HELLENIC LEAGUE
for HUMAN RIGHTS

Contribution to the United Nations Secretary-General's Report on the Human Rights of Migrants

Greece

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A. National migration policy not in conformity with obligations under international human rights law and international law

The Greek government in the framework of an announced severe migration policy has recently adopted new legislative and administrative measures, many of which are of a punitive nature, with the aim to intimidate, deter new arrivals and speed up deportation processes without ensuring compatibility with EU and international law.

On the 11th of July 2025 the Greek Parliament adopted legislation[1] which imposed a three-month suspension on the lodging of asylum applications for people arriving in Greece from North Africa ordering their immediate deportation without registration[2]. This legislation resulted in the automatic detention of many hundreds of asylum seekers arriving in Crete through North Africa in different detention facilities in squalid conditions[3] around Greece. The authorities ordered their removal disregarding the country's reception legislation and international law obligations without assessing their international protection needs or risks of refoulement. The European Court of Human Rights with decisions on interim measures requests blocked the deportation of 12 refugees[4] from Sudan and Eritrea affected by the measure prohibiting the Greek authorities to deport the refugees before they have access to asylum procedures. Currently, as the three months period of the suspension elapsed the authorities have started registering the asylum claims of the affected applicants, many of which still remain in detention.

In September 2025 Greece passed a new piece of legislation for the reform of return procedures for third-country nationals. This legislative initiative led by the Minister of Migration and Asylum came after a series of racist, often misleading, and inflammatory statements.[5] The new legislative amendment[6] raises serious issues of legality, compatibility with EU and international refugee law,

[1] Article 79 of Law 5218/2025

[2] Similar measures have been adopted by the Greek authorities in 2020 in response to increased arrivals at the borders with Türkiye, suspending asylum and proposing returns for those crossing.

[3] Newspaper EFSYN, "Containers leaking rainwater in Amygdaleza [video]" 24 October 2025, available at https://www.efsyn.gr/ellada/dikaiomata/488721_konteiner-poy-mpazoyn-brohi-stin-amygdaleza-binteo.

[4] Refugee Support Aegean, New ECtHR decision: Greece prohibited from deporting refugees before they have had access to asylum procedure, 2 September 2025 available at https://rsaegean.org/en/asylum-suspension-ecthr-greece-prohibited-from-deporting-refugees/ and Refugee Support Aegean European Court of Human Rights blocks deportation of refugees detained by Greece under unlawful asylum suspension, 18 August 2025, available at https://rsaegean.org/en/ecthr-blocks-greece-refugee-deportations-asylum-suspension/ .

[5] The media have registered as series of incendiary and discriminatory comments and the use of terms such as "illegal immigrant" and "invasion". Statements such as "we will not tolerate an invasion by boats from Libya," "the fairy tale about the 'young mothers shall end'," and describing the feeding of migrants as "hotel-like" — "It's not reasonable to provide three meals a day to people who entered the country illegally." preceded the voting of the law in the parliament https://www.enikos.gr/politics/thanos-plevris-sti-vouli-telos-to-paramythi-me-tis-moromanes/2401785/?utm_source=chatgpt.com and https://www.libre.gr/2025/07/10/plevris-gia-metanasteftiko-den-tha-ane/?utm_source=chatgpt.com .

[6] L. 5226/2025, Gov. Gazetta A 154/8-9-2025.

and fundamental rights concerns[7]. It provides for a legislative extension of migrants' detention from 18 to 24 months, a disproportionate increase in penalties for illegal entry and the criminalization of residence in the country without documentation without the possibility for suspension of the penalty unless the accused consents to his/her voluntary return to the country of origin[8]. The new provisions undermine the procedures prescribed by the EU Returns Directive, limit judicial oversight of detention, and introduce regulations amounting to an abuse of criminal law and a violation of constitutional principles and the rule of law. Specifically, the legislative extension of migrant detention from 18 to 24 months contradicts both current EU law[9] and the Greek constitutional framework[10] which sets the limits for pre-trial detention to a maximum of 18 months. Someone remanded for a felony must be released after 18 months, yet a foreign national entering irregularly can be administratively detained for 24 months, often under worse conditions than in prison, as findings by the European Committee for the Prevention of Torture (CPT)[11] and the Greek Ombudsman have highlighted.

Moreover, following the introduction of the new provisions, the Ministry of Migration issued a circular providing for the distribution of additional information material to newly arriving asylum seekers that includes content, which aims to discourage and circumvent the exercise of an established right that is the right to seek international protection. The statements included in the "informative text" of the Circular instead of providing accurate information, dangerously mislead and misinform about the applicable legal framework thus undermining the right to asylum.

It should be further noted, that there is a persisting tendency to misuse criminal law against migrants and refugees, populations that are often themselves subjected to ill-treatment by the state, and who receive heavy criminal convictions and penalties –frequently on a far lower threshold of evidence[12].

Such practices, along the extended use of administrative detention and criminalization of migration with widespread use of the criminal justice system, constitute unacceptable means of

[7] See in greek The Hellenic League for Human Rights, The New Returns Bill Contravenes the Country's International Obligations and Constitutional Order, 4-8-2025, available at https://www.hlhr.gr/migration-law-returns-greece/ .

[8] Art 27 of L. 5226/2025, Gov. Gazetta A 154/8-9-2025.

[9] Article 15 §§5–6 of the Returns Directive.

[10] Article 6 §4 of the Constitution.

[11] Committee for the Prevention of Torture, 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 20 November to 1 December 2023, CPT/Inf (2024) 21, 12 July 2024.

[12] Report 'Struggle for Accountability The State of the Rule of Law in Greece' submitted for the European Commission's Annual Rule of Law Report by the Hellenic League for Human Rights (HLHR) , Greek Council for Refugees (GCR), HIAS Greece, Homo Digitalis, Refugee Support in the Aegean (RSA), Reporters United, Solomon and Vouliwatch, 4 February 2025 available at https://www.hlhr.gr/en/report-rule-law-greece-2025/ p. 22.

coercion and intimidation aimed to deter third-country nationals from exercising their rights and to pressure them into "voluntary" return , and are in conflict with the mandate of a Ministry which in principle should design policies with regard to migrants' fundamental rights as bearers of human dignity and personal freedom under Greek, European, and international law.

B. Immigration detention

The number of third-country nationals in administrative detention remains considerably high, despite some decrease compared to the previous years. According to the official statistics, during 2024 a total number of 15,994 persons have been detained in Pre-Removal Detention Facilities (PRDFs) across the country. At the end of 2024 (31 December 2024), a total number of 1,649 third-country nationals remained in administrative detention. Out of those 1,486 were detained in PRDCs and 163 third-country nationals were detained in police stations or other police facilities countrywide.[13] Detention without proper individual assessment, detention of persons whose removal is not feasible,[14]detention conditions and detention for prolonged periods and lack of free legal aid remain matters of serious concern.

On 31 December 2024, 37,21% of persons detained in PRDCs had been in detention for a period exceeding six (6) months.[15] Official data indicate that 1 out of 10 third-country nationals in detention is detained in a police station which is in nature a place not suitable for detention exceeding 24hours (lacking of yarding, outdoor area facilities, etc).[16] As the European Committee for the Prevention of Torture (CPT) has found during its most recent visit (2023) pre-removal detention facilities are not "*appropriately adapted for the detention of foreign nationals*".[17]The CPT has been very critical on the carceral design of these facilities and the poor material conditions offered.[18]Substantial medical staff shortages continue to be observed in PRDCs across the country. A total number of only 6 doctors were available at the end of 2024 in 7 PRDFs across the country for a total detention population of 1,486 detainees.[19]No free legal aid for challenging

[13]AIDA, Report on Greece, update 2024, September 2025, pp. 217-218, https://asylumineurope.org/wp-content/uploads/2025/09/AIDA_GR_2024-update.pdf. For updated statistics see RSA, Deportation & immigration detention statistics in Greece: first half 2025, https://rsaegean.org/en/detention-stats-greece-2025half/.

[14] See inter alia, Greek Ombudsman, Special Report on Returns 2024, pp. 47-48.

[15]AIDA, Report on Greece, update 2024, September 2025, ibid.

[16]Council of Europe: Committee for the Prevention of Torture, 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 20 November to 1 December 2023, CPT/Inf (2024) 21, 12 July 2024.

[17]*Ibid*, p. 5

[18]*Ibid*, para. 18

[19] AIDA, *ibid.* 228-229

detention before Courts is in place and in 2024 only a number of 14.1% of the Detention orders have been challenged before an Administrative Court through the remedy provided by national legislation (Objection against detention.[20]

Furthermore, pursuant to Law 5226/2025 adopted in September immigration detention can be applied in total for a period of 42 months (24 months within the framework of removal procedure + 18 months while the asylum application is examined). Additionally the new law provides a minimum of 2 years prison sentence and 5000 euros fine for irregular entry or stay of third-country nationals without the possibility of suspension, unless the person accused consents to their voluntary return to the country of origin. Even in this case detention continues up to the time that the departure of the person concerned takes place.[21] The aforementioned provisions contravene Art. 31 of the Geneva Convention and the principle of proportionality[22] and will also lead to a dramatic increase of the prison population in the already overcrowded Greek prisons.

C. De facto detention of newly arrived persons and persons willing to apply for asylum

Article 40 L. 4939/2022 provides that all persons in Reception and Identification Centers (RICs) or Closed Controlled Access Centers (CCACs) are subjected to an up to 25-day "r*estriction of their personal liberty within the premises of the RIC/CCAC*". The measure applies to all newly arrived persons on the islands and all persons willing to apply for asylum on the mainland, as registration of new asylum application on the mainland only takes place in RIC facilities. This is a *de facto* detention, applied in a generalized and indiscriminate manner and which in practice may exceed the 25 days maximum period depending on the registration capacity/workload of the relevant Authorities.[23] Moreover, this practice has as a result that all persons willing to apply for asylum in Greece in order to be able to lodge their application they should be subjected to a de facto detention measure.

D. Unaccompanied children

Although the "protective custody" which placed children in automatic detention in police stations and other detention facilities, has been abolished in December 2020,[24] however, de facto

[20] RSA, Immigration detention statistics in Greece in 2024: Systematic deportation and detention orders against refugees, https://rsaegean.org/en/immigration-detention-statistics-in-greece-in-2024/.
[21] L. 5226/2025, Article 27.
[22] Inter alia, UNHCR, UNHCR Comments on the Draft Law of the Ministry of Migration and Asylum, 29 August 2025.
[23] AIDA, Report on Greece, update 2023, June 2024, pp. 230-231.
[24] Article L. 4760/2020, Gov. Gazette A 247/11.12.2020.

detention of unaccompanied children is still applied in islands CCACs and mainland RICs, up until the time they are transferred to a shelter for unaccompanied minors. This de facto detention may last for several weeks or months and in significant substandard conditions.[25] *Inter alia*, in February 2025, the ECtHR granted interim measures in the case of four unaccompanied children in de facto detention in degrading conditions in Samos CCAC (O.A. and others v. Greece, no. 2570/25).[26] Currently the reception capacity in shelters for unaccompanied children has been reduced.[27]Gaps and significant delays are also observed with regards to the appointment of guardians to represent unaccompanied children.[28]

E. Continuing pattern of violence against migrants and refugees, enforced disappearances (pushback cases) and failure to rescue people in distress

There is a continuing pattern of violence and human rights violations by law enforcement officers in Greece towards migrants and refugees and a systematic failure to ensure effective criminal and disciplinary investigations. Reports from international organisations and human rights bodies highlight a persistent culture of impunity and state inaction in addressing law enforcement officers' (Hellenic Police or Hellenic Coast Guard) abuses towards migrants and refugees, failure to rescue people, ill treatment as well as incidents of enforced disappearances and pushbacks in violation of the principle of non-refoulement. [29]

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[25]Amnesty International et al Letter to the European Commissioner for Internal Affairs and Migration: Samos: Unlawful detention and sub-standard conditions must not become a blueprint for the EU Migration Pact, 25 February 2025, https://www.amnesty.org/en/documents/eur25/9061/2025/en/; CPT Report to the Greek Government, 2024, paras. 131-136; Solomon.gr, Unaccompanied Children Sleep on the Floor in Shifts in Greece's 'Model Camps'. The EU is Aware, 31-3-2025, https://wearesolomon.com/mag/focusarea/migration/unaccompanied-children-sleep-on-the-floor-in-shifts-in-greece-modelcamps/.

[26]HRLP, SAMOS CCAC "SAFE" ZONE : ECtHR GRANTS INTERIM MEASURES, 14 February 2025, https://www.humanrightslp.eu/post/samos-ccac-safe-zone-ecthr-grantsinterim-measures .

[27] There was a number of 2260 places for unaccompanied children in January 2024, compared to 1901 in October 2025, see Ministry of Migration and Asylum, Situation Update: Unaccompanied Minors (UAM) in Greece, https://migration.gov.gr/wp-content/uploads/2024/12/SGVP_Statistics-December_EN.pdf&https://migration.gov.gr/wp-content/uploads/2025/10/SGVP_Statistics-October_EN.pdf.

[28] RSA, Asylum system in decline, April 2025, paras. 63-69.

[29] Report 'Struggle for Accountability The State of the Rule of Law in Greece' submitted for the European Commission's Annual Rule of Law Report by the Hellenic League for Human Rights (HLHR) , Greek Council for Refugees (GCR), HIAS Greece, Homo Digitalis, Refugee Support in the Aegean (RSA), Reporters United, Solomon and Vouliwatch, 4 February 2025 available at https://www.hlhr.gr/en/report-rule-law-greece-2025/ p.9, CPT, *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 20 November to 1 December 2023*, CPT/Inf (2024) 21, 12 July 2024, para 154. Frontex, *Final SIR Report*, SIR 12070/2023, 18 September 2023, https://drive.google.com/file/d/1GIU0BS-CMegd1s4j8lofJ277SlQJbgi6/view . Ombudsman, *ΕΜΗΔΙΠΑ | Ετήσια Έκθεση 2023*, 20 August 2024, 61, https://www.synigoros.gr/el/category/default/post/emhdipa-or-ethsia-ek8esh-2023 , CERD, *Concluding observations on the combined twenty-third and twenty-fourth periodic reports of Greece*,

In its landmark judgment on A.R.E. v. Greece and its decision on G.R.J. v. Greece the European Court of Human Rights confirmed in January 2025 Greece's systematic[30] practice of pushbacks of migrants and refugees which the Greek government has failed to refute[31]. The ECHR has highlighted that "in the current state of national practice, domestic remedies indicated by the Government are not effective concerning complaints stemming from refoulement as such and other alleged violations of the Convention perpetrated in the course of said refoulement".[32]

In its recent judgment F.M. and Others (relating to the death of sixteen people in a 2018 shipwreck) the European Court of Human Rights (ECtHR) confirmed the failure of the Greek authorities to take the necessary actions to rescue the people as they ought to have been aware of the immediate risk and to conduct an effective criminal investigation into the incident and condemned Greece for a breach of the right to life (Article 2 ECHR). The ruling follows a series of other rulings against Greece for violations of the right to life and for failure on the part of the Naval Court Prosecutor to investigate the incidents, from the deadly Farmakonisi shipwreck (*Safi v. Greece*) to the deaths of refugees by Coast Guard shootings in Pserimos (*Alkhatib v. Greece*) and Symi (*Almukhlas v. Greece*).

Lastly, it should be noted that the judicial investigation for Pylos shipwreck[33] that took place on 14 June 2023 and resulted in the death of over 600 people is still ongoing. The Greek Ombudsman's investigation, initiated after the Coast Guard refused to conduct its own internal investigation, found "significant omissions in search and rescue duties by senior Coast Guard officers" and concluded there were "clear indications of serious criminal liability among senior Hellenic Coast Guard officers". In May 2025 the competent Deputy Prosecutor of the Piraeus Naval Court referred for main investigation 17 members of the Coast Guard, yet the investigation is still ongoing and there has been no trial until today.[34] Furthermore, the request by the families of victims to retrieve the boat and recover the Pylos shipwreck and bodies from the seabed was

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CERD/C/GRC/CO/23-4, 13 December 2024, para 26(g), https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FGRC%2FCO%2F23-24&Lang=en . NCHR, *2023 Annual Report of the Recording Mechanism of Incidents of Informal Forced Returns*, June 2024, 10, https://www.nchr.gr/images/pdf/%20RecMechanism/Final_Annual_Report_202311.pdf .

[30] According to the Court the cases A.R.E. and G.R.J. v. Greece represented part of 47 applications filed against Greece between January and December 2021.

[31] ECtHR, A.R.E. v. Greece, App No 15783/21, 7 January 2025, paras 226-229; G.R.J. v. Greece, App No 15067/21, 7 January 2025, paras 187-190.

[32] ECtHR, *A.R.E. v. Greece*, App No 15783/21, 7 January 2025, para 201.

[33]Refugee Support Aegean (RSA) and news247.gr, Justice for the crime in Pylos, available at https://shorturl.at/cpdcM .

[34] Refugee Support Aegean (RSA). *"Press Conference Invitation – Two years after the Pylos crime: Developments in the criminal proceedings – Criminal prosecution against 17 Hellenic Coast Guard members."* Athens, 13 June 2025. Available online: https://rsaegean.org/en/press-conference-two-years-after-the-pylos-crime/.

refused. Out of approximately 750 only 104 survivors were rescued, 82 bodies were recovered and the rest are still missing and presumed dead.

F. Migration - Residence Permit System

Greece today hosts a large and dynamic community of migrants, who form an integral part of the country's society and economy. According to the most recent data from the Ministry of Migration and Asylum, there are 514,962 active residence permits for third-country nationals.[35] However, around 290,000 applications remain under review, about half of which concern renewal requests.[36] These figures are not just statistical data; they reflect a system that is underperforming and directly affects the daily lives of hundreds of thousands of people.

1. Fundamental issues and legal gaps

Despite efforts toward institutional organization, the residence permit system in Greece faces serious dysfunctions. Delays in the issuance and renewal of permits are extensive; many migrants wait months or even years to receive the necessary documents. Electronic platforms have somewhat improved the process, but staff shortages in public services and frequent legislative changes cause uncertainty and bureaucratic chaos.

The greatest weakness of the system lies in the huge delays in both the initial issuance and, especially, the renewal of residence permits. Especially when it comes to permits of shorter duration (1-3 years), the renewal process takes so long that sometimes the permit is issued despite having already expired, leaving the beneficiary without legal coverage. They thus become unable to work legally, obtain insurance, or travel, risking falling into irregular status through no fault of their own.

Equally concerning is the fact that Greece lacks any functional pathway to status regularisation for people who have lived in the country for years, work, and are integrated into society. The recent abolition of the "exceptional reasons" provision (Article 134, paragraph 5 of Law 5038/2023) and of the residence permit for work under Article 193 of Law 5078/2023 has left people with no viable pathway to regularisation. The exceptional reasons permit gave a third-country national the right to submit a request for a residence permit on exceptional grounds if they provided documented proof of their continuous residence in the country for at least seven (7) years prior to the application. The residence permit for work allowed any third-country national

[35] Hellenic Republic, Ministry of Migration and Asylum, Info Note B, September 2025, Available at: https://migration.gov.gr/wp-content/uploads/2025/10/ .

[36] Idem.

who had been living in Greece for more than three years before November 2023 and did not have a residence permit, but had a job offer from an employer, to apply for a residence permit with access to employment which would be valid for three (3) years. These legal pathways have now been abolished.

Another issue is the complexity and the frequent redefinition of the required documentation for the residence permit categories which make the system difficult to navigate and unequal, favoring those who have financial or legal resources at the expense of the more vulnerable.

As for the renewal of work permits, migrants who are employed seasonally, in informal forms of work, or who have experienced unemployment or underemployment, often struggle to prove sufficient insurance contributions or income, thus losing the possibility to renew their permits. As a result, individuals who could otherwise gradually meet the formal requirements for acquiring Greek citizenship through naturalization and complete their integration process as Greek citizens often end up losing even their right to legally reside in the country where they have lived and worked for years.

2. Directions for Action

The current moment is critical for shaping a fair and functional migration policy. The following are required:

- Institutional guarantees for the timely examination and renewal of all residence permits.
- Reintroduction of realistic status regularisation provisions, so that the vicious cycle of irregular residence is not perpetuated.
- Strengthening of public services and digital interconnection of all competent authorities.
- Simplification of procedures for workers, students and families.
- Training of administrative staff and transparency in evaluation criteria.

G. Naturalization and awarding of Greek citizenship

Procedures leading to citizenship for migrants who have not attended the Greek schooling system were amended twice, with Law 4735/2020 and Law 4873/2021. The establishment of social and cultural bonds was redefined through the introduction of nationwide exams assessing proficiency in the Greek language, history, and civilization, replacing the earlier individualized interviews conducted by regional committees. Given that the naturalization process primarily concerns adult working migrants, the complete absence of free or accessible preparation courses has effectively

blocked the path to naturalization for a large number of migrants, including habitually residing refugees, who should enjoy certain privileges under Article 34 of the 1951 Geneva Convention.

The second amendment introduced rigid economic criteria aimed at demonstrating the "autonomous subsistence" of new citizens. This regulation disregards the widespread prevalence of undocumented migrant labor due to inefficient controls and other structural factors. Its focus on annual income also overlooks other indicators of economic independence, such as home ownership.

Through a third amendment, pending applicants were required to update their documents proving adequate annual income so that it corresponded to a more recent period than that initially provided by law. This new reference period included the years of pandemic restrictions when access to labor was compromised. As a result, many applicants were rejected based on this retroactive change. The first instance courts ruled that legal certainty, proportionality, and predictability of naturalization provisions are not constitutionally required, since naturalization is not a constitutional right. Related cases are currently pending before the Supreme Administrative Court (Council of State).

There is also information indicating an increase in negative decisions on naturalization applications of immigrants and habitually residing refugees, citing threats to public order and national security. These decisions merely repeat the statutory provisions, without offering concrete reasoning, and are based on classified documents. No reference is made to the extent (duration or possible revision) of the restriction to naturalize. At least two such cases are currently pending before the first instance administrative courts.