### Reception and identification procedure

#### The European Union policy framework: ‘hotspots’

The “hotspot approach” was first introduced in 2015 by the European Commission in the European Agenda on Migration, as an initial response to the exceptional flows of refugee arrivals to the EU.[[1]](#footnote-2) Its adoption was part of the immediate action to assist Member States which were facing disproportionate migratory pressures at the EU’s external borders and was presented as a solidarity measure.

The initial objective of the “hotspot approach” was to assist Italy and Greece by providing comprehensive and targeted operational support, so that the latter could fulfil their obligations under EU law and swiftly identify, register and fingerprint incoming migrants, channel asylum seekers into asylum procedures, implement the relocation scheme and conduct return operations.[[2]](#footnote-3)

In order to achieve this goal, EU Agencies, namely the EUAA (previously EASO), Frontex, Europol and Eurojust, worked alongside the Greek authorities within the hotspots.[[3]](#footnote-4) The hotspot approach was also expected to contribute to the implementation of the temporary relocation scheme, proposed by the European Commission in September 2015.[[4]](#footnote-5) Therefore, hotspots were envisaged initially as reception and registration centres, where Greek authorities, with the support of EU Agencies would “*swiftly identify, register and fingerprint incoming migrants*”, following which *“[t]hose claiming asylum [would] be immediately channelled into an asylum procedure*”.[[5]](#footnote-6) Interestingly, at the time, nowhere was it specified or mandated that said “channelling” (or referral) was to be made within the premises of the initial arrival/reception facility (i.e., the RICs or “hotspots”). Instead, the initial Greek response to the “hotspot approach” seems to refer to ‘*[a] headquarter Hotspot in Piraeus […] where asylum seekers [would have been] received from different arrival points’*, which if implemented as such, could have perhaps led to the establishment of a more functional reception system.[[6]](#footnote-7)

Five hotspots, under the legal form of First Reception Centres – later known as Reception and Identification Centres (RIC) – were established in Greece on the islands of Lesvos, Chios, Samos, Leros and Kos. In 2021, on Samos, Leros and Kos, the RICs were converted into ‘Closed Controlled Access Centres of Islands (CCAC) and new EU facilities were established.[[7]](#footnote-8) The CCAC in Samos was inaugurated on 18 September 2021 and the ones in Leros and Kos on 27 November 2021.[[8]](#footnote-9) Since then the operation of the old RIC facilities in Samos and Leros was halted. .

In November 2022, the existing facilities in Lesvos and Chios were converted into CCACs,[[9]](#footnote-10) while in both the islands, the construction of two new EU funded CCAC has been planned.[[10]](#footnote-11)

|  |  |  |  |
| --- | --- | --- | --- |
| Reception and Identification Centres (RIC) and Closed Controlled Access Centres of Islands (CCACI) | | | |
| Hotspot | Start of operation | Capacity | Occupancy |
| Lesvos | | | |
| RIC (Moria) | October 2015 | Non-operational | Non-operational |
| CCAC (Mavrovouni) | September 2020[[11]](#footnote-13) | 3,871 | 3,836 |
| CCAC (Vastria) | Under construction | Estimated 5,000 | Non-operational |
| Chios | | | |
| CCAC (Chalkios) | February 2016 | 1,014 | 1,020 |
| CCAC (Akra Pachi – Tholos) | Under construction | Estimated 1,800 | Non-operational |
| Samos | | | |
| RIC | March 2016 |  |  |
| CCAC | 18 September 2021 | 3,664 | 4,126 |
| Kos | | | |
| RIC | June 2016 |  |  |
| CCAC | 27 November 2021 | 3,455 | 1,506 3,360 |
| Leros | | | |
| RIC | June 2016 |  |  |
| CCAC | 27 November 2021 | 2,15 | 1,691 |
| **TOTAL** |  | **17,737** | **15,914** |

Source: Ministry of Migration and Asylum, National Situation: Migrant and Refugee Issue, Situation as of31 December 2024 , available at: <https://tinyurl.com/24ff357u>

It was initially planned that the five hotspot facilities would have a total capacity of 7,450 places.[[12]](#footnote-14) According to official data however, their capacity had increased to 13,338 places by the end of 2020. In 2021, the construction of the CCACs increased capacity to 15,934 places. Increased arrivals in summer 2023, as of a 169% compared to 2022, [[13]](#footnote-15) lead to severe overcrowding of CCAC.[[14]](#footnote-16)On 28 September 2023 the nominal capacity of Samos, Kos and Leros CCACs,[[15]](#footnote-17) as well as of the CCAC of Lesvos[[16]](#footnote-18) appeared increased overnight in the statistics of the Ministry, reaching the total capacity of the CCAC to 17,737 places, without any clarification or change to the facilities to justify the expansion.The capacity of the infrastructures has not actually been increased while spaces totally in appropriate for housing were in use.[[17]](#footnote-19) By the end of 2024 the total capacity of the CCAC appeared to be 14,156 places in total, though the official "nominal" capacity and the facilities' "actual" capacity continue to differ significantly, especially in the case of Kos, where actual accommodation places are reduced to 1,513[[18]](#footnote-22) due to the poor state and insufficient repair of the infrastructure, rendering several areas unfit for accommodation.

In Lesvos, in addition to the CCAC of Mavrovouni, the Controlled Temporary Accommodation Facility for asylum seekers of West Lesvos, which is located in the area of Megala Therma in West Lesvos (Kastelia), also operates as an autonomous structure since December 2020. It is noteworthy that the Administrator is the only administrative staff in the facility. Until November 2022, the structure operated as a quarantine structure and since then as an informal first reception "waiting area" for people arriving on the northern side of the island. The nominal capacity of the structure is 352 persons however the actual capacity is 160 persons. At the end of March 2023, the structure had reached its capacity.[[19]](#footnote-23) Newly arrived asylum applicants remained there for days, in some cases for more than two weeks, waiting in dire conditions to be transferred to the CCAC of Mavrovouni, without any official registration, without access to interpretation, legal or psychosocial assistance, without information on procedures and without the possibility to contact anyone outside the quarantine area, which could lead to arbitrary practices, such as pushback operations. Medical screening and NFIs were provided twice per week by MsF.[[20]](#footnote-24) Since late May 2023, all newcomers, regardless of their entry point, were transferred upon arrival directly to CCAC of Mavrovouni.

Local communities, as well as local authorities have expressed their opposition against the creation of the new CCACI because they do not consider them necessary and because they have strong concerns both related to the degradation of the islands and the rights of newcomers. In Lesvos and Chios, several protests took place and citizens attempted to disrupt the construction of the centres.[[21]](#footnote-25) In Leros and Kos, criticism against the construction of the new facilities was expressed not only by local communities but also by the local authorities. The Mayors of both islands refused to attend the inauguration of the new centres. In 2021, the local authorities of both Leros and Samos challenged[[22]](#footnote-26) – with no success[[23]](#footnote-27) – the construction of new centres.

In 19 August 2022, a Greek Council of State’s decision paved the way for the continued construction of a new EU-funded closed controlled access centre in a 71,250 km2 forest in Vastria, on Lesvos island. However, an application for suspension by the North Aegean Region and by local communities (Komi and N. Kydonia), regarding the access road to the structure of Vastria was accepted by the Commission of Suspensions of the Greek Council of State in temporary decision 199/2022-19/12/2022. This prohibited any construction until the final judgment of the court on the application for its annulment, as it was considered that the construction of the road would lead to irreversible destruction of the forest and impact the rare birdlife of the protected area.[[24]](#footnote-28)

In August 2023, following an application submitted by the North Aegean Region, the Greek Council of State, in 1335/2023 decision,[[25]](#footnote-29) annulled the authorisation approving the CCAC’s construction project in Lesvos, due to lack of an environmental study. In the same judgement, the Council of State annulled the authorisation approving the intervention to the forest area for the construction of the road giving access to the CCAC.[[26]](#footnote-30) However, the Minister of MoMA declared that the Ministry has already taken all the necessary steps for the proper environmental classification and approval of the construction of the structure and its accompanying works and so, according to him, its construction is estimated to be finalized by spring 2024.[[27]](#footnote-31) In Chios, no construction work took place also in 2024 2023, as the examination of the application submitted by the State for the latter to exercise a right to access the area of the construction, had been pending before Chios Court of the First Instance.[[28]](#footnote-32)

On October 21, 2024, the Court of First Instance of Chios, ruled that the Municipality of Chios, not the Greek State, is the rightful owner of the land, reaffirming the local community's long-running fight against the construction of the closed structure at the Tholos site. [[29]](#footnote-33)

On **Samos** and **Leros**, the CCAC have been moved to different areas compared to where the previous RICs were located, namely in Zervou (Samos) and Lepida (Leros). Similarly, the new facilities under construction on Lesvos and Chios are located in different areas, namely in Plati – Vastria (Lesvos) and in Akra Pachi – Tholos (Chios). In **Kos**, the CCAC has been expanded in an area attached to the then-existing RIC located in Pyli.

The new structures have been placed in remote locations, isolated from urban areas with very poor connection to the main cities of each island. More specifically, the new centre in Samos is located 7km away from the city of Vathy, the new centre in Leros is 6km from the city of Agia Marina and the centre in Kos is 15km far away from the city of Kos. Similarly, the new centre in Lesvos is being constructed in an area which is 30km from the city of Mytilene and the planned facility in Chios, is located 11km from the city of Chios.[[30]](#footnote-34)

Conditions prevailing in the old RICs, converted into CCACs, namely the existing structures in Lesvos and Chios have not improved and people continue to be hosted in degrading conditions. In the former Reception and Identification Centre (RIC) of Vial, renamed as “CCAC” in Chios, the conditions remain substandard in need of maintenance.Disinfections due to cockroaches and rodents are present, despite pest control efforts.and food is of poor quality with no refrigerators to store it.Thereis limited provision of interpretation services and not at all during the weekends.[[31]](#footnote-35) Moreover, the medical division of the RIS had no stable presence of doctor since March 2021. As a result, the vulnerability assessment procedure has been conducted principally by the nursing staff and Doctors of Medical Units of other CCACs or the Chios General Hospital, who were visiting the Chios CCAC only to sign vulnerability assessment documents and medical cards, without carrying out a substantive assessment of the medical condition of the asylum applicants, who were not considered to meet the vulnerability criteria,.[[32]](#footnote-36) Due to limited provision of interpretation, psychosocial evaluations are nearly impossible due to the severe shortage of interpreters, who must focus on urgent neds. Similarly, the former RIC in Lesvos, which has been converted into CCAC, remains completely inadequate due to extreme weather conditions prevailing, inaccessible and poor sanitation facilities, shortages of hot water, constant power cuts, poor quality of food and shortages of basic supplies such as blankets and clothing.  During 2024, the medical and psychosocial division of the RIS in Lesvos remained understaffed, leaving individuals with obvious vulnerabilities unidentified.[[33]](#footnote-39) Moreover, references for understaffing concerned also interpretation provision services.[[34]](#footnote-40) (for detailed information on reception conditions, see [Conditions in reception facilities](#_Conditions_in_reception)).

Similarly, the new CCAC are a cause for serious concern, despite the large amount of funding that was used for their construction. More specifically, the Commission granted the Greek Government €121 million in November 2020 for the construction of CCACI on Samos, Kos, and Leros. In April 2021, the grant agreement was amended to include additional funding (€155 million) for the CCACI on Chios and Lesvos. The grant agreement was further amended in September 2021, and in February 2022.[[35]](#footnote-41) According to the MoMA’s website, €43 million were granted for the construction CCAC of Samos, €39,36 million for the construction of CCAC of Kos, and €35.3 million for the CCAC of Leros.[[36]](#footnote-42)

The living conditions prevailing in the “new centers”, reflect broader systemic issues within the CCAC model, including restrictions on movement, limited resources, and challenges in meeting residents' basic needs. In 2024 the EU-funded facilities already suffer serious damage in infrastructure and living areas, in the absence of repair and maintenance.

This coupled with the shortcomings in the provision of basic services and material conditions resulted in a severe deterioration of living conditions in the CCAC. More specifically, in all CCAC, shortcomings in access to sanitary facilities and items, provision of hot water, as well as in the maintenance of the containers used for accommodation have been observed. Issues with food quality and quantity persist.[[37]](#footnote-44) In the CCAC of Samos, the supply of running and drinking water has not been stable.[[38]](#footnote-45) Living conditions in the CCAC further deteriorate in times of increased arrivals.. In the summer of 2023 due to lack of adequate spaces to accommodate people, newly-arrived individuals were placed in common spaces (i.e. restaurants, classrooms), without beds, mattresses, blankets, etc. In some cases, single parent mothers were placed in common spaces along with single men, where no privacy could be granted. [[39]](#footnote-46) Communal areas, such as the restaurants or classrooms are used for accommodation areas in CCAC Kos and Leros. In CCAC Kos part of PRDC with newer containers is also used as accommodation area, who resided in the sections of PRDC were facing difficulties exiting freely the sections, despite holding an asylum seekerapplicants card.The summer of 2024 also saw a significant increase in arrivals through the southern Aegean. As a result, a bigger number of people has arrived at the CCAC of Leros, Kos and Samos, as this is corroborated by Official figures of RIS of the Ministry of Migration and Asylum [[40]](#footnote-47)Under the pressure of the objective inability of CCAC to provide basic material conditions and services, organized transfers to mainland were put in effort to decongest mainly CCAC Kos and Leros.

As highlighted by the latest report of the Council of Europe Committee for the Prevention of Torture (CPT) in the summer of 2024, the systems rapidly collapse when the number of residents increases and many people end up in inhuman and degrading conditions, since the necessary measures to protect residents’ fundamental rights in such times have yet to be taken. [[41]](#footnote-48)

Furthermore, repeated reports by civil society organisations since the inauguration of CCACs to date, indicate prison-like conditions in the CCACs.[[42]](#footnote-49) As the European Ombudsperson has pointed out, the new structures on the islands "are, rather, reminiscent of detention facilities", raising doubts as to “how respect for human dignity and protection of the best interests of the child and of vulnerable individuals can be ensured” in these facilities". Also, the European Ombudsman suggested that the Commission should carry out a fundamental rights impact assessment of the centres, with a view to identifying measures to mitigate any potential risks.[[43]](#footnote-50) The Ministry of Asylum and Migration focuses on the 24/7 surveillance and security control mechanisms of the new centres, while at the same time, the residents face practices of illegal *de facto* detention and arbitrary restrictions of personal liberty and freedom of movement and have limited access to healthcare, minding the poor public primary health services on the. In fact, the Medical Unit of the facility in Samos did not include any doctors, despite the extremely poor public primary health services on the island.[[44]](#footnote-51) Similarly, there was no doctor on permanent basis in the CCAC in Kos throughout 2023, despite the fact that the local hospital has long-standing shortages in basic specialties such as GP and cardiologist,[[45]](#footnote-52) and there is only one operating ambulance for the island. [[46]](#footnote-53)

In view of the above, the European Court of Human Rights has granted Interim Measures, pursuant to Rule 39 of the Rules of the Court, with regards to reception conditions in the new Closed Controlled Access Centers (CCACs) in Samos and Kos. More specifically:

* In September 2023, the European Court of Human Rights (ECtHR) granted interim measures in a case concerning a single mother residing at the Samos CCAC along with her six-month old baby with a serious heart condition, ordering the Greek Government to ensure that the baby will be provided with medical treatment and that both the baby and mother will be provided with suitable accommodation.[[47]](#footnote-54)
* On 12 December 2023, the European Court of Human Rights (ECtHR) has granted Interim Measures with regards to two Afghan women and their five minor children, residing at the Closed Controlled Access Centre (CCAC) of Kos in absolutely inadequate conditions, ordering the Greek authorities to ensure that theApplicants "*have full access to reception conditions which respect human dignity and take into account their multiple vulnerabilities.*[[48]](#footnote-55)
* Οn 5 February 2024, the European Court of Human Rights granted Interim Measures with regards to a single woman asylum applicant and her infant child, who resided in inhuman conditions in the Samos Closed Controlled Access Centre (CCAC) ordering Greek authorities to provide safe and suitable accommodation.[[49]](#footnote-56)

The fact that CCAC facilities are at the heart of policies linked to the recently adopted reform of the [Common European Asylum System](https://rsaegean.org/en/category/topics/common-european-asylum-system/) (CEAS), is also of serious concern, as conditions prevailing in CCAC deteriorate considerably.

**Hotspot transformation following the EU-Türkiye statement**

In March 2016, the adoption of the highly controversial EU-Türkiye Statement, committing ‘to end the irregular migration from Türkiye to the EU’,[[50]](#footnote-57) brought a transformation of the so-called hotspots on the Aegean islands.[[51]](#footnote-58)

With the launch of the EU-Türkiye Statement, hotspot facilities turned into closed detention centres. People arriving after 20 March 2016 through the Aegean islands, and thus subject to the EU-Türkiye Statement, were automatically *de facto* detained within the premises of the hotspots in order to be readmitted to Türkiye in case they did not seek international protection or their applications were rejected, either as inadmissible under the [Safe Third Country](#III_AP_F_1STC) or [First Country of Asylum](#III_AP_F_3FCA) concepts, or on the merits.[[52]](#footnote-59) Following criticism by national and international organisations and actors, and due to the limited capacity to maintain and run closed facilities on the islands with a high number of people, the practice of blanket detention was largely abandoned from the end of 2016 onwards. It has been replaced by a practice of systematic geographical restriction, *i.e.*, an obligation not to leave the island and reside at the hotspot facility, which is imposed indiscriminately to every newly arrived person (see [Freedom of Movement)](#IV_RC_A_4Freemov).

L.4825/2021[[53]](#footnote-60) replaced Article 8(4) L.4375/2016[[54]](#footnote-61) as follows:

‘The Regional Services of the Reception and Identification Services are:

a. the Reception and Identification Centres (RIC),

b. the Controlled Structures for Temporary Accommodation of asylum applicants and

c. the Closed Controlled Access Centres, which are structured and have the responsibilities of RIC ​​and within which, in separate spaces, facilities of temporary accommodation and the special detention facilities provided in Art. 31 of L. 3907/2011 operate.

Within the premises of the above-mentioned facilities, special areas dedicated to people belonging to vulnerable groups as per article 14(8) are provided’[[55]](#footnote-62)

Although the Rule of Procedure of Closed Controlled Access Centres on the islands does not provide for a blanket prohibition of exit, the regime of *de facto* detention has been reintroduced in practice since the implementation of the CCAC. According to the Asylum Code, this ‘restriction of liberty’ which amounts to *de facto* detention, is provided by way of exception and shall not exceed 25 days.[[56]](#footnote-63) However, on arrival, all newcomers remain under arbitrary restriction of liberty until they are registered by the RIS. During this time, people are denied exit from the CCAC and are in most cases restricted in the so-called ‘waiting areas’, in which dire and substandard condition prevail. Civil society actors active on the field, report that they have consistently identified cases of applicants who were deprived of their liberty for more than 25 days (see below, [Reception and Identification procedures on the islands](#_Reception_and_identification)).

From April 2016 to 31 March 2020, 2,140 individuals were returned to Türkiye on the basis of the EU-Türkiye Statement, of whom 801 were returned in 2016, 683 in 2017, 322 in 2018, 195 in 2019 and 139 in 2020. No readmission operations have taken place since 30 March 2020.[[57]](#footnote-64) In total, between 21 March 2016 and 31 March 2020, Syrian nationals accounted for 404 persons (19%) of those returned. 43 of them were returned on the basis that their asylum claims were found inadmissible at second instance based on the “safe third country” concept. Moreover, of all those returned, 23% had not expressed the will to apply for asylum or withdrew their asylum application in Greece.[[58]](#footnote-65)

According to the Türkiye 2023 Report of the European Commission, returns under the EU-Türkiye Joint Declaration have not resumed since March 2020.[[59]](#footnote-66) It should be noted that both Greek authorities and the European Commission[[60]](#footnote-67) have requested Türkiye to resume returns based on the EU-Türkiye Joint Declaration.[[61]](#footnote-68) However, despite the suspension of readmissions to Türkiye since March 2020, Greece included Türkiye in the national list of Safe Third Countries and thus the applications lodged by individuals falling under the scope of the JMD 42799/2021 (FEK B’ 2425/07.06.2021) were still examined in the context of the [Safe third country concept](#III_AP_F_1STC) and the [Fast-Track Border Procedure](#III_AP_C_4Border_1General).

On 2February 2023, the Council of State issued its decision 177/2023,[[62]](#footnote-69) on an annulment application lodged by the Greek Council for Refugees (GCR) and Refugee Support Aegean (RSA) against the aforementioned JMD. In its decision, the Council of State formulated preliminary questions to the CJEU regarding the national list which includes Türkiye as a safe third country for asylum applicants originating from Syria, Afghanistan, Somalia, Pakistan and Bangladesh, whose applications are therefore being rejected as inadmissible. In particular, the Council of State submitted preliminary questions regarding the ‘influence on the legality of the national list of the fact that, for a long period (over 20 months), Türkiye has refused the readmission of applicants for international protection, while at the same time it is not clear whether the possibility of a change in Türkiye’s attitude in the near future has been taken into account’.[[63]](#footnote-70)

On 14 March 2024 the preliminary questions referred by the Plenary Session of the Council of State (CoE) in its judgment No. 177/2023 concerning the inclusion of Türkiye in the national list of Member States of the European Union national list of 'safe third countries' (JMD 42799/2021), was be discussed at an oral hearing before the Court of Justice of the European Union (CJEU) in Luxembourg on 14 March 2024.[[64]](#footnote-71)

At the hearing, the legal representatives of GCR and RSA focused on how the inclusion of Türkiye in the national list of “safe third countries” practically “consolidates the policy of abdication of responsibility for the protection of refugees in Europe”.[[65]](#footnote-72)On June 2024 the Advocate General, delivered Opinion in the above opened Case “C-134/23 Greek Council for Refugees” on the safe third country, stating that a country's established refusal to implement a readmission obligation does not prevent it from being designated as a generally safe country, but that a decision of inadmissibility cannot be issued when, at the time of the examination of the asylum application, it is clear that readmission is not taking place.[[66]](#footnote-73) On Friday 4 October 2024 the Court of Justice of the European Union (CJEU), in line with the Advocate’s General Opinion, ruled in its judgment with No. 177/2023, that Member States cannot issue a decision rejecting an asylum application as inadmissible on the basis of the concept of a "safe third country" in cases where they have established that the asylum seeker will not be allowed to enter the territory of a country designated as safe. The Court accepted, however, that a country may be listed as a safe third country even if, despite its legal obligation, that third country has, in general and without any prospect of a contrary development, suspended the admission or readmission of those applicants to its territory. Therefore, the decision on the existence or not of the possibility of readmission to the third country, in this case Türkiye, becomes a prerequisite at the stage of issuing the decision on the asylum application and not at the stage of its execution, as has been the practice by asylum examination authorities in Greece, up to the present.

#### The domestic framework: Reception and Identification Centres

The 2010 Greek Action Plan on Asylum already provided that third-country nationals should be subjected to first reception procedures upon entry. The competent authority to provide such services was the First Reception Service (FRS), established by L 3907/2011, as described in the previous country report.[[67]](#footnote-74) On 3 April 2016, in the light of the EU-Türkiye statement of 18 March 2016, the Greek Parliament adopted a law ‘on the organisation and operation of the Asylum Service, the Appeals Authority, the Reception and Identification Service, the establishment of the General Secretariat for Reception, the transposition into Greek legislation of the provisions of Directive 2013/32/EU, provisions on the employment of beneficiaries of international protection and other provisions. This reform was passed through L 4375/2016.[[68]](#footnote-75)

L 4375/2016 partially attempted to regulate the establishment and function of the hotspots and the procedures taking place thereat. However, national legislation has failed to effectively regulate the involvement of the EU Agencies, for example Frontex agents. Following the enactment of L 4375/2016, the FRS was succeeded by the Reception and Identification Service (RIS). The RIS is currently subsumed under the General Secretariat for Reception of Asylum Seekers of the Ministry of Migration and Asylum.[[69]](#footnote-76) The IPA, in force since 1 January 2020, regulated the functioning of the RICs and the conduct of the reception and identification procedure in a similar way. Under the Asylum Code,[[70]](#footnote-77) the relevant regulations were codified to include Closed Controlled Access Centre of Islands (CCACI.).[[71]](#footnote-78) Article 38 of the Asylum Code, provides that: ‘All third-country nationals and stateless persons who enter without complying with the legal formalities in the country, shall be submitted to reception and identification procedures.’[[72]](#footnote-79) Reception and identification procedures are carried out in five stages:[[73]](#footnote-80)

* + - 1. Information on rights and obligations, transfer to other facilities, the possibility to seek protection or voluntary return, in a language the person understands or in a language that a person may reasonably be supposed to understand and in an accessible manner, by the Information Unit of the Reception and Identification Centre (RIC) or the Closed Controlled Access Centre (CCAC) or in case of mass arrivals, by the Police, Coast Guard or Armed Forces;[[74]](#footnote-81)
      2. Channelling to reception and identification procedures: According to the law, newly arrived persons should be directly transferred to a RIC or CCAC, where they are subject to a 5-day “restriction of freedom within the premises of the centre” (*περιορισμός της ελευθερίας εντός του κέντρου*), which can be further extended by a maximum of 25 days if reception and identification procedures have not been completed.[[75]](#footnote-82) This restriction of freedom entails “the prohibition to leave the Centre and the obligation to remain in it”.[[76]](#footnote-83) Such a restriction is ordered on the basis of a written, duly motivated decision;[[77]](#footnote-84)
      3. Registration and medical checks, including [identification](#III_AP_D_1Identification) of vulnerable groups;[[78]](#footnote-85)
      4. Referral to the asylum procedure: As soon as asylum applications are made, the Special Rapid Response Units (*Ειδικά Κλιμάκια Ταχείας Συνδρομής*) of the Asylum Service distribute the cases according to country of origin. Subsequently, they proceed to prioritisation of applications according to nationality (see [Prioritised Examination](#III_AP_C_1Regular_2FastTrack));[[79]](#footnote-86)
      5. Further referral and transfer to other reception or detention facilities depending on the circumstances of the case.[[80]](#footnote-87)

##### Reception and identification procedures on the islands

**Situation upon arrival in CCAC**

At the early stages of the implementation of the EU-Türkiye Statement, individuals arriving on the Eastern Aegean islands and thus subject to the Statement, were systematically and indiscriminately detained. Such measure was imposed either *de facto*, under the pretext of a decision restricting the individual’s freedom within the premises of the RIC for a period of maximum 25 days, or under a deportation decision together with a detention order. This differs from the “geographical restriction” on the island, mentioned below.

In practice every person arriving on the Eastern Aegean islands must be brought by the Police of the Coast Guard to the [nearest](https://www.hellenicparliament.gr/UserFiles/67715b2c-ec81-4f0c-ad6a-476a34d732bd/12748283.pdf) of the five island CCAC for the purposes of identification. The authorities highlight that almost all people entering the CCAC apply for asylum in Greece and are thereby entitled to the rights of asylum seekers. Newcomers in the CCAC are subject to a “restriction of freedom of movement” decision issued by the Head of the RIS, preventing them from exiting the site,until their registration and identification by the RIS. The decision is revoked once the registration by the RIS is completed.

Once the asylum application is registered by RIS, ta geographical restriction pursuant to Decision 1140/2019 of the Minister of Citizen Protection, is applied by the Asylum Service as well as by the RIS, by including relevant marking on the International Protection Applicant Card. For more details on the geographical limitation on the Greek Eastern Aegean Islands, see [Reception Conditions](#IV_RC_A_1CriteriaRestrictions), [Freedom of movement](#IV_RC_A_4Freemov). It is due to this practice of indiscriminate and *en masse* imposition of the geographical limitation measures to newly arrived persons on the islands that a significant deterioration of the living conditions on the islands has occurred.

Meanwhile in cases of people travelling by their own means to the islands for the purposes of registering an asylum claim encounter serious difficulties, face either a denial of registration on grounds of lack of competence (e.g. Kos) or even detention, continued even after their claim has been registered (e.g. Lesvos).

**Situation upon arrival in CCACs**

Although the Rule of Procedure of Closed Controlled Access Centres on the islands does not provide for a blanket prohibition of exit, the regime of *de facto* detention has been reintroduced in practice since the implementation of the CCAC According to the Asylum Code, this ‘restriction of liberty’ which amounts to *de facto* detention shall not exceed 25 days from the day of arrival in the RIC or CCAC, Also, the ‘restriction of liberty’ is provided in the Law by way of exception.[[81]](#footnote-88) However, upon arrival, newcomers are placed under arbitrary restriction of liberty until their registration by the RIS is concluded. Until then, people are denied exit from the CCAC and in most cases they are restricted in the so-called ‘waiting areas’, in which dire and substandard condition prevail.

Between 1 July – 31 August 2023, over 4,000 people were brought to the Closed Controlled Access Centers (CCACs) on Samos and Lesvos and placed in unlawful detention while awaiting registration of their asylum application.[[82]](#footnote-90) In the summer 2023, due to increased arrivals, delays and shortcomings related to the registration procedures by the RIS, in many cases applicants remained under arbitrary restriction of their liberty for more than 25 days. In Samos, legal organisations have consistently identified cases of applicants who were deprived of their liberty for more than 25 days, sometimes even up to 58 days.[[83]](#footnote-91) According to testimonies collected by GCR, in numerous cases, the waiting period within which newcomers remained confined until registration exceeded 25 days in Lesvos, whilein Kos the average waiting period during late summer 2023 till January has been systematically exceeding 30 days. The pace of registration significantly improved since February 2024 particularly in CCAC Kos and …….., where it takes place within one to five days after arrival in the CCAC. In Leros CCAC the 25 days of restriction of movement are still exceeded, though residents are in practice allowed to exit the facility.

Decisions imposing the ‘restriction of liberty’ shall be issued by the Head of the RIS within five days from the arrival. However, it has been observed that these are not always issued and/or notified as provided by the Law to the *de facto* detained persons.

The geographical restriction imposed to every newly arrived person on the Greek Islands by the Head of Asylum Service, is separate to the decision of the Head of RIS imposing a *de facto* detention period of up to 25 days, within the premises of the facilities (so-called “restriction of movement”). For more details on the geographical limitation on the Greek Eastern Aegean Islands, see [Reception Conditions](#IV_RC_A_1CriteriaRestrictions), [Freedom of movement](#IV_RC_A_4Freemov) and [Identification](#III_AP_D_1Identification).

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