

First Annual Programme Report

EEA and Norwegian Financial Mechanisms 2009-2014

1. Executive summary

2. Programme area specific developments

The Programme GR06 “Capacity building of national asylum and migration management systems” fits into the overall objectives of the EEA Financial Mechanism, namely, the reduction of economic and social disparities in the EEA, and more particularly in the area of human and social development.

As it was analysed in the Programme Proposal, the limited capacity of the Greek asylum and migration system to screen irregularly entering migrants/asylum seekers, conduct an efficient asylum procedure and offer appropriate conditions pending removal from the country when this is obligatory resulted in migrants and refugees becoming vulnerable and prone to situations of exploitation and violence, as their legal situation remained in limbo for an extended period of time. This situation resulted in large concentrations of migrants in an irregular situation in the urban centers, fueling xenophobic concerns, frustration and desperation for the migrants and refugees, as well as the local communities and the authorities. Hence, introducing a comprehensive and coherent asylum and migration management policy, including the overhaul of the entire system, became a major government priority. Therefore, the Law 3907/2011 came into force as part of the Greek Action Plan on Asylum and Migration Management. This is the legislative framework foreseeing the way that migration flows are being treated right after their entry in the Greek territory. Although this law was published in 2011, during the year of 2013 the establishment of the two new Services (Asylum Service and First Reception Service) became reality, as the Presidential Degrees for the staffing and structure of these Services were publicized.

More particularly, concerning the First Project, the First Reception Service (FRS) started operation in May 2013 and since then in the First Reception Centre in Fylakio Evrou migrants are transferred and maintained during the screening procedure, which makes the determination of the status of irregular migrants/asylum seekers taking specifically into account the needs of migrants belonging to vulnerable groups (minors, elderly, victims of trafficking/torture etc.). Inside the FRC in Fylakio, migrants are also provided adequate information on the right to seek asylum and facilitating access to the competent Asylum Authorities. During the period of time that FRS was operational in year 2013, it was supported by NGOs which worked voluntarily for the roles such as psychological support, medical aid, translation etc. for the migrants transferred in the FRC in Fylakio Evrou. This was mainly for the reason that there has been issued a Ministerial Decision giving the right to the First Reception Service to create a record for a list of NGOs which can be occupied in the FRC for the specific purpose. As reports of the First Reception Service state, the total number of migrants received and accommodated in the FRC in Fylakio Evrou during the eight months of operation in 2013 was **898**. This number is the result of the Operation in the FRC in Fylakio through the Governmental budget. The extend that the FRC was operating in 2013 was limited due to lack of enough funding.

Furthermore, concerning the Second Project, the Asylum Service started operation in June 2013 and since then it provides services for asylum seekers, such as examination of the asylum requests in first and second

level, interpretation, referral of asylum seekers who have been subjected to torture to specialized medical doctors, provision of information through leaflets, videos and a free-of-charge telephone line, and counseling for asylum seekers, in particular vulnerable persons such as unaccompanied minors. During the period of time that Asylum Service was operational in year 2013, important elements of the services provided were implemented by NGOs. As reports of the Asylum Service state, also indicated in the website, the total number of asylum requests received in the Asylum Service during 2013 was 4817 while the number of the responded ones in first level was 2662. This gives the percentage of 55,26 % of examined requests for those first seven months of operation of the Service.

Finally, concerning the Third Project which aims to provide assistance and fulfil the basic needs of vulnerable groups, with particular emphasis to Unaccompanied Minors, not having applied for asylum, immediately after the completion of screening procedures and pending their referral to the appropriate actor of protection, there has also been an administrative change in Greece. During 2013, the Law 4172/2013 was publicised and the main structural change concerning the migration policy is that the First Reception Service is responsible for taking care of the vulnerable groups namely unaccompanied minors, elderly, victims of trafficking/torture etc.

Finally, it is remarkable that the Programme remains in full conformity with the Greek Action Plan on Migration Management, namely the objectives of creating screening Centres (point 2.1), accommodation for vulnerable groups (point 2.3) and provision of services (point 2.4). Therefore, the policy and administrative changes mentioned above, that took place in the year 2013, are not adequate of putting any new risks to the achievement of the programme objectives.

3. Reporting on Programme outcome

Concerning the first outcome of the Programme “Strengthened institutional framework to ensure legal protection and care for the most vulnerable group of migrants, namely unaccompanied children” there is direct connection with the output “Operation of the FRC in Fylakio” as the enforcement of the FRS is the first movement that the legal framework has produced in the field of taking care of mixed migration flows. Before FRS, the migrants apprehended in the borders were kept in detention centers and had to live for some days in not very good conditions. They were not informed properly on their rights to seek for asylum, only occasionally by policemen who did not know their languages but exceeded their duties for the favor of the migrants. Consequently, the second output of this outcome, that is “Residents of FRC in Evros provided with information on rights and obligations”, is justifiably set to measure the strengthening of the institutional framework for the migrants as the information provided in the FRC is finally legally established.

In these two outputs, the FRS is the responsible authority which measures after its establishment the output indicators. Before this establishment, the mixed migration flows were not treated within an institutional framework. The Police Force, the Hellenic Coast Guard and the municipalities were contributing part of their governmental budget in order to give shelter and care to mixed migration flows. According to this situation, the baseline of the indicators was zero before the establishment.

Finally, concerning the care of the most vulnerable group of migrants, namely unaccompanied children, the Programme has set the output for the “Temporary accommodation and care provided to unaccompanied

minors". This is programmed to be implemented by the third Project and as explained in chapter 2 of this Annual Report, the main responsibility remains in the First Reception Service.

Concerning the second outcome "Well-functioning asylum system in place, enabling asylum-seekers to bring forward their claim for international protection, have their claim processed in due time and be offered accommodation during the processing of their case, or to return voluntary to their country of origin" there is absolute connection with the output of "Asylum Service in operation" as the Asylum Service is the one responsible to receive the requests for asylum. Before June 2013, the requests were received by the officers in some police departments and this resulted in big delays in the process. That was because the number of police officers was limited and the asylum requests were overloaded. Furthermore, the aid of interpreters was mainly limited they could not provide support in every language needed. The establishment of the Asylum Service was the main legal improvement in the framework concerning the asylum seeking in Greece. Therefore, the outputs measuring the work of Asylum Service in general (as set in the "Number of decisions on international protection claims taken at first instance") and more particularly inside the FRC (as set in the "Number of asylum requests received and processed within the FRC") are indicative of measuring of the whole Asylum System in Greece.

Both outcomes are relevant with the greater value of respecting the rights of the migrants as human beings. This is mainly justified by the fact that the Law 3907/2011 set the Services to provide both accommodation services properly equipped (FRS) and proper asylum procedure (Asylum Service). However, the main concern of the Programme is to provide the money for the new services to continue working properly inside the currently difficult situation of Greece.

As far as the risks of achieving the outcomes are concerned, we can say that they are eliminated to zero, as the FRS and the Asylum Service are already operational since May – June 2013 when the Law 3907/2011 came into force. Therefore, there is no need to form a mitigation plan. Beyond that, the risks of not achieving the output indicators are mentioned below.

4. Reporting on outputs

As a matter of fact, the First Reception Service as well as the Asylum Service are already operational but are not adequately funded in the framework of the Greek difficult financial situation. The numbers of the output indicators set in the Programme Proposal will be achieved with the grant approved for the Programme. However, there is also another thing that should be considered in order to evaluate properly the expectation of the indicators achievement and this because currently, the implementation of the Programme has not started yet.

Putting things in the right order, the Programme was submitted with the help of the Programme Partner (UDI) in August 2012. The Proposal received quite some of modifications all in consultation with the FMO. Meanwhile, First Reception Service as well as the Asylum Service became operational in May and June 2013 respectively. In 11 of June 2013 the Programme was approved by the FMC and since then the typical conditions set in the Regulation as well as the Management and Control System for the implementation of Projects are being supplemented. The conditions already completed are the Programme Agreement, the Programme Implementation Agreement (which needs some modifications in the Greek legal framework) and the appraisal report of the two pre-defined Projects from an independent consultant. The Project Contracts are not yet signed due to the modification needed in the PIA.

This has resulted in having less time to implement the pre-defined projects (First and Second Project) which had initial duration for achieving the goals for 32 months. This explains why the indicators achieved with the spending of the grants from the EEA Grants remain zero for the whole 2013 year. In addition to that, the fact that the Regulation of the Programme is setting maximum implementation time for the projects the end of April 2016, it is also concludes to the limitation of the duration of the pre-defined projects. This reveals a high risk that the numbers set as targets in the output indicators will not be achieved as these numbers take into consideration the implementing timeline. The Project selection procedure had not taken into account the fact that the typical conditions would be so time consuming and therefore could not foresee the duration problem.

5. Project selection

With reference to the Programme Proposal, it is worth mentioning that all outcomes set are planned to be implemented by three projects. The first and the second project were decided to be pre-defined actions which concerned the Migration and Asylum System. This selection procedure was made in the Ministry of Public Order and Citizen Protection which is the responsible authority to safeguard the well-functioning of the Migration and Asylum System. In fact, Greek Government has given the responsibility to the Ministry to manage the Migration and Asylum System. One of the main movements towards the improvement of the this System was the establishment of the Greek Action Plan which came as a result of the consolidation of the EU General Programme Solidarity and Management of Migration Flows. Programme Operator for this Programme, which is Division of this Ministry, took into consideration the Greek Action Plan as well as the fact that governmental budget is limited, and concluded that some of the Actions could be implemented with the use of the EEA Grants and therefore they were transformed into Projects for the Programme Proposal with the title “**Capacity building of national asylum and migration management systems**”. The consultation of Norwegian Directorate of Immigration (UDI) was significantly important in the whole procedure of the completion of the Programme Proposal as well as the procedure of consultation with the FMO until the final acceptance of the Proposal. The third Project was described to be implemented through a call for proposals. In the meantime, the Ministry of Public Order and Citizen Protection has decided to strengthen the procedure of accommodating the vulnerable groups and established in 2013 the Law 4172/2013 as mentioned in chapter 2. The main structural change concerning the migration policy is that the First Reception Service is responsible for taking care of the vulnerable groups namely unaccompanied minors, elderly, victims of trafficking/torture etc. Therefore, there will be no need to implement this project through call for proposals.

6. Progress of bilateral relations

The Programme “**Capacity building of national asylum and migration management systems**” is a Programme with Donor Programme Partner and as such it has been programmed and started in close cooperation with a partner. The Norwegian Directorate of Immigration (UDI) is the one which contributes in the requirements set by the Regulation. So far, during the year of 2013 UDI has contributed in the position of ideas on how the outcomes set in Programme could be achieved according to the practice of the Norwegian Migration System. It has also organised a visit trip for the Project Promoters and the Programme Operator of the Programme on how the reception centers are established and perform in Norway and how they are granted money from the Governmental Budget through open call for proposals. Both contribution actions have been

helpful for the Programme Operator which is offered with knowledge from the experience of a directorate responsible for the Migration in Donor States. However, all these actions were implemented not with the budget of the Grant. The actual actions of bilateral relations are going to start in 2014 as agreed in the Cooperation Committee Meeting which took place in early January 2014. In this respect, there are not results concerning the bilateral relations.

7. Monitoring

Since the Programme has not started implementation, there are not monitoring activities already been carried out. However, according to the Programme Proposal, the Programme Operator (P.O.) will conclude an agreement with the project promoters, which will state all details relating to the performance of the duties and obligations which are to be performed by the specific project promoter. This agreement will serve as the specification of the Management and control system. This will facilitate the work of the Programme Operator giving at the same time the opportunity to monitor effectively the implanted process of the actions. Besides the requirements of the Regulation, the specification of the MCS will also have details on the obligations and responsibilities of the independent entity which will carry the monitoring and control functions that the Programme Agreement requires.

8. Need for adjustments

As already mentioned in the section 2 of this Annual Report, there have been some changes in greek reality that have had social effects on migration matters. The main change affecting the Programme as described in the Programme Proposal is that according to the Law 4172/2013 which was publicised in 2013 there is structural change. According to that, the First Reception Service is responsible for taking care of the vulnerable groups, namely unaccompanied minors, elderly, victims of trafficking/torture etc. Taking this into account, and along with the consideration of the importance of having efficient operation of the structures hosting vulnerable groups, there is an intention that the third project is implemented as the pre-defined project by First Reception Service. The modification will act only on the beneficiary of the Project as the Project Promoter will be FRS and will implement it with the same budget and duration as in the Programme Proposal.

9. Risk management

According to the Programme Proposal the Risks were described as seen in the above template. Since social changes have been made, these risks are modified. As a result, the assessment of their likelihood is changed according to new assessments and the new assessments for the previous stated risks are seen below

Outcome nr.	Outcome	Description of risk	Assessment		Risk mitigation plan
			Likelihood [low/medium/high]	Impact [low/medium/high]	

1	Strengthened institutional framework to ensure legal protection and medical care for the most vulnerable group of migrants, namely unaccompanied children	-Inadequacy of the Greek administrative system – Personnel recruitment	Low	Medium	Personnel recruitment has already been carried out for the New Services
		-Political uncertainty	Medium	High	Capacity building within the relevant national institutions
		Cash Flows	Low	Medium	Rigid management and enhanced financial capacity according to the National Public Investment Program
		Delays of the First Reception Services infrastructures	Low	Medium	The First Reception Centre in Fylakio has already been completed. Also Central First Reception Service have enhanced the start of mobile units operation
		- Inadequacy of accommodation places for vulnerable groups/asylum seekers after referral to the appropriate structure of protection/accommodation	Medium	High	Strengthening of cooperation with competent referral authority (EKKA, Ministry of Labor)/link with Programme A
		New procedures in place for the operation of the First Reception Centers – No previous experience	Low	Medium	Study visits to other experienced, in screening procedures, EEA countries. Also the First Reception Service has been operational for 8 months in 2013.
2	Well-functioning asylum system in place, enabling asylum-seekers to bring forward their claim for international protection, have their claim processed in due time and be offered accommodation during the processing of their case, or to return voluntary to their country of origin	Delay in personnel recruitment or recruitment of personnel with inadequate knowledge on the scope of operation of the Asylum Service	Medium	High	Personnel recruitment has already been carried out for the New Services Outsourcing to NGO's Thorough training program
		Political instability that obstructs the establishment of the Asylum Service	Low	Low	Asylum Service is already operational since June 2013
		Delay in the operation of the First Reception Service that will lead to all people claiming international	Low	Low	Asylum Service and First Reception Service are already operational since June - May 2013 and cooperate.

		protection not having been put through reception and screening process.			
		Lack of previous experience of personnel in RSD processes	Low	Medium	Asylum Service is already operational since June 2013 Run extensive training programs Offer continuous training modules for personnel by training a pool of local trainers. Set up system of quality control at the decision drafting stage by experts with experience in the field.
		Massive increase of claim influx during the first months of operation	Medium	High	Running an information campaign that would minimise “panic” and claimants crowding outside the Regional Asylum Offices out of curiosity or false information on the process. Allow for three shift registration to help avoid people being sent away without having been registered.
		“Far Right” extremist groups organizing acts that would prevent the normal operation of the Regional Asylum Offices	Medium	Low	Run information campaign that would educate the public on what is “International Protection” and what is the scope and vision of the Asylum Service Co-operate with the local communities and authorities wherever the Regional Asylum Offices will be established.
		Inability to distinguish people that have their claim already pending with the Police in a timely manner – (and end up issuing “pink cards” to everyone that turns up without having secured that they are “fit” for the process.	Low	Medium	-ensure that the Police (Aliens Division) electronic files are up to date and available for Asylum Service personnel to access and make queries regarding claimants, before registering their claim - inform all people contacting the Regional Asylum Offices that if they have already filed a claim with the Police they cannot file a new one, until their initial claim has been terminated/ decided upon.

As far as the identification of new risks is concerned, the main risk which is analysed in the chapter 4 is formulated in the chapter 12. Attachments to the Annual Programme Report

10. Information and publicity

Since the Programme could not start being implemented in year 2013 due to typical documentation not being signed, activities of information and publicity have not been carried out in the year 2013.

11. Cross cutting issues

Since the Programme could not start being implemented in year 2013 due to typical documentation not being signed, activities for cross cutting issues have not been carried out in the year 2013.

12. Attachments to the Annual Programme Report

Programme GR06	Type of objective ¹	Description of risk	Likelihood ²	Consequence ³	Mitigation planned/done
	Operational issues:	Risk of not having the typical prerequisites ready for the commencement of the Projects implementation	4	3 The duration of the projects is limited under the time of the proposed duration. Indicators may not be achieved. Part of the budget can not be spent until the end of project implementation period	The Project Promoters may ask For the elongation of the implementation period.

¹ The risks should be categorised in one of 3 ways, depending on whether it poses a risk to the cohesion objective, the bilateral objective, or is more of an operational issue.

² Each risk should be described as to whether it poses a risk to the cohesion outcomes (programme outcomes), the bilateral outcome or crucial operational issues 4 = Almost certain (75 – 99% likelihood); 3 = Likely (50 – 74%); 2 = Possible (25 – 49%); 1 = Unlikely (1 – 24%)

³ Assess the consequence(s) in the event that the outcomes and/or crucial operations are not delivered, where 4 = severe; 3 = major; 2 = moderate; 1 = minor; n/a = not relevant or insignificant.