181/17760/ 24.07.2018).</p>	Ministry of Interior: Citizenship Directorate, Circular No Φ.130181/17760 "Provision of instructions for the acquisition of Greek citizenship by expatriates (stateless or non-stateless) coming from Turkey" (24/7/2018) (In Greek) (Last accessed on 7/12/2021)
SDS.13.a	Procedural safeguards (Group 2)	Is free legal aid available to stateless people generally?	<p>UNHCR, Handbook on Protection (2014): Applicants should have access to legal counsel; where free legal assistance is available, it should be offered to applicants without financial means.</p> <p>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.</p>	<p>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.</p> <p>In 2017, the Prosecutor of the Greek High Court (Areios Pagos) provided guidelines in an effort to facilitate access to legal aid for Roma people who could not present financial data due to the fact that they are undocumented.</p>	<p>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 (In Greek)</p> <p>Greek High Court (Areios Pagos) Prosecutor: Letter with guidelines on the provision of free legal aid in accordance with the existing legislative framework (24.11.2017)</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 (In Greek)</p> <p>Joint Ministerial Decision 3449/2021 'on the provision of legal aid to applicants for international protection', Official Gazette of the Hellenic Republic 1482/B/2021 (In Greek)</p>
SDS.13.b		Is free interpreting available to stateless people?	<p>UNHCR, Handbook on Protection (2014): The right to assistance with interpretation/translation [is] essential.</p> <p>ENS (2013): Assistance should be available for translation and interpretation.</p>	<p>In international protection procedures, the interview is conducted with the assistance of an interpreter free of charge.</p>	<p>Law 4636/2019 (Article 77) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019 (In Greek)</p>
SDS.13.c		Are there other procedural safeguards in place in procedures through which stateless people may have their statelessness identified or determined, or regularise their stay (e.g., decisions given in writing with reasons, right to an interview, time limit, right of appeal, audits in decision-making, etc.)?	<p>UNHCR, Handbook on Protection (2014): States are encouraged to incorporate the safeguard that decisions are made in writing with reasons. It is undesirable for a first instance decision to be issued more than six months from submission of an application. In exceptional circumstances it may be appropriate to allow the proceedings to last up to 12 months. An effective right to appeal against a negative first instance decision is an essential safeguard in an SDP.</p>	<p>The right of appeal is granted under general (i.e. Code of the administrative procedure) or special legislative provisions. Time limits are foreseen by law under special provisions (e.g. for the acquisition of nationality time limits are provided by Art. 31 of the Code of Greek Citizenship) though the competent authorities do not adhere to those deadlines, treating them as indicative. The Code of Administrative Procedures also includes provisions regarding time limits. Furthermore, all administrative acts are subject to judicial review, if challenged before the competent administrative courts by the person(s) concerned. Decisions are given in writing with reasons according to general rules of administrative procedure. An interview is always foreseen in international protection procedures.</p>	<p>Law 4636/2019 (Article 77) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019 (In Greek)</p> <p>Code of the administrative procedure as ratified by law 2690/1999 & its amendments, Official Gazette of the Hellenic Republic 45/A/9.3.1999 (In Greek)</p> <p>UNHCR Greece</p>
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.	<p>UNHCR, Handbook on Protection (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.</p>	No.	<p>Greek Council for Refugees, UNHCR Greece</p>

SDS.14.b		<p>Are stateless people otherwise able to access their rights under the 1954 Convention? Please state whether stateless people can access:</p> <ul style="list-style-type: none"> - right to reside - travel document - work - healthcare - social security - education - housing - family reunification - right to vote. <p>[Section complete, proceed to DET]</p>	<p>1954 Convention UNHCR, Handbook on Protection (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. States parties are encouraged to facilitate the reunification of those with recognised stateless status with their spouses and dependents. The right to work, access to healthcare and social assistance, as well as a travel document must accompany a residence permit.</p>	<p>Regarding beneficiaries of international protection:</p> <p>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 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 high unemployment rate and 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 citizens. Facilitation is provided in case of incomplete documentation, as long as no removal</p>	<p>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 (In Greek)</p> <p>Law 4375/2016 (Article 69, 71) "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>P.D. 131/2006 "Third country nationals: Right to family reunification" & its amendments, Official Gazette of the Hellenic Republic 143/A/13.7.2006 (In Greek)</p> <p>P.D. 167/2008 "Completion of P.D. 131/2006", Official Gazette of the Hellenic Republic 223/A/4.11.2008 (In Greek)</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 (In Greek)</p> <p>AIDA Country Report: Greece (2020)</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 (In Greek)</p> <p>Decision No 13221 on the conditions of "ESTIA II" program for housing of international protection applicants, Official Gazette of the Hellenic Republic 1223/B/9.4.2020 Amended by Decision No 21260, Official Gazette of the Hellenic Republic 3093/B/24.07.2020 Amended by Decision No 14320, Official Gazette of the Hellenic Republic 5269/B/30.11.2020 (In Greek)</p> <p>Joint Ministerial Decision 23/13532/2020 "General Regulation for the Operation of Temporary Reception and Accommodation Facilities for third countries nationals or stateless persons, operating under the care of the Reception and Identification Service", Official Gazette of the Hellenic Republic 5272/B/30.11.2020 (In Greek)</p>
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				<p>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 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>	<p>Decision No 2945 on the Establishment of Temporary Accommodation Facilities for third country nationals and stateless persons, who have applied for international protection, Official Gazette of the Hellenic Republic 1016/B/24.3.2020 (In Greek)</p> <p>Decision No 717/2020 on the Access to healthcare services for applicants for international protection– P.A.A.Y.P.A. issuance, Official Gazette of the Hellenic Republic 717/B/31.1.2020 (In Greek)</p>
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Detention

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
DET.1.a	Immigration detention	Please provide a brief overview of whether immigration detention powers are provided for in law and applied in practice, and whether alternatives to detention are considered. Please provide the legal source(s) and, if available, refer to other publications and sources of information about the law, policy, and practice on immigration detention.	<p>ICCPR: Article 9</p> <p>ECHR: Article 5</p> <p>EU Return Directive: Article 15</p> <p>UNHCR, Handbook on Protection (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.</p> <p>UN General Assembly (2009): Calls upon all States to adopt alternative measures to detention.</p> <p>HRC, Report of the Special Rapporteur (2012): The obligation to always consider alternatives before resorting to detention should be established by law.</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>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 context of the asylum procedure, Greek law provides that third country nationals should not be detained solely on the basis that they applied for international protection. Greek law allows for the detention of asylum seekers (including stateless persons) 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>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>Regarding third country nationals in return procedures, it is provided that detention becomes the rule for third country nationals subject to return procedures, for the preparation of the return. Less coercive measures may only be implemented if a) there is no risk of absconding, b) the third country national is cooperative and does not hamper the preparation of return and c) there is no danger for national security</p> <p>Generally, law requires authorities to examine and apply alternatives to detention</p>	<p>Law 3907/2011 (Article 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</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 (In Greek)</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 (In Greek)</p> <p>Law 3907/2011 (Article 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</p> <p>Other sources:</p> <p>Council of the European Union: Recommendation (2021) (Last assessed on 7/12/2021)</p> <p>Greek Council for Refugees & Oxfam (2021). Detention as a default: How Greece, with the support of the EU, is generalizing administrative detention of migrants.</p> <p>Equal Rights Beyond Borders (2021). Detained and Forgotten at the Gates of the EU Detention of Migrants on the Island of Kos (Last accessed on 7/12/2021)</p> <p>Global Detention Project: Greece (Last accessed on 7/12/2021)</p> <p>UNHCR Comments on the Law on "International Protection and other Provisions" (2020) (Last accessed on 7/12/2021)</p> <p>Asylum information Database: Alternatives to detention: Greece (2020) (Last accessed on 7/12/2021)</p> <p>National Commission for Human Rights (2020). Report on the refugee and migration issue (In Greek)</p>

				<p>before resorting to detention. A non-exhaustive list of alternatives to detention is provided by national legislation, both for third-country nationals in removal procedures and for 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 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>(Last assessed on 7/12/2021)</p> <p>Council of Europe- CPT (2020): 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 13 to 17 March 2020 (Last assessed on 7/12/2021)</p> <p>The Greek Ombudsman (2020): Returns of third-country nationals – Special Report (2020) (Last accessed on 7/12/2021)</p> <p>Human Rights Council (2020). Visit to Greece- Report of the Working Group on Arbitrary Detention (Last accessed on 7/12/2021)</p> <p>UN High Commissioner for Refugees (UNHCR, 2020). UNHCR Comments on the Draft Law "Improvement of Migration Legislation, amendment of provisions of Laws 4636/2019 (A' 169), 4375/2016 (A' 51), 4251/2014 (A' 80) and other Provisions" (Last accessed on 7/12/2021)</p> <p>Council of Europe- CPT (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 (Last assessed on 7/12/2021)</p> <p>The Greek Ombudsman (2018): Return of third country nationals- Special Report 2018 (Last accessed on 7/12/2021)</p> <p>Greek Council for Refugees (2018): The administrative detention in Greece. Findings from the field. (In Greek) (Last accessed on 7/12/2021)</p> <p>UN Human Rights Council (2017). Report of the Special Rapporteur on the human rights of migrants on his mission to Greece, 24 April 2017 (Last accessed on 7/12/2021)</p> <p>Greek Ombudsman (2017): Migration flows and refugee protection – administrative challenges and human rights - Special Report 2017 (Last accessed on 7/12/2021)</p> <p>Greek Council for Refugees (2015): Applying the alternatives to detention in Greece (In Greek) (Last accessed on 7/12/2021)</p>
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DET.1.b		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 : Repeated attempts to expel a person to a country that refuses to admit them could amount to inhuman or degrading treatment (Article 7). ECtHR, Auad v. Bulgaria (2011) : In cases detention with a view to deportation, lack of clarity as to the destination country could hamper effective control of the authorities' diligence in handling the deportation. EU Return Directive : Any detention shall only be maintained as long as removal arrangements are in progress and executed with due diligence.	Decisions ordering return must indicate the country of return. In practise, removal decisions mention the specific country for which the removal is ordered. As a rule, this is the country of origin of the person under removal procedure or Turkey in case that the removal is taking place on the basis of a readmission procedure. However, no assessment of the potential violation of the non-refoulement principle is taking place before the issuance of the Decisions by the competent administrative body (Police).	Greek Council for Refugees
DET.1.c		Is there a clear obligation on authorities to release a person when there is no reasonable prospect of removal?	EU Return Directive : When it appears that a reasonable prospect of removal no longer exists, detention ceases to be justified and the person concerned shall be released immediately. UN Working Group on Arbitrary Detention (2018) : When the obstacle for identifying or removal of persons in an irregular situation from the territory is not attributable to them, the detainee must be released to avoid potentially indefinite detention from occurring, which would be arbitrary. ECtHR, Auad v. Bulgaria (2011) ECtHR, Mikolenko v. Estonia (2009)	According to Law 3907/2011 (transposition into Greek legislation of Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third-country nationals), when it becomes apparent that there is no longer a reasonable prospect of removal for legal or other reasons the detention shall be revoked and the third-country national shall be dismissed immediately. In practice and as a rule no individual assessment is taking place before the issuance of a removal/detention order. Consequently, the feasibility of the removal procedure is not assessed and detention is imposed even in cases that removal is not feasible. This for example the case for persons detained with a view to be readmitted to Turkey despite the fact that readmissions to Turkey have been suspended already since March 2020.	Law 3907/2011 (Article 30 (4)) "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 Greek Council for Refugees National Commission for Human Rights (2020). Report on the refugee and migration issue (In Greek) (Last assessed on 7/12/2021) Asylum Information Database. Country Report: Greece (Last assessed on 7/12/2021) 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 (Last assessed on 7/12/2021) UN Human Rights Council, Report of the Special Rapporteur on the human rights of migrants on his mission to Greece, 24 April 2017 (Last accessed on 7/12/2021)
DET.2.a	Identification of statelessness	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.	ECtHR, Auad v. Bulgaria (2011) ECtHR, Mikolenko v. Estonia (2009) : Detention may only be justified as long as deportation proceedings are being conducted with due diligence. UNHCR, Handbook on Protection (2014) : Routine detention of individuals seeking protection on the grounds of statelessness is arbitrary. Equal Rights Trust, Guidelines (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. ICJ, Migration and International Human Rights Law (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 DET1b). In Greece there is no SDP currently in place.	See DET1b.
DET.2.b		Is there a definition of vulnerability in law? If yes, does it explicitly include statelessness? If not, please note whether statelessness is considered to be a factor increasing vulnerability.	PICUM, Preventing and Addressing Vulnerabilities in Immigration Enforcement Policies (2021) : Statelessness should be explicitly included in the definition of vulnerability. Vulnerability should always be determined and assessed on an individual basis.	There is a definition of vulnerability in Greek asylum law. Stateless people are not included in vulnerable cases. Statelessness is not explicitly considered to be a factor increasing vulnerability.	Law 4636/2019 (Articles 20, 39, 58) "on international protection and other provisions" & its amendments, Official Gazette of the Hellenic Republic 169/A/01.11.2019 (In Greek)

DET.2.c		Are individual vulnerability assessments carried out before a decision to detain (or soon after)?	<p>ENS, Protecting Stateless Persons From Arbitrary Detention (2015): Arbitrary and disproportionately lengthy detention can ensue when the particular vulnerabilities of stateless people are not addressed.</p> <p>EU Return Directive: Article 16(3)</p> <p>EU Return Handbook (2017): Attention should be paid to the specific situation of stateless persons.</p> <p>Council of the European Union, Guidelines to promote and protect the enjoyment of all human rights by LGBTI persons (2013): European entities should assess the situation of LGBTI persons in detention.</p> <p>PICUM, Preventing and Addressing Vulnerabilities in Immigration Enforcement Policies (2021): There should be a clear legal obligation to screen and assess individuals' vulnerability before a decision to detain is taken and before individuals are placed into situations of deprivation or restriction of liberty.</p>	No (see DET1b). 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.	See DET1b.
DET.2.d		Are stateless people detained in practice?		Yes. See POP 2a.	<p>Information provided by the Directorate of the Hellenic Police to the Greek Council for Refugees</p> <p>Greek Council for Refugees (2018): The administrative detention in Greece. Findings from the field. (In Greek) (Last accessed on 7/12/2021)</p>
DET.3.a	Procedural safeguards	Are there adequate procedural safeguards in place for individuals in immigration detention (e.g. maximum period of detention, decisions in writing, regular periodic reviews, judicial oversight, legal aid, etc.)?	<p>ICCPR: Article 9(4)</p> <p>ECHR: Article 5(4)</p> <p>EU Return Directive: Articles 12, 13 and 15(5)</p> <p>HRC, Report of the Working Group on Arbitrary Detention (2010): A maximum period of detention must be established by law and upon expiry the detainee must be automatically released.</p> <p>UNHCR, Detention Guidelines (2012): To guard against arbitrariness, maximum periods of detention should be set in national law.</p> <p>UNHCR, Handbook on Protection (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.</p> <p>UNGA, Body of Principles (1988): Anyone who is arrested shall be informed at the time of the arrest for his arrest.</p> <p>Equal Rights Trust, Guidelines (2012): Stateless detainees shall receive their order of detention in writing and in a language they understand. 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. Detention should always be for the shortest time possible.</p> <p>ECtHR, Kim v. Russia (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.</p>	<p>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>As UNHCR points out, this maximum time limit raises significant concerns in regard to its compliance with international human rights law and relevant ECtHR case law under Article 5(1)(f) of the ECHR, which provides that the length of detention must be reasonable. In particular, the possibility to extend the period of detention up to 18 months for applicants of international protection cannot be considered as meeting the requirement of a minimum period in line with the principle of proportionality, necessity and reasonableness, which should govern measures of deprivation of liberty.</p> <p>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>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</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 (In Greek)</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 (In Greek)</p> <p>UNHCR Comments on the Law on "International Protection and other Provisions" (2020) (Last accessed on 7/12/2021)</p> <p>Council of Europe- CPT (2020): 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 13 to 17 March 2020 (Last assessed on 7/12/2021)</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 (Last assessed on 7/12/2021)</p>

				<p>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> <p>Detainees may challenge detention through Objections against detention (Procedure for challenging detention before the President of the Administrative Court, whose decision is non-appealable). 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> <p>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.</p> <p>The above information is applicable to stateless individuals and third country nationals alike.</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 (Last accessed on 7/12/2021)</p> <p>Asylum Information Database. Country Report: Greece (Last accessed on 7/12/2021)</p> <p>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 (In Greek)</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 (In Greek)</p> <p>ECtHR, O.S.A. v. Greece, Application No 39065/16, Judgment of 21 March 2019 (Last accessed on 7/12/2021)</p> <p>ECtHR, Kaak v. Greece, Application No 34215/16, Judgment of 3 October 2019 (Last accessed on 7/12/2021)</p>
DET.3.b		Are detainees provided with information on their rights, contact details of legal advice and support providers, and guidance on how to access an SDP?	<p>Equal Rights Trust, Guidelines (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.</p>	<p>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.</p>	<p>Asylum Information Database. Country Report: Greece (Last accessed on 7/12/2021)</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 (Last accessed on 7/12/2021)</p> <p>Greek Ombudsman (2017): Migration flows and refugee protection – administrative challenges and human rights - Special Report 2017 (Last accessed on 7/12/2021)</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 (Last accessed on 7/12/2021)</p>
DET.3.c		Are there guidelines in place governing the process of re-documentation and ascertaining entitlement to nationality for the purpose of removal?	<p>Equal Rights Trust, Guidelines (2012): The inability of a stateless person to cooperate with removal proceedings should not be treated as non-cooperation.</p> <p>ENS, Protecting Stateless Persons From Arbitrary Detention (2015): The detaining state should have rules in place that govern the process of re-documentation and/ or ascertaining entitlement to nationality.</p>	There is no available information.	
DET.4.a	Protections on release	Are people released from detention issued with identification documents (including	<p>1954 Convention: Article 27</p> <p>UNHCR, Handbook on Protection (2014): Being undocumented cannot</p>	People released from detention are not issued with any identification, nor confirmation of their stateless status.	Greek Council for Refugees Legal Unit

		confirmation of their stateless status) and protected from re-detention?	<p>be used as a general justification for detention.</p> <p>ENS, Protecting Stateless Persons From Arbitrary Detention (2015): State parties to the 1954 Convention have an obligation to provide stay rights to stateless people who have been released from detention.</p> <p>Equal Rights Trust, Guidelines (2012): Released stateless detainees should be provided with appropriate documentation and stay rights suitable to their situation.</p>	<p>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:</p> <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 <p>The above documents contain the personal details of the person including citizenship. 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.</p>	
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?	<p>CJEU, Kadzoev, C-357/09 PPU (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.</p> <p>Equal Rights Trust, Guidelines (2012): Released stateless detainees should be provided with appropriate documentation and stay rights suitable to their situation.</p>	<p>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.</p> <p>Law 4368/2016 provides free access to public health services and pharmaceutical treatment for people without social insurance who are considered 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.</p> <p>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.</p> <p>In addition, application for a residence permit for "exceptional reasons" is possible under certain preconditions (elaborated in Article 19 of the Code of Immigration and Social Inclusion), and most importantly proven residence in Greece (even irregularly) for a least the last 7 years. In this procedure it is explicitly foreseen that third-country nationals who are objectively deprived of a passport may submit instead a solemn declaration and evidence explaining the reasons of not holding a valid passport. In this case, possession of a valid passport is not required if the interested person is objectively unable to obtain any travel document.</p> <p>Furthermore, under certain - strictly enumerated in the law conditions (elaborated in Article 19A of the Code of Immigration and Social Inclusion & in article 21 of Law 3907/2011) - a residence permit for humanitarian reasons may be alternatively issued.</p>	<p>Greek Council for Refugees Legal Unit & Social Unit</p> <p>Headquarters of the Hellenic Police (2015): Circular no. 1604/15/14234412 "Application of the provisions of Law 4332/2015 "Modification of provisions of Greek citizenship etc. "" (10.08.2018) (In Greek) (Last accessed on 7/12/2021)</p> <p>Headquarters of the Hellenic Police (2016): Circular no. 1604/16/1195968 "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) (In Greek) (Last accessed on 7/12/2021)</p> <p>Law 3907/2011 (Articles 21, 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</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 (In Greek)</p> <p>Law 4384/2016 (Article 58) "Agricultural Cooperative, forms of collective organization of the rural area and other provisions " Official Gazette of the Hellenic Republic A/78/2016</p> <p>Agricultural Insurance Organization (2016): Circular no. 9/2016 "A) Exceptional employment in the rural economy of third country nationals who remain in the country under the status of postponement of removal, pursuant to the provisions of article 58 of L. 4384/2016 and B) Requirements of access to employment of those</p>

					<p>recognized by the Greek state as beneficiaries of international protection, applicants of international protection and persons who have been granted residence status in Greece for humanitarian reasons in accordance with the provisions of articles 68-71 of L. 4375/2016" (In Greek) (Last accessed on 7/12/2021)</p> <p>Code of Immigration and Social Inclusion as ratified by law 4251/2014 (Articles 19-19A) & its amendments, Official Gazette of the Hellenic Republic 80/A/1.4.2014 (In Greek)</p>
DET.5.a	Return and readmission agreements	Is statelessness considered a juridically relevant fact in any bilateral readmission and/or return agreements?	<p>UNHCR, Handbook on Protection (2014): Efforts to secure admission or readmission may be justified but these need to take place subsequent to a determination of statelessness.</p>	<p>The Greek state has signed and ratified more than 18 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 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>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 (In Greek)</p> <p>Law 2406/1996 (Bulgaria), Official Gazette of the Hellenic Republic 102/A/04.06.1996 (In Greek)</p> <p>Law 2917/2001 (France), Official Gazette of the Hellenic Republic 115/A/11.6.2001 (In Greek)</p> <p>Law 3726/2008 (Switzerland), Official Gazette of the Hellenic Republic 256/A/17.12.2008 (In Greek)</p> <p>Law 2857/2000 (Italy), Official Gazette of the Hellenic Republic 246/A/7.11.2000 (In Greek)</p> <p>Law 2350/1995 (Croatia), Official Gazette of the Hellenic Republic 225/A/01.11.1995 (In Greek)</p> <p>Law 2911/2001 (Lithuania), Official Gazette of the Hellenic Republic 93/A/9.5.2001 (In Greek)</p> <p>Law 2861/2001 (Latvia), Official Gazette of the Hellenic Republic 255/A/16.11.2000 (In Greek)</p> <p>Law 3321/2005 (Hungary), Official Gazette of the Hellenic Republic 53/A/01.03.2005 (In Greek)</p> <p>Law 2384/1996 (Poland), Official Gazette of the Hellenic Republic 41/A/7.3.1996 (In Greek)</p> <p>Law No. 2301/1995 (Romania),</p>

				<p>The implementation of returns on the basis of EU-Turkey Statement has been suspended since March 2020.</p>	<p>Official Gazette of the Hellenic Republic 70/A/12.4.1995 (In Greek)</p> <p>Law 4466/2017 (Russia), Official Gazette of the Hellenic Republic 55/A/12.04.2017 (In Greek)</p> <p>Law 3125/2003 (Malta), Official Gazette of the Hellenic Republic 63/A/14.3.2003 (In Greek)</p> <p>Law 2353/1995 (Slovenia), Official Gazette of the Hellenic Republic 229/A/6.11.1995 (In Greek)</p> <p>Law 4669/2020 (Bosnia-Herzegovina), Official Gazette of the Hellenic Republic 41/A/2020 (In Greek)</p> <p>Law 4861/2021 (Serbia), Official Gazette of the Hellenic Republic 230/A/27.11.2021) (In Greek)</p> <p>Law 4862/2021 (Montenegro), Official Gazette of the Hellenic Republic 231/A/27.11.2021) (In Greek)</p> <p>Law 2926/2001 (Turkey), Official Gazette of the Hellenic Republic 139/A/27.06.2001 (In Greek)</p> <p>Law 3030/2002 (Turkey), Official Gazette of the Hellenic Republic 163/A/15.07.2002 (In Greek)</p> <p>EU-Turkey statement, 18 March 2016 (Last accessed on 7/12/2021)</p> <p>Asylum Information Database. Country Report: Greece (Last accessed on 7/12/2021)</p> <p>The Greens/European Free Alliance in the European Parliament (2018): The EU-Turkey Statement and the Greek Hotspots (Last accessed on 7/12/2021)</p> <p>Hellenic Police (2016). 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. (In Greek) (Last accessed on 7/12/2021)</p> <p>The Greek Ombudsman (2018). Return of Third Country Nationals - Special Report 2017 (Last accessed on 7/12/2021)</p> <p>The Greek Ombudsman (2019). Return of Third Country Nationals - Special Report 2018 (Last accessed on 7/12/2021)</p>
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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).	<p>Ministry of Citizen Protection: Press Release (1/2/2018): "Nine irregular migrants return to Turkey" (In Greek) (Last accessed on 7/12/2021)</p>

Prevention and Reduction

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
PRS.1.a	Naturalisation	In what timeframe do stateless people who are residing on the territory acquire the right to apply for naturalisation, and how does this compare to others with a foreign nationality?	<p>1954 Convention: Article 32 UNHCR, Good Practices Papers – Action 6 (2020): It is recommended that States Parties facilitate, as far as possible, the naturalisation of stateless persons.</p> <p>CoE Committee of Ministers, Recommendation No. R (99) 18 (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>	<p>Stateless people acquire the right to apply for naturalisation after 3 years’ legal stay in Greece. This is a reduction from the standard 7 years legal stay, applicable for other foreigners. Stateless people may also benefit from a reduced administrative fee (100 EUR) compared to the standard naturalisation fee (550 EUR).</p> <p>Nevertheless, as per the administrative practice followed by the authorities, only stateless individuals recognised as such by the Greek authorities can benefit from the relevant provisions, i.e. the very few individuals holding a stateless ID card or a 1954 Convention Travel Document.</p> <p>Following the legislative amendments to the naturalisation procedure introduced by law 4735/2020, prior to applying for naturalisation, foreign nationals have to undergo a certain examination procedure in order to obtain a “Certificate of Knowledge Adequacy for Naturalization”. There is no exception to this rule for stateless individuals. To undergo the examination procedure (that takes place country-wide, twice a year), an administrative fee of 150 EUR is payable by each applicant. Upon acquisition of the certificate, and provided that all requirements are met (including legal residence) - the candidate is eligible to apply for naturalisation.</p>	<p>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 (In Greek)</p> <p>Ministry of Interior: Citizenship Directorate, Circular No 8/28.5.2010, "Amendment of Greek Citizenship Code", pp.17-18. (In Greek) (Last accessed on 7/12/2021)</p> <p>Law 4735/2020 (Article 6) “Amendment of the Greek Citizenship Code, new framework for the selection of administration in the public sector, regulation of organisational issues General Secretariat of Citizenship etc.”, Official Gazette of the Hellenic Republic 197/A/12.10.2020 (In Greek)</p>
PRS.1.b		Are there requirements relating to ‘good character’ or previous criminal convictions that could prevent some stateless people from naturalising? If yes, please describe.	<p>CoE Committee of Ministers, Recommendation No. R (99) 18 (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.</p>	<p>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 grounds of public or national security relevant to the request.</p>	<p>Greek Citizenship Code as ratified by Law 3284/2004 (Article 7) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 (In Greek)</p>
PRS.1.c		Are there exemptions for stateless people from any nationality or integration test, language, income or fee requirements for naturalisation? Please describe the requirements and cost of the procedure for stateless adults and children.	<p>1954 Convention: Article 32 UNHCR, Good Practices Papers – Action 6 (2020): It is recommended that States Parties facilitate, as far as possible, the naturalisation of stateless persons.</p> <p>CoE Committee of Ministers, Recommendation No. R (99) 18 (1999): Each State should facilitate the acquisition of its nationality by stateless persons lawfully and habitually resident on its territory.</p>	<p>No, there are no exemptions for stateless people (adults or children) regarding these issues.</p> <p>The only differentiation (apart from the 3-year residence requirement which consist favourable treatment since other foreigners must prove 7 years of legal stay in Greece) is the administrative fee for the submission of an application for naturalisation (only adults are eligible) which is set at 100 EUR instead of 550 EUR for other categories of foreign nationals.</p> <p>Regarding the naturalisation procedure introduced by law 4735/2020, prior to applying for naturalisation, foreign nationals have to undergo a certain examination procedure in order to obtain a certificate verifying the adequacy of knowledge for naturalisation. There is no exception to this rule for stateless individuals. To undergo the examination procedure (that takes place country-wide, twice a year), an administrative fee of 150 EUR is payable by each applicant. Upon acquisition of the certificate, and provided that all requirements are met (including legal residence) - the candidate is eligible to apply for naturalisation.</p> <p>Children are not eligible to apply for naturalisation, although they may acquire Greek citizenship without any specific procedure, in case a parent of theirs is naturalised and provided they (the children) have permanent residence in Greece.</p>	<p>Acquisition of Greek citizenship: Greek Citizenship Code as ratified by Law 3284/2004 (Articles 5, 5A, 5B, 6, 11) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 (In Greek)</p> <p>Decision 29845/2021: Evidence for the economic and social integration of the foreigner who applies for Greek citizenship Official Gazette of the Hellenic Republic 1652/B/22.4.2021 (In Greek)</p> <p>Law 4735/2020 (Article 6) "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 (In Greek)</p>

PRS.2.a	Stateless born on territory	<p>Is there a provision in law for stateless children born on the territory to acquire nationality? [If yes, continue to PRS2b. If no, proceed to PRS2i]</p>	<p>1961 Convention: Article 1 ECN: Article 2 CRC: Article 7 Joint General Comment No. 4 (2017) CMW and No. 23 (2017) CRC: States should strengthen measures to grant nationality to children born in their territory in situations where they would otherwise be stateless. HRC, CCPR General comment No. 17 (1989): States are required to adopt every appropriate measure, both internally and in cooperation with other States, to ensure that every child has a nationality when he is born. European Parliament resolution (2018): The EU and its MS should ensure that childhood statelessness is adequately addressed in national laws in full compliance with Article 7 CRC.</p>	<p>Yes. An exceptional introduction of the jus soli principle in the Greek nationality legislation, aiming to eradicate/reduce childhood statelessness have been part of the Greek nationality legislation since as early as 1856. As a result, such provisions are applicable (and may be applied retroactively) to individuals born before the introduction of the current Greek Citizenship Code (in 2004). According to the current Greek Citizenship Code, Greek citizenship is acquired upon birth in Greece if:</p> <ol style="list-style-type: none"> 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)]. <p>See also PRS 8a.</p>	<p>Civil Greek Law (Article 14 (c)) Official Gazette of the Kingdom of Greece 75/A/15.11.1856 (In Greek)</p> <p>Decree "on ratification and amendment of the 13/15 September of 1926 Decree "On amending a provision of the Civil Law"" Official Gazette of the Hellenic Republic 171/A/13.8.1927 (In Greek)</p> <p>Greek Citizenship Code as ratified by Law 3370/1955 (Article 1d) Official Gazette of the Kingdom of Greece 258/A/23.9.1955 (In Greek)</p> <p>Law 481/1968 (Article 1) "on amending and supplementing provisions of Law 3370/1955 "on the ratification of the Greek Citizenship Code" Official Gazette of the Kingdom of Greece 164/A/24.07.1968 (In Greek)</p> <p>Law 1438/1984 (Article 1(b) "on amending the Greek Citizenship Code and the Law on Civil Registry Certificates" Official Gazette of the Hellenic Republic 60/A/08.05.1984 (In Greek)</p> <p>Law 3838/2010 (Article 1 par. 2) "on modern provisions for Greek Citizenship and the political participation of homogenis and immigrants legally residing and other arrangements". Official Gazette of the Hellenic Republic 49/A/24.03.2010 (In Greek)</p> <p>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 (In Greek)</p> <p>Ministry of Interior: Citizenship Directorate, Circular No 8, "Amendment of Greek Citizenship Code" (28/5/2010) (In Greek) (Last accessed on 7/12/2021)</p>
PRS.2.b		<p>Is the provision for otherwise stateless children to acquire nationality automatic or non-automatic (i.e. by application)?</p>	<p>UNHCR, Guidelines on Statelessness No. 4 (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, No Child Should Be Stateless (2015): The 1961 Convention and the European Convention on Nationality oblige the conferral of nationality to otherwise stateless children born on the territory. The optimal method is to grant nationality automatically at birth.</p>	<p>In all the above cases, acquisition of Greek nationality is automatic at birth, although, the registration of the person concerned as a Greek citizen is normally initiated by the submission of a relevant application and necessary documentation, while the decision recognising the person concerned as a Greek national is not a formative action, but declaratory in nature.</p>	<p>Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 (In Greek)</p> <p>Ministry of Interior: Citizenship Directorate: Circular No 8, "Amendment of Greek Citizenship Code" (28/5/2010) (In Greek) (Last accessed on 7/12/2021)</p>

PRS.2.c		Are parents provided with information about their child's nationality rights and relevant procedures, including where the child would otherwise be stateless or has undetermined nationality?	UNHCR, Guidelines on Statelessness No. 4 (2012) : Contracting States are obliged to provide detailed information to parents of children who would otherwise be stateless or of undetermined nationality about the possibility of acquiring the nationality, how to apply and about the conditions which must be fulfilled. If the child concerned can acquire the nationality of a parent immediately after birth, States that opt to not grant nationality to children in these circumstances must assist parents in initiating the relevant procedure with the authorities of their State or States of nationality.	No such detailed information is provided to parents.	Greek Council for Refugees
PRS.2.d		Is it a requirement that the parents are also stateless for the otherwise stateless child to acquire nationality?	UNHCR, Guidelines on Statelessness No. 4 (2012) : The test is not an inquiry into whether a child's parents are stateless. ENS, No Child Should Be Stateless (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 2a).	See PRS 2a
PRS.2.e		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, Guidelines on Statelessness No. 4 (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, but in the case of children the State assumes a greater share of the burden of proof. 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.	Some (general) guidance is provided in Circular No. 8/28.5.2010 "Amendment of the Greek Citizenship Code". In brief, the implementation of the provisions of Art. 1 par. 2(b) or (c) of the Greek Citizenship Code requires proof of two facts: (a) Birth in Greek territory (Civil Registry Certificate - "Ληξιαρχική πράξη γέννησης" is normally sufficient (save for the cases where no such certificate has been issued at the time of birth); (b) Non-acquisition of any foreign nationality, including also cases where acquisition of the foreign nationality is initiated by a relevant declaration of the parents. No specific procedure/administrative practice is known to be in order to determine the latter. Instead, in a number of cases made available publicly, ad hoc practices can be identified.	UNHCR Greece Ministry of Interior: Citizenship Directorate: Circular No. 8/28.5.2010 "Amendment of the Greek Citizenship Code" (Last accessed on 7/12/2021) (In Greek) Ministry of Interior: Citizenship Directorate: Letter (7.1.2019) (Last accessed on 7/12/2021) (In Greek) Ministry of Interior: Citizenship Directorate: Letter (9.4.2019) (Last accessed on 7/12/2021) (In Greek) Ministry of Interior: Citizenship Directorate: Letter (18.7.2018) (Last accessed on 7/12/2021) (In Greek)
PRS.2.f		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.	1961 Convention : Article 1(2) UNHCR, Guidelines on Statelessness No. 4 (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. CRC : Articles 3 & 7 Committee on the Rights of the Child, Concluding observations on the Netherlands (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. ECN : 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 (In Greek)
PRS.2.g		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, Concluding observations on Czech Republic (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, No Child Should Be Stateless (2015) : Demanding that the child or their parents reside lawfully on the	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 (In Greek)

			territory is prohibited by the 1961 Convention.		
PRS.2.h		What are the age limits (if any) for making an application for nationality for a stateless person born on the territory?	<p>1961 Convention: Article 1(2)</p> <p>UNHCR, Guidelines on Statelessness No. 4 (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.</p> <p>ENS, No Child Should Be Stateless (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.</p>	<p>There are no age limits.</p> <p>Many examples of individuals that were recognised as Greek citizens due to birth in Greece without acquiring any citizenship at the time of their birth, even in their seventies or eighties, can be found in the Official Gazette of the Hellenic Republic.</p> <p>Such examples include:</p> <ul style="list-style-type: none"> - an individual born in Greece in 1928, who was recognised as a Greek national by birth, in 2015 (Official Gazette of the Hellenic Republic 754/B/29.04.2015) - an individual born in Greece in 1931 who was recognised as a Greek national by birth in 2019 (Official Gazette of the Hellenic Republic 4953/B/2019) - an individual born in Greece in 1937 who was recognised as a Greek national by birth in 2016 (Official Gazette of the Hellenic Republic 1215/B/26.4.2016) 	<p>Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 (In Greek)</p> <p>Official Gazette of the Hellenic Republic 754/B/29.04.2015 (In Greek)</p> <p>Official Gazette of the Hellenic Republic 4953/B/31.12.2019 (In Greek)</p> <p>Official Gazette of the Hellenic Republic 1215/B/26.4.2016 (In Greek)</p>
PRS.2.i		Are there specific provisions to protect the right to a nationality of children born to refugees?	<p>UNHCR, Guidelines on Statelessness No. 4 (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.</p>	<p>No. However, children born to refugees can acquire Greek citizenship if proven that they were born in Greece and have not acquired any other citizenship.</p> <p>Such cases are particularly rare although not unheard of.</p>	<p>Greek Citizenship Code as ratified by Law 3284/2004 [article 1 par 2(b) or 2(c)] & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 (In Greek)</p>
PRS.3.a	Foundlings	Are foundlings granted nationality automatically by law? If not automatic, please describe the procedure.	<p>1961 Convention: Article 2</p> <p>ECN: Article 6(1)(b)</p>	<p>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 may be applicable in the case of foundlings in case it is established that the child concerned was born in Greece.</p> <p>. 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.</p> <p>There have been cases in the past where a foundling for whom birth in Greece could not be established, was unable to acquire Greek citizenship. This may be particularly applicable to foundlings of older age.</p>	<p>Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 (In Greek)</p> <p>Ministry of Interior: Special Secretary for Citizenship Citizenship Directorate: Model Case (In Greek) (Last accessed on 7/12/2021)</p> <p>Parliamentary Question on a specific case (2013) (In Greek) (Last accessed on 7/12/2021)</p>
PRS.3.b		Is there an age limit (e.g. 'new-born' or 'infant') in law or practice specifying when a foundling would qualify for nationality?	<p>UNHCR, Guidelines on Statelessness No. 4 (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.</p>	<p>No, there is no age limit. Each case is examined on an ad hoc basis.</p> <p>See also Q. PRS.2h</p>	<p>Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 (In Greek)</p>
PRS.3.c		Can nationality be withdrawn from foundlings if this leads to statelessness?	<p>UNHCR, Guidelines on Statelessness No. 4 (2012): Nationality acquired by foundlings may only be lost if it is proven that the child possesses another nationality.</p>	<p>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.</p> <p>The Greek Ombudsperson, in a document concerning a specific case, mentions the expressed opinion of the Ministry of Interior, according to which the subsequent acquisition of a foreign nationality does not influence the acquisition of Greek citizenship by a stateless person born in Greece.</p>	<p>Ministry of Interior: Special Secretary for Citizenship (information obtained in 2019)</p> <p>Indicative jurisprudence: Council of State, Case 2616/2012 (Last accessed on 7/12/2021) (In Greek)</p> <p>Greek Ombudsman: Relative Case (In Greek) (Last accessed on 7/12/2021)</p>

PRS.4.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?	1961 Convention : Article 5 ENS, No Child Should Be Stateless (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 citizen who was adopted by a foreigner before the completion of the 18th year of age can lose their Greek citizenship 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 (In Greek)
PRS.4.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.	ECN : Article 6(4)(d) Committee on the Rights of the Child, Concluding Observations on Switzerland (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 citizen from the day of the adoption. There is no 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 (In Greek)
PRS.5.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?	1961 Convention : Article 4 UNHCR, Guidelines on Statelessness No. 4 (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 (In Greek)
PRS.5.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.)?	ECTHR, Genovese v. Malta (2011) : The state must ensure that the right to nationality is secured without discrimination. CEDAW, Gen. Rec. 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, Global Action Plan to End Statelessness 2014-24 (2014) : Action 4	Same-sex couples may be subject to discrimination, since no parental rights are granted to the non-biological parent, hence being unable to confer his/her nationality to the child. A relevant case handled by the Greek Ombudsman (although not directly referring to nationality issues but civil registration) leads also to this argument.	Greek Citizenship Code as ratified by Law 3284/2004 (Article 1) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 (In Greek) Greek Ombudsman (2019): "Transcription of a foreign birth certificate of a child of a same-sex couple" (In Greek) (Last accessed on 7/12/2021)
PRS.6.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?	CRC : Article 7 ICCPR : Article 24(2) CoE, Recommendation CM/Rec(2009)13 (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, Guidelines on Statelessness No. 4 (2012) : Article 7 CRC applies irrespective of the nationality, statelessness or residence status of the parents. UNHCR, Global Action Plan to End Statelessness 2014-24 (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 Law 4659/2020 (introduced in 2020) provides that new-borns 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 new-born 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 persons, asylum seekers and beneficiaries of international protection are often not in	Law 344/1976 (Articles 20-21 & 24) "on Civil Registry Certificates" & its amendments, Official Gazette of the Hellenic Republic 143/A/11.06.1976 (In Greek) 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 (In Greek) Joint Ministerial Decision No. 53033/672/2018 , Official Gazette of the Hellenic Republic 4743/B/23.10.2018 (In Greek) Law 4659/2020 (Article 13) "Childbirth allowance and other provisions" , Official Gazette of the Hellenic Republic 21/A/03.02.2020 (In Greek) Ministry of Interior: Circular No. 8/2020 "Regulations of issues of registry events in accordance with article 13 of L.4659/2020" (In Greek) (Last accessed on 7/12/2021)

				<p>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). It cannot be excluded that administrative authorities might be reluctant to accept birth registry certificates that were issued years after the birth took place, following a court decision (non-contentious procedure) and on the sole basis of testimonies.</p> <p>Regarding the birth registration of foundlings, the person who finds a new-born 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.6.b		Are all children issued with birth certificates upon registration? If no, please describe legal status of documentation issued.	<p>HRC, Resolution A/HRC/RES/20/4 (2012): 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. Joint General Comment No. 4 (2017) CMW and No. 23 (2017) CRC: 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>	<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 citizens 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 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> <ul style="list-style-type: none"> a) Greek ID b) Valid Greek passport c) Any certificate issued by municipal registration authorities (Αρχές Δημοτολόγησης) <p>Additionally, in another document (No 2019/0007049) of the Head of the Citizenship Directorate of the Ministry of Interior it is ascertained by the administrative authorities that the civil registry certificate may sufficiently prove the fact of the birth of a child at a certain date and time, to a mother and a father whose names are indicated, but cannot act as proof with regards other facts - even if they are mentioned in the certificate - such as the nationality of the parents (which, as it transpires, should be identified through other means).</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 Civil Registry Certificates " & its amendments, Official Gazette of the Hellenic Republic 143/A/11.06.1976 (In Greek)</p> <p>UNHCR Greece</p> <p>Ministry of Interior: Head of the Citizenship Directorate (2019): Document No 2019/0007049 (In Greek) (Last accessed on 7/12/2021)</p>

PRS.6.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.)	CRC : Articles 3 & 7	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.	Law 344/1976 (Articles 9, 22) "on Civil Registry " & its amendments Official Gazette of the Hellenic Republic 143/A/11.06.1976 (In Greek)
PRS.6.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 procedure, including the legal grounds, deadlines and competent authority.	CRC : Articles 3 & 7 1961 Convention : Articles 1 & 4 UNHCR, Guidelines on Statelessness No. 4 (2012) : States need to determine whether a child would otherwise be stateless as soon as possible so as not to prolong a child's status of undetermined nationality. Such a period should not exceed five years. HRC, CCPR General comment No. 17 (1989) : States are required to adopt every appropriate measure, both internally and in cooperation with other States, to ensure that every child has a nationality when he is born. HRC, D.Z. v. Netherlands (2021)	The nationality of the child (as already mentioned under PRS.6.c) is not determined, neither recorded upon birth registration. However, using the birth registration, the child can be registered in the municipality where his parents have been enrolled (in case they are Greek citizens), thus acquiring Greek citizenship. In other cases, where the nationality should be first determined, an application has to be submitted before the competent Citizenship Directorate, for the issuance of a relevant decision.	Law 344/1976 (Articles 9, 22) "on Civil Registry Certificates" & its amendments Official Gazette of the Hellenic Republic 143/A/11.06.1976 (In Greek) Greek Citizenship Code as ratified by Law 3284/2004 (Article 26) & its amendments, Official Gazette of the Hellenic Republic 217/A/10.11.2004 (In Greek)
PRS.6.e		Are there credible reports to suggest that children are prevented from registering in practice because of parents' migration or residence status, sexual orientation or gender identity, or other reasons (please specify)?	Joint General Comment No. 4 (2017) CMW and No. 23 (2017) CRC : 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. 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. 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. European Parliament Resolution (2018) : Calls on Member States to take immediate corrective measures to stop discriminatory birth registration.	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. In addition, children of same-sex couples may be subject to discrimination (See Q. PRS.5.b) 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. UNHCR Greece had documented examples of administrative barriers which may amount to prevention of registration: 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: a) When they present to the Civil Registrar without an interpreter, they are usually turned away. 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.). According to the new provision (L. 4659/2020), new-borns born in hospitals are registered digitally through the online system of birth registration by the responsible 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.	Greek Ombudsman: "Registering Greek Roma in the Municipal Roll" (2009) (In Greek) (Last accessed on 7/12/2021) National Commission of Human Rights: "The situation of Roma in Greece"(2001) (In Greek) (Last accessed on 7/12/2021) National Commission of Human Rights: "Report and suggestions on issues related to situation and rights of Roma people in Greece" (2009) (In Greek) (Last accessed on 7/12/2021) Law 4674/2020 (Article 40) "Strategic development perspective of Local Government organisations, 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 (In Greek) 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 (In Greek) UNHCR Greece Law 4659/2020 (Article 13) "Childbirth allowance and other provisions" , Official Gazette of the Hellenic Republic 21/A/03.02.2020 (In Greek) Law 344/1976 (Article 15) "on Civil Registry Certificates" & its amendments, Official Gazette of the Hellenic Republic 143/A/11.06.1976 (In Greek) Greek Code of Civil Procedure (Article 782) & its amendments (In Greek)

				<p>Generally, challenges may arise in the implementation of the new law.</p> <p>In general, individuals whose birth has not been registered may apply before a court which shall ascertain the fact of their birth on the purpose of the issuance of a civil registry certificate, under Art. 15 of law 344/1976 and Art. 782 of the Greek Code of Civil Procedure, through the non-contentious procedure. Several people of Romani origins have managed to register their birth under that procedure, even decades after their birth.</p>	Greek Ombudsman (2009): "Citizenship of a stateless person born in Greek territory / Citizenship of a stateless Roma born in Greek territory"
PRS.6.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)? If not, is there a clear firewall to prohibit the sharing of information by other entities with immigration authorities?	Joint General Comment No. 4 (2017) CMW and No. 23 (2017) CRC and Joint General Comment No. 3 (2017) CMW and No. 22 (2017) CRC : 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. CoE, ECRI General Policy Recommendation No. 16(2016) : 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.	<p>There are no such requirements that would lead to this result.</p> <p>There is not a clear firewall to prohibit such a sharing of information.</p>	No.
PRS.6.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.	Joint General Comment No. 4 (2017) CMW and No. 23 (2017) CRC : Measures should also be taken to facilitate late registration of birth and to avoid financial penalties for late registration. HRC, Resolution A/HRC/RES/20/4 (2012) : 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 Civil Registry Certificates" & its amendments, Official Gazette of the Hellenic Republic 143/A/11.06.1976 (In Greek)
PRS.6.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	<p>The penalty fee for late registration is 30 EUR; and for births registered after the 90th day the penalty is 60 EUR.</p> <p>See also Q. PRS 6c in terms of the procedure of issuance of a birth registration certificate following a court decision (non-contentious procedure)</p>	Law 344/1976 (Article 49) "on Civil Registry Certificates" & its amendments, Official Gazette of the Hellenic Republic 143/A/11.06.1976 (In Greek)
PRS.7.a	Reducing <i>in situ</i> statelessness	Does the government have any programmes in place to promote civil registration (including birth registration)? If yes, please provide details.	UNHCR, Global Action Plan to End Statelessness 2014-24 (2014) : Action 7	No programme as such exists. In previous years, a favourable legal provision (Law 4554/2018 (Article 62)) was enacted to facilitate birth registration/civil registration.	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 (In Greek)
PRS.7.b		Are there particular sections of the population - such as minority groups or people affected by conflict - believed to be stateless/at risk of statelessness? Please provide details and source of information.	1961 Convention : Article 9 UNHCR, Global Action Plan to End Statelessness 2014-24 (2014) : Action 4 HRC, Recommendations of the Forum on Minority Issues (2019) : States should take legislative, administrative and policy measures aimed at eliminating statelessness affecting minorities.	<p>The following population groups are considered to include stateless people: Muslims from Thrace and Dodecanese islands who have lost Greek citizenship; "omogenis" from Constantinople (Istanbul) or from the islands of Imvros and Tenedos; Roma people; descendants of Armenian refugees; immigrants/refugees in Greece (people of Palestinian origins, ex-USSR citizens, stateless refugees/migrants from various countries of origin, etc.).</p> <p>More specifically: 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</p>	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» (In Greek) (Last accessed on 7/12/2021) Zeibek v. Greece , Application No. 46368/06, Council of Europe: European Court of Human Rights, 9 July 2009 (Last accessed on 7/12/2021) "Efimerida ton Sintakton" (Newspaper, 2019) : "Greek citizens for decades without citizenship"

				<p>the Muslim Minority of Western Thrace who were deprived of their Greek citizenship under the now abolished Article 19 of the Greek Citizenship Code of 1955, and another part comes from the ex-Soviet Union. In 2019, the (ex) Special Secretary for Citizenship (under the previous Government) had made an effort to identify these cases in order to address their statelessness.</p> <p>Another section of the population believed to be stateless is a (probably) small number of homogenis from Constantinople and the islands of Imvros or Tenedos) who were born in Turkey or Greece and live in Greece and their descendants.</p> <p>It is also important to mention that regarding the refugee/migration population that lives in Greece, there are two groups of people (on whom there are no official statistics), that might be at risk of statelessness. These groups are:</p> <p>(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;</p> <p>(ii) Children of beneficiaries of international protection born in Greece whose births must be registered with the consular authority of their country.</p> <p>Nevertheless, some Romani people might also be at risk of statelessness.</p>	<p>(In Greek) (Last accessed on 7/12/2021)</p> <p>Generation 2.0 (2020): Press Release (In Greek) (Last accessed on 7/12/2021)</p> <p>"Efimerida ton Sintakton" (Newspaper, 2020): "Greek Roma: without citizenship, without rights, without obligations" (Last accessed on 7/12/2021)</p> <p>Hellenic League for Human Rights (2015): "Stop the uncritical removal of Greek citizenship by homogenis of the former USSR" (Last accessed on 7/12/2021)</p> <p>Vice.com (2019): The Greek «sans papier» (Last accessed on 7/12/2021)</p> <p>Explanatory memorandum of law 4604/2019 (In Greek) (Last accessed on 7/12/2021)</p> <p>Ministry of Interior: Citizenship Directorate: Circular No Φ.130181/17760 "Provision of instructions for the acquisition of Greek citizenship by expatriates (stateless or non-stateless) coming from Turkey" (24/7/2018) (In Greek) (Last accessed on 7/12/2021)</p> <p>UNHCR Greece</p>
PRS.7.c		Has the State 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.)	<p>1961 Convention UNHCR, Global Action Plan to End Statelessness 2014-24 (2014): Actions 1 & 8 UNHCR, Good Practices Paper - Action 1 (2015): States parties to the 1954 Convention are required to help stateless persons become naturalised nationals.</p>	<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> <p>3. The circular Φ 130181/17760/24.07.2018 on the acquisition of Greek citizenship by individuals of Greek origins from Turkey (stateless or not) readily facilitated the naturalization of stateless individuals & individuals at risk of statelessness belonging to that category.</p> <p>4. The ex-Article 19 of the Greek Nationality Code of 1955 (i.d. Law 3370/1955) was applied from 1955 until 1998. It provided for the denationalisation of "allogenis" who left Greece "with no intent to return". It was a</p>	<p>UNHCR Greece</p> <p>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» (In Greek) (Last accessed on 7/12/2021)</p> <p>UNHCR Greece</p> <p>Ministry of Interior: Citizenship Directorate: Circular No Φ.130181/17760 "Provision of instructions for the acquisition of Greek citizenship by expatriates (stateless or non-stateless) coming from Turkey" (24/7/2018) (In Greek) (Last accessed on 7/12/2021)</p> <p>National Commission for the Human Rights: The loss of Greek citizenship under the former Article 19 and the process of its recovery</p> <p>Law 2623/1998 on "Reorganization of the electoral lists etc." (Article 9 par. 14) & its amendments, Official Gazette of the Hellenic Republic 139/A/25.6.1998 (In Greek)</p>

				provision by which the Greek state attempted to rid itself of a host of members of ethnic or "politico-ideological" groups. The end result of the application of the ex-Article 19 was the denationalisation of around 60.000 people and the consequent creation of a significant number of stateless persons. Article 19 was repealed by law 2623/1998, though with no retroactive effect.	
PRS.8.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.).	<p>1961 Convention: Article 8 & 9 ECN: Article 7(3) UDHR: 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 HRC, 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). ILEC Guidelines (2015): Deprivation of nationality must have a firm legal basis, should not be interpreted extensively or applied by analogy and deprivation-provisions must be predictable.</p>	<p>The Greek Constitution provides for the deprivation of Greek citizenship. 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 citizenship. 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 citizenship 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 citizenship due to acquisition of foreign citizenship (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 citizenship, if the person:</p> <p>a) voluntarily acquired the citizenship of a foreign state or 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 citizenship, therefore, Greek citizenship is renounced following the granting of permission. An individual who has acquired a foreign nationality can renounce Greek citizenship provided that the Minister of the Interior accepts an application for the renunciation of Greek citizenship. 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 citizenship due to revocation (Article 17): in this case the protection from statelessness does not cover the person concerned, only their spouse and children. Greek citizenship can be revoked if the person:</p> <p>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 citizen and contrary to the interests of Greece; c) has acquired Greek citizenship because of their status as a novice on Mount Athos, and provably left their monastery and the Holy Community of Mount Athos.</p> <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>Greek Constitution (Article 4 par. 3) (Last accessed on 7/12/2021)</p> <p>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 (In Greek)</p> <p>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" (In Greek) (Last accessed on 7/12/2021)</p> <p>Law AN 261/1968 «Recall of unlawful administrative acts», Official Gazette of the Hellenic Republic 12/A/1968 (In Greek)</p> <p>Ministry of Interior: Circular No 40 (Protocol Number 102744/17205 issued on 23.7.2014) "Provision of instructions regarding the loss of Greek citizenship due to the acquisition of foreign citizenship or due to a declaration of renunciation - Articles 16 & 18 of the Greek Citizenship Code L.3284/2004" (In Greek) (Last accessed on 7/12/2021)</p> <p>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 (In Greek)</p> <p>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 (In Greek)</p> <p>Greek Ombudsman (2019): Frequently asked questions about citizenship in Greece (In Greek) (Last accessed on 7/12/2021)</p> <p>Greek Ombudsman (4.2.2008): Letter: Contestation of Greek Citizenship (In Greek) (Last accessed on 7/12/2021)</p> <p>Council of State: Decision N. 2194/2004 (In Greek)</p>

				<p>Loss of Greek citizenship 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 citizenship. Furthermore, according to circular No 40 (23.7.2014), submission of a copy of the foreign passport of the individual applying for the loss of Greek citizenship, is included among the documentation required to be submitted along with the application. Hence applications by stateless persons shall not be accepted/processed.</p> <p>Also, quite important is the decision of the Council of the State 2194/2004, according to which voluntary loss of citizenship is not possible; the willingness of the applicant is not sufficient, as the Greek state has set certain conditions to accept such applications in order to avoid the "anomaly" of statelessness.</p> <p>The renunciation of Greek citizenship 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. Furthermore, according to the decision No. 2194/2004 of the Council of the State, voluntary loss of citizenship is not possible; the willingness of the applicant is not sufficient, as the Greek state has set certain conditions to accept such applications in order to avoid the "anomaly" of statelessness.</p> <p>Loss of Greek citizenship 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 citizenship by submitting a relevant declaration and application to the municipality in which they are registered, or, 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 citizenship due to adoption by a foreign national (Article 20): in this case the protection from statelessness is absolute. A Greek citizen adopted before they become an adult by a foreign national may, upon the application of the adopter, if they acquire the citizenship of the adopter, renounce their Greek citizenship. 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>	
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				<p>jurisprudence of the administrative courts, the revocation is still possible after the lapse of a long time, when grounds of public interest are applicable, or when the person concerned has acted fraudulently. The Greek Ombudsman has drafted a thorough analysis of the relevant legal framework, with references to the jurisprudence of the Greek administrative courts as well as the Legal Council of the State (prompted by a specific case).</p> <p>Articles 22-24 of the Greek Citizenship Code regulate the reacquisition of Greek citizenship. A female Greek citizen who lost her Greek citizenship due to her marriage to a foreign national reacquires it, provided that she declares her relevant intention to the General Secretary of the Prefecture or to the Greek Consulate in her place of domicile or residence.</p> <p>A child born to a Greek mother who lost their Greek citizenship because of legitimisation or recognition by a foreign father reacquires their Greek citizenship, provided they declare their relevant intention to the General Secretary of the Prefecture or to the Greek Consulate in their place of domicile or residence. In this case children become Greek citizens if on the day of the declaration they are minors and unmarried. The reacquisition of Greek citizenship is determined through a decision of the General Secretary of the local Prefecture.</p>	
PRS.8.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, decision in writing with reasoning, judicial oversight, appeal, time limit, subject to prior sentencing)?	<p>1961 Convention: Article 8(4) ECN: Articles 10 to 13 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. ILEC Guidelines (2015): The consequences of a decision to deprive somebody of his nationality must be assessed against the principle of proportionality. Adequate procedural safeguards are essential. Decisions should only take effect when the (judicial) decision cannot be challenged anymore.</p>	<p>Articles 16 (Loss of Greek citizenship due to acquisition of foreign citizenship), 17 (Loss of Greek citizenship due to revocation), 18 (Loss of Greek citizenship due to declaration of renunciation) and 20 (Loss of Greek citizenship due to adoption by a foreign national) of the Greek Citizenship Code provide for loss of Greek citizenship by decision of the Minister of the Interior, following an opinion by the Citizenship Council.</p> <p>With regards applications under Art. 19 (Loss of Greek citizenship by children of foreign nationals who acquired it by declaration or naturalisation of their parents) or 21 (Loss of Greek citizenship, by declaration, by women who acquired Greek citizenship through marriage) of the Greek Citizenship Code, the decision is issued by the Regional Director for Citizenship (formerly the Secretary General of the Prefecture).</p> <p>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>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 (In Greek)</p> <p>Law 3068/2002 (Article 15) «Conformation 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 (In Greek)</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 (In Greek)</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 (In Greek)</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 (In Greek)</p>
PRS.8.c		Are provisions on deprivation of nationality applied in practice? Have they been applied even where it results in (risk of) statelessness? If available, please provide		<p>Provisions with regards voluntary loss/deprivation of citizenship, under art. 16 or 18 of the Greek Citizenship Code are applied in practice; the number of such decisions however is relatively small (approx. 13 cases under Art. 16 and 7 cases under Art. 18 have been found published in the Official</p>	<p>General Secretariat for Citizenship of the Ministry of the Interior (2021): Comments on the statistics for the year 2020 (In Greek) (Last accessed on 7/1/2022)</p>

		any sources of data or information on cases that resulted in statelessness.		<p>Gazette of the Hellenic Republic - issued in 2021; figures for 2020 are even lower: 2 & 1 cases, respectively).</p> <p>Article 17 is mainly invoked with regards paragraph (c), on monks or novices who had acquired Greek citizenship automatically, upon admission in Mount Athos - following their departure (13 such cases of deprivation, have been found published in the Official Gazette of the Hellenic Republic for years 2016-2021). Application of the other provisions of this article seem to be very rare - only a single such case could be identified since 2016.</p> <p>On the other hand, revocations of decisions granting Greek citizenship - on various legal grounds (e.g. fraud, submission of falsified documents) - are less rare: in 2020, a total of 55 such decisions on revocation were issued. All relevant decisions are published (in a summary) in the Official Gazette of the Hellenic Republic.</p> <p>While it cannot be excluded that under some of those provisions (as explained above) individuals are exposed to the risk of statelessness, there is no information on any such particular case to have occurred recently.</p>	<p>Hellenic League for Human Rights (2015): "Stop the uncritical removal of Greek citizenship by homogenis of the former USSR" (In Greek) (Last accessed on 7/12/2021)</p> <p>Proto Thema (Newspaper, 2017): "Athens removes Greek citizenship from "homogenis" who cooperate with Tirana" (In Greek) (Last accessed on 7/12/2021)</p> <p>For a historic view of this issue see also the section "Literature" of the Index</p>
PRS.8.d		Are there safeguards in law and practice to prevent renunciation or other forms of voluntary loss of nationality from resulting in statelessness?	1961 Convention : Article 7 ECN : Articles 7 and 8	Yes, there are safeguards to prevent statelessness. See PRS.8.a.	<p>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 (In Greek)</p> <p>Ministry of Interior: Circular No 40 (Protocol Number 102744/17205 issued on 23.7.2014) "Provision of instructions regarding the loss of Greek citizenship due to the acquisition of foreign citizenship or due to a declaration of renunciation - Articles 16 & 18 of the Greek Citizenship Code L.3284/2004" (In Greek) (Last accessed on 7/12/2021)</p> <p>Ministry of Interior: Circular No 40 (Protocol Number 102744/17205 issued on 23.7.2014) "Provision of instructions regarding the loss of Greek citizenship due to the acquisition of foreign citizenship or due to a declaration of renunciation - Articles 16 & 18 of the Greek Citizenship Code L.3284/2004" (In Greek) (Last accessed on 7/12/2021)</p> <p>Council of State: Decision N. 2194/2004 (In Greek)</p>
PRS.8.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. UNHCR Guidelines on Statelessness No.5 (2020) : Laws that permit deprivation of nationality on the grounds of terrorism should be publicly available and precise enough to enable	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.8.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 (In Greek)

			individuals to understand the scope of impermissible conduct.		
PRS.8.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 1961 Convention : Article 9 ECN : 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.	<p>To the extent that "deprivation" also encompasses revocation, then the dispute of citizenship leading to its revocation is one area where such discrimination could exist. This is based on the fact that dispute of citizenship concerns only three categories of persons</p> <p>(a) those applying for Greek citizenship as stateless persons;</p> <p>(b) those for whom there are doubts about their Greek citizenship;</p> <p>(c) those who are Greek citizens but there are doubts that the citizenship was acquired on an erroneous legal basis.</p> <p>See PRS 8a.</p>	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 (In Greek)
PRS.8.g		Are there safeguards to prevent derivative loss of nationality (i.e., loss of nationality on the basis that a parent or a spouse has been deprived of that nationality)? Please describe the potential impact of deprivation on children and spouses.	CRC : Articles 2(2), 7 and 8 CEDAW : Article 9(1) Principles on Deprivation of Nationality : States must take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members (Principle 9.7). The derivative loss of nationality is prohibited (Principle 9.8).	<p>Yes, the safeguards to prevent statelessness is absolute. See PRS.8a.</p>	See PRS.8a.

Resources

Item	Subtheme	Question	International Norms & Good Practice	Answer	Source
RES.1.a	Published judgments	Please list the most relevant judgments relating to statelessness and include links to the cases (where available).		<p>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.</p> <p>A total of 38 decisions issued by the Greek courts related to statelessness have been identified through research in the major Greek legal databases and other publications (not counting those concerning acquisition of citizenship with issues not related/without any reference to statelessness- the number of which is much higher). Some of those 38 decisions concern however the same case/applicant.</p> <p>Decisions concerning applications for the annulment of decisions of deprivation of Greek citizenship (mainly of individuals belonging to the Muslim minority of Thrace and Dodecanese islands) are not counted: the relevant jurisprudence is extensive; (arguments related to statelessness, although implied, are usually not found to be directly examined by the courts in such cases).</p> <p>The decisions could be generally categorized as falling under the following categories:</p> <p>(a) Asylum applicants, claiming to be stateless, who challenge the decisions rejecting their asylum applications:</p> <ul style="list-style-type: none"> - Council of the State: Decision No. 3328/2011 - Council of the State: Decision No. 3630/2008 - Council of the State (suspension committee): Decision No. 235/2007 - Council of the State (suspension committee): Decision No. 1257/2007 - Administrative Court of Appeals of Piraeus: Decision No. 57/2019 - Administrative Court of Appeals of Athens: Decision No. 548/2018 - Administrative Court of Appeals of Athens: Decision No. 1152/2018 - Administrative Court of Appeals of Athens: Decision No. 828/2015 - Administrative Court of Appeals of Athens: Decision No. 91/2011 - Administrative Court of Appeals of Athens: Decision No. 355/2011 - Administrative Court of Appeals of Athens: Decision No. 1280/2011 <p>(b) Individuals challenging their deportation or extradition, invoking the fact that they are stateless:</p> <ul style="list-style-type: none"> - Council of the State: Decision No. 4600/2005 - Council of the State: Decision No. 3631/2002 - Council of the State: Decision No. 746/1998 - Administrative Court of First instance of Thessaloniki: Decision No. 782/2009 - Supreme Court (Areios Pagos): Decision No. 2190/2018 - Supreme Court (Areios Pagos): Decision No. 269/1980 <p>(c) Various disputes related to the acquisition of nationality and revocation of relevant decisions - where statelessness-related issues are intertwined:</p> <ul style="list-style-type: none"> - Council of the State: Decision No. 2663/2015 - Council of the State: Decision No. 2674/2014 - Council of the State: Decision No. 460/2013 - Council of the State: Decision No. 3770/2012 - Council of the State: Decision No. 29/2011 - Council of the State: Decision No. 2194/2004 - Council of the State: Decision No. 3840/2001 - Council of the State: Decision No. 3841/2001 - Council of the State: Decision No. 406/1990 - Council of the State (suspension committee): Decision No. 58/2005 	<p>Yearbook of refugee and immigration law (In Greek)</p> <p>Greek Legal information databases</p> <p>Greek legal magazines and legal journals</p>

				<ul style="list-style-type: none"> - Council of the State (suspension committee): Decision No. 486/2004 - Administrative Court of Appeals of Athens: Decision No. 70/2016 - Administrative Court of Appeals of Athens: Decision No. 5009/2003 <p>(d) A few decisions with regards enjoyment of certain rights by stateless people:</p> <ul style="list-style-type: none"> - Council of the State: Decision No. 1489/2006 - Council of the State: Decision No. 1174/1948 - Administrative Court of Appeals of Larissa: Decision No. 33/2020 - Thessaloniki's Court of First instance: Decision No. 36665/2008 - Thessaloniki's Court of First instance: Decision No. 36666/2008 <p>(e) Applicable law, under Private International Law, for certain disputes when at least one of the parties is stateless:</p> <ul style="list-style-type: none"> - Athens' Court of Appeals: Decision No. 4354/1989 - Athens' Court of First instance (multi-member): Decision No. 1080/2013 - Athens' Court of First instance (multi-member): Decision No. 2875/1977 <p>It should be noted that the recognition of an individual as stateless is not the main subject-matter of any of those decisions, though in some the claim of statelessness is crucial, and/or the ascertainment of certain principles can be identified.</p> <p>A complete list of those decisions is available; the full text of few of them are available online.</p> <p>Additionally, a number of cases relative to issues of citizenship had been published in the Yearbook of refugee and immigration law. The 2007 edition of the above Yearbook is for the most part dedicated to citizenship decisions of the Council of State (pp. 89-306)</p>	
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, Handbook on Protection (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 professional's 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. (Last accessed on 9/11/2021)</p> <p>Anagnostou, D., (2011). Citizenship Policy Making in Mediterranean EU States: GREECE, EUDO Citizenship Observatory. (Last accessed on 9/11/2021)</p> <p>Apostolidou, E. & Solé, G. (2020). "National-European identity and notions of citizenship: A comparative study between Portuguese and Greek university teachers". History Education Research Journal, 17, 1, pp. 81-98.</p> <p>Christopoulos D. (2013). Country Report: GREECE, EUDO Citizenship Observatory. (Last accessed on 9/11/2021)</p> <p>Foundation for Middle East and Balkan Studies & YU Department of political science and international relations (2007). Proceedings of the International Conference on Minority Issues in the Balkans and the EU. (Last accessed on 9/11/2021)</p> <p>Greek Helsinki Monitor (1999). Minority rights in Greece. (Last accessed on 9/11/2021)</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. (Last accessed on 9/11/2021)</p> <p>Human Rights Watch (1990). Destroying ethnic identity: The Turks of Greece. (Last accessed on 9/11/2021)</p> <p>Human Rights Watch (1992). Greece. Improvements for Turkish minority; Problems remain. (Last accessed on 9/11/2021)</p> <p>Human Rights Watch (1999). Greece: The Turks of Western Thrace. (Last accessed on 9/11/2021)</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. (Last accessed on 9/11/2021)</p> <p>Kalantzi, E. (2016). "Greece moves one step closer to introducing an effective statelessness determination procedure. (https://www.statelessness.eu) (Last accessed on 9/11/2021)</p> <p>Keramitsi, K. (2019). Addressing Statelessness in Greece under EU law. (Last accessed on 9/11/2021)</p>	
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