

Joint action plan on the implementation of the EU-Turkey Statement

The EU-Turkey statement is delivering tangible results. The number of irregular migrants crossing from Turkey into the Greek islands has been significantly reduced. In the 8 months before the EU-Turkey statement 865,425 irregular migrants arrived in the Greek islands. In the 8 months after only 22,838 irregular migrants arrived, a difference of 842,587. In parallel the number of dead and missing persons on the Eastern Mediterranean route has decreased by 90%.

With the support of EASO the asylum capacity on the Greek islands has been significantly increased since March 2016. On 30 November the total number of staff deployed in the context of the asylum process on the islands (EASO and Greek authorities combined) was 233, comprising of registration officers, interpreters and asylum experts. Moreover 6 new Appeal Committees have been established to deal with second instance appeals. This has resulted in 6040 first instance determinations and 838 second instance decisions. Since 21 March 2016 1187 migrants have returned to Turkey.

Despite the sharp drop, the arrivals in the islands continue and the number has been consistently higher than the number of returns and a significant backlog of asylum cases has emerged, putting pressure on the conditions for migrants and the local population in the islands.

To secure the benefits of the EU-Turkey statement for the EU, to strengthen its implementation and to alleviate the pressure on the Greek islands, additional efforts are required on all sides. To this end an action plan has been elaborated together with the Greek authorities. If we all work together on the basis of this action plan it should be possible to eliminate the backlog in the Greek islands by April 2017.

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Processing of asylum applications at first instance

1. Increasing the deployment of asylum processing staff at the islands:
 - EASO to increase the number of case workers deployed by Member States at the islands and Corinth from currently 39 to 100 by mid-January.
 - EASO to increase the number of interpreters from currently 66 to 100 by mid-January.
 - Member States to respond quickly to additional requests for case workers and interpreters.
 - The Greek Asylum Service to increase its staff at the islands from currently 65 to 100 by mid –January.

2. Processing the Dublin family reunification cases:
 - The Greek Asylum Service to examine, on a case by case basis and in full respect of Article 7 of the EU Fundamental Rights Charter the application of the inadmissibility procedure under Article 55 and 56 of Law 4375/2016 (Article 33 of Directive 2013/32), to Dublin family reunification cases with a view to their possible return to Turkey, subject to having received from EASO and Member States relevant information which:
 - a) would provide sufficient legal certainty as to the possibilities of family reunification from / in Turkey; and
 - b) would enable the above mentioned examination.

The information required should particularly concern the rights to family reunification from Turkey or in Turkey under the national laws of Member States, to the extent not covered by the Family Reunification Directive (case of family members who have been recognised as beneficiaries of subsidiary protection by a Member State), and the national law of Turkey.

- The Greek authorities to adopt the necessary provisions to make Article 60 (4) (f) of Law 4375/2016 applicable to Dublin family reunification cases applicable.
3. Processing the vulnerability cases:
 - The Greek Asylum Service to examine, on a case by case basis and in full respect of Articles 6 and 7 of the EU Fundamental Rights Charter the application of the inadmissibility procedure under Article 55 and 56 of Law 4375/2016 (Article 33 of Directive 2013/32), to vulnerable applicant cases with a view to their possible return to Turkey.
 - Greek authorities to examine whether Article 60(4)(f) of Law 4375/2016 could apply to vulnerable applicant cases in accordance with Article 24(3) of the Asylum Procedures Directive.

- EASO to provide the Greek Asylum Service with relevant information, particularly as regards the treatment of vulnerable persons in Turkey, which would enable the above mentioned examination.
4. Speeding up the interviews and procedures for the assessment of asylum applications:
- The Greek Asylum Service, with the support of EASO, to introduce segmentation by case categories to increase speed and quality (e.g. new arrivals and backlog cases; nationality clusters according to admissibility, low and high recognition eligibility).
 - The Greek Asylum Service, with the support of EASO, to introduce interview and decision support tools, such as country of origin specific guidelines or text elements.
 - The Greek Reception and Identification Service (RIS), with full EASO support, to continue to inform migrants about the rights, obligations and available options, channel them into the relevant procedure, in particular the asylum procedure, and ensure the relevant follow up.
 - The authorities to further strengthen the enforcement of the foreseen consequences of non-cooperation in the asylum process, ensure that the whereabouts of asylum applicants are known as long as their application is pending (including through possible use of closed centres), and terminate asylum procedure in case of non-show (implicit withdrawal).
 - The Greek authorities with support of EASO to reduce the time lapse between the expression of interest to apply for asylum and the actual lodging of the asylum application, in accordance with Article 6(2) Asylum Procedures Directive ("as soon as possible").
5. Maintaining and further accelerating the eligibility procedure for applicants from countries of origin with low recognition rates.
- The Greek Asylum Service, with the support of EASO, to maintain and further accelerate the eligibility procedure for applicants where applicable.

Improving coordination, management, safety and security in the islands

6. Improving the security and safety arrangements on the islands:
- The Hellenic Police to increase with financial support from the European Border and Coast Guard the 24/7 presence of police officers in the Reception and Identification Centres (RIC), as required by the circumstances.
 - Reception and Identification Service with the support of the Hellenic Police to intensify the controls at the Reception and Identification Centre entrances, and the patrolling inside the accommodation areas of the hotspots.
 - The Hellenic Police to intensify the controls at the detention centres.
 - The Hellenic Police in cooperation with the Reception and Identification Service to produce and test security and evacuation plans with the involvement of all actors present in the hotspots, in particular EU Organisations.

- The RIS to increase the security infrastructure (parameter fence, separation by nationalities, etc.) in order to facilitate the maintenance of public order and ensure full control of the presence of persons and goods inside the camps, with the support by Hellenic Police.
 - The Greek authorities to continue to provide safe areas for vulnerable groups, in particular unaccompanied minors and appoint child protection officers.
 - Greek Authorities along with the European Border and Coast Guard to explore ways to further extend the nature of European Border and Coast Guard support, within the framework of its mandate.
7. Appointing permanent coordinators for the hotspots:
- The Greek authorities to appoint hotspot permanent coordinators who will take up their functions as soon as possible (at latest by mid-December 2016) to ensure the overall coordination and management of the hotspots.
 - The Greek authorities to adopt Standard Operating Procedures for the hotspots as soon as possible (at latest by mid-January 2017).

Processing asylum appeals at second instance

8. Increasing the number of Appeal Committees:
- The Greek authorities to increase the number of Appeal Committees from currently 6 to 13 until the end of December 2016 and to 20 by February.
9. Increasing the number of decisions per Appeal Committee:
- Without prejudice to their independence, the Appeal Committees to increase the number of decisions per committee through:
 - a) the use of legal assistance in drafting decisions,
 - b) specialisation of the committees and
 - c) exploring the possibility of full time engagement of committee members.
 - The Greek authorities to adopt the necessary legal provisions as soon as possible.

Limiting appeal steps in the context of the asylum procedure

10. Greek authorities to explore the possibility to limit the number of appeal steps in the context of the asylum process, in full respect of the Greek Constitution and Article 46 of Directive 2013/32.

Ensuring efficient return operations to Turkey and countries of origin

11. Maintaining European Border and Coast Guard deployments at the necessary levels:
- Member States and the European Border and Coast Guard to respond quickly to demands for additional deployments and transportation means, needed due to an increase in the number of return operations or the number of returnees.
 - Greek authorities, to provide accurate needs assessments for transportation, when the circumstances allow it.

- Greek Authorities along with the European Border and Coast Guard to explore ways to further extend the nature of European Border and Coast Guard support, within the framework of its mandate.

12. Limiting the risk of absconding:

- As the immediate priority, Greek authorities to keep a clear and accurate system of registration and case follow-up (including in particular the precise location and the on-going procedures) of all irregular migrants present in reception and detention centres in order to facilitate the planning and carrying out of return procedures.
- Greek authorities, with the financial and technical support of the EU, to introduce an electronic individual case follow-up system that can be consulted by all relevant authorities.
- Greek authorities to continue to actively enforce the geographical restriction imposed on migrants present on the islands, possibly with the support of the European Border and Coast Guard.

13. Scaling up the Assisted Voluntary Return and Reintegration (AVRR) programme in the islands.

- IOM with EU support to intensify campaigns promoting AVRR among migrants at the earliest possible stage.
- Greek authorities to remove administrative obstacles to swift voluntary return from the islands (in particular in relation to requests for voluntary return to Turkey).
- Greece to make full use of the financial support and technical assistance possibilities offered by EU-funded programmes on return, according to circumstances.

14. Issuing return decisions at an earlier stage in the return process:

- The Hellenic Police to issue return decisions at the same time as the notification of a negative first instance asylum decision, subject to return decisions taking effect only once the asylum process has been completed and the applicant has no longer the right to remain in Greece.

15. Intensifying EU cooperation on returns:

- Greece, Commission, the European Border and Coast Guard and EU programmes on return to actively cooperate to increase the number on non-voluntary returns to countries of origin.
- Greece to put in place a national workspace in the EU Integrated Return Management Application (IRMA).
- Commission and Member States to continue providing diplomatic support to facilitate effective returns to countries of origin, including Pakistan, Bangladesh and the Maghreb countries.

16. Making full use of existing readmission agreements and arrangements

- Greece, with the active support of the European Commission and EU Member States, to step up readmission work in the framework of established readmission agreements and other similar arrangements in view of returning irregular migrants in particular to, Pakistan (EU RA) and Afghanistan (Joint Way Forward). The European Border and Coast Guard to support resulting return operations.

Creating sufficient additional reception and detention capacities on the islands

17. Greek authorities, with EU support to create, in line with the European Commission's suggestion, additional reception capacity and to upgrade the existing facilities, either by extending current sites, by developing new sites or through a rental scheme, in cooperation with local authorities whenever possible.

18. Greek authorities, with EU support, in line with the European Commission's suggestion, to create sufficient detention capacity on the islands as soon as possible, in cooperation with local authorities whenever possible.

Preventing illegal border crossings at the northern borders

19. Deploying European Border and Coast Guard officers at the northern borders with Albania and the former Yugoslav Republic of Macedonia:

- The European Border and Coast Guard to respond positively and carry out the deployment of officers at the northern border as soon as possible. If there are still shortages relating to European Border and Coast Guard calls, the rapid reaction pool and Intervention Teams of the new Border and Coast Guard Agency will be used as soon as they are operational.
- The European Border and Coast Guard to finance the deployments of the Hellenic Police officers at the northern borders, upon request of the Greek authorities.

Accelerating Relocation

20. Increasing Member States relocation pledges:

- Member States to increase their relocation pledges according to their allocation and will seek to pledge as of December 2016 on a monthly basis. The goal should be to have at least 2,000 pledges per month by December 2016 and progressively continue increasing these pledges to meet the target of 3,000 relocations per month by April 2017.

21. Increasing the effective implementation of relocations:

- Member States to relocate on a monthly basis and increase the number of relocations per month from Greece to at least 2,000 by December 2016 and at least 3,000 relocation transfers per month by April 2017 and progressively continue increasing monthly relocations.

- Member States to adhere to the timelines and procedures specified in the Relocation Decision (Council Decision 2015/1523) as well as the relevant Protocol for Relocation, particularly the 10-working days response time, send acceptances in groups of a maximum of 50 people, show flexibility regarding organisation of flights, avoid delays in transfers of relocation applicants that have been accepted, increase the involvement of Liaison Officers in cultural orientation activities and information provision and ensure proper justification of rejections via the security correspondence offered by the Hellenic Police.
- Member States to develop the necessary reception capacities, including for unaccompanied minors, to allow for the relocation of applicants in the pipeline according to their allocation.
- Greek authorities to create additional relocation sites (or transform existing sites into relocation sites) corresponding to the increased processing capacity of the Greek Asylum Service and progressive increase of relocation pledges by Member States.
- IOM to continue increasing its processing capacity in accordance with the new monthly transfer targets.

Providing funding and appropriate technical support

22. Ensuring maximum absorption of the funding available for migration and close monitoring:

- The Greek authorities, with support from the Commission, to take all the necessary measures with no further delay to ensure full and effective use of financial resources in Greece's National Programmes under Home Affairs Funds (AMIF and ISF).
- The Greek authorities to make readily available the necessary co- finance under the national budget.
- The Greek authorities to send to the Commission as soon as possible the Action Plan on the implementation of the National Programmes (NPs).
- The Greek authorities and the Commission to finalise soon the revision of the NPs for AMIF/ISF adapted to take into account the new challenges in Greece, including implementation of the EU-Turkey Statement.

23. Complementing the AMIF and ISF National Programmes, when necessary:

- The Commission to continue to provide the additional funding (Emergency assistance, Humanitarian support, etc.) and technical support to Greece for the implementation of the EU-Turkey Statement in Greece, where needed.