

## Explanatory Note:

The information provided hereby refers to the expenses reported as “in-donor refugee costs” by the Ministry of Migration & Asylum<sup>1</sup> (Q1-Q5), the Ministry of Health (Q2-Q5) and the Hellenic Parliament (Q1 and Q5).

### **Clarification 1. Rationale for counting in-donor refugee costs as ODA** **Q1/ Describe in a nutshell the asylum procedure in your country.**

#### **Ministry of Migration & Asylum**

The key components of the Asylum Procedure in Greece (as laid down in Law 4636/19):

##### 1. Registration:

i) Pre-Registration: Asylum seekers who arrive on the five islands of the Aegean Sea with a Reception and Identification Center, as well as asylum seekers who are apprehended by the police after crossing a land border are pre-registered when they express their intention to apply for asylum. The registration is undertaken by the Reception and Identification Service on the islands, and the Hellenic Police accordingly. During this initial phase, asylum seekers are fingerprinted (EURODAC 2) and their basic personal data are recorded.

ii) Full Registration: Asylum seekers are fully registered by the Asylum Service. During this procedure, aside from their personal data, they state the reasons for which they left their country and identify causes of persecution. At this stage, inquiries are made in respect of family links for the purposes of family reunification under the Dublin III Regulation. Asylum seekers are at this point given an interview date and an asylum seeker's card.

iii) Interview: During the interview, caseworkers of the Asylum Service inquire into the causes of flight with the support of accredited interpreters. Applicants are entitled to be present at the interview with legal counsel.

iv) Decision and notification thereof: Following the interview, the Asylum Service issues a decision on the application, and proceeds to notify said decision in accordance with the stipulations of Article 82 of Law 4636/19. In case of a positive decision (i.e. when the applicant is recognized as a refugee or as a beneficiary of subsidiary protection), the applicant is informed of his/her rights to a residence card, a travelling document, as well as the rights provided for in the Law. In case of a negative decision, the applicant is informed of his/her right to lodge an appeal before the Appeals Committees, composed of judges. Applicants have a right under EU law to free legal aid. The first instance decision by the Asylum Service dismissing an asylum application incorporates the return order.

v) Appeals procedure: The Appeals Committees set the date of hearing and conduct appellate review of the decision handed down by the Asylum Service. The Appeals Committees may quash the decision of the Asylum Service for errors of law and fact and retain the case for decision. In case the Appeals Committees reject the appeal, the first instance decision of the Asylum Service stands, as does the return order. The decision of the Appeals Committees is final in any case.

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<sup>1</sup> All the answers from the Ministry of Migration & Asylum to the comments provided here, refer to the “in-donor refugee costs” reported in 2017, 2019 and 2020 only by the Ministry of Migration & Asylum. The Ministry did not report bilateral ODA in 2018. The replies of the Ministry of Migration & Asylum do not refer to the “in-donor refugee costs” that might have been reported by other Greek Ministries.

vi) Judicial Remedies: Asylum applicants whose asylum application is rejected by the Appeals Committee may file for cassation before administrative courts. The motion for cassation does not suspend return in principle, yet the applicant may file for interim relief before said courts and request that he/she stay in the country pending determination of his/her motion for cassation.

#### **Clarification 2. Meaning of the term “refugees”**

**Q2/ Indicate the categories of refugees for which costs are included in your ODA reporting: asylum seekers, recognised refugees, persons granted temporary or subsidiary protection.**

#### **Ministry of Migration & Asylum**

The costs reported as ODA by the Ministry of Migration & Asylum refer to asylum seekers. The costs reported might have included costs related to the needs of asylum seekers whose request is later rejected, but there is no possibility to know their share in the total reported costs.

#### **Ministry of Health**

Our reporting includes asylum seekers, recognised refugees, as well as persons granted temporary or subsidiary protection. Starting on 31.1.20, with the publication of the common ministerial decision number 717, dismissed cases are no longer entitled to the provision of free healthcare in Greece, with the exception of pregnant women.

For 2019, Greece’s methodology did not specifically account for dismissed cases.

#### **Clarification 3. Twelve-month rule**

**Q3/ When does the twelve-month rule start (date of application, date of entry into the country, date of start of support)?**

#### **Statistical Office of the Hellenic Republic Ministry of Foreign Affairs**

#### **Ministry of Migration & Asylum**

Considering the type of expenses reported as ODA as described under Q2 - Paragraph A, the start day would be the time of entry into the country. For the costs described under Q2 - Paragraph B, the start day is the time of start of support (i.e. provision of temporary accommodation in hotels).

These costs generally do not exceed 12 months (ie. either emergency, first reception needs of newcomers or temporary accommodation needs of vulnerable asylum seekers). The costs used to cover needs beyond 12 months, if any, represent a marginal share.

A) In-donor refugee costs for the reference year 2016: the 12-month rule is ensured by the very nature of the needs that are covered by the reported expenses, as stipulated by law 4332/2015, art. 14, par.9 and described under Q2 (i.e. emergency needs during first reception of third country citizens).

B) In-donor refugee costs for the reference years 2018 and 2019: the 12-month rule is also ensured by the very nature of the needs that are covered by the reported expenses. In line with relevant legislation and as stated in the contracts signed between the Ministry and the hotels’ owners, the aim is to provide temporary accommodation to recently arrived third country citizens and stateless persons.

#### **Clarification 4. Eligibility of specific cost items**



#### Q4/ Provide the list of cost items included in ODA for each category of refugee and a justification for their inclusion.

##### Ministry of Migration & Asylum

The “in-donor refugee costs” reported in recent years by the DG for Migration Policy of the Ministry of Migration & Asylum, fall into two (2) major types of expenses, as described below:

A) For the year 2016, the “in-donor refugee costs” that were reported in 2017, referred to the financial assistance that was transferred, during the reference year 2016, from the State budget to Local Government entities (municipalities), in line with relevant legislation in force and upon the requests of the latter, in order for them to address emergency needs regarding first reception of third country citizens during the crisis period (2015-2016). In particular, law 4332/2015, art. 14, par.9 stipulated that financial assistance may be transferred from the State budget to Ministries, Decentralized Administrations, Legal Entities of Public Law and Local Authorities, upon their request, in order for them to face emergencies in first reception of third-country citizens. This assistance may be made available in order to cover expenses that are necessary for temporary accommodation, food, immediate health and medical care, basic necessities, as well as the transfer of those citizens from one region to the other within the Greek territory. The relevant amounts cannot be attributed to individual persons and can only be reported as lump sums by requesting entity. The requesting entities that, 2016, received the financial assistance reported as “in-donor refugee costs”, included Local Government entities in those regions of the country that were significantly affected by the massive flows of 2015-2016 (mainly Eastern and Northern Aegean islands). The financial assistance they received was used to cover the emergency needs after the arrival of third country citizens who applied for asylum (whether their request was later accepted or rejected).

B) For the years 2018 and 2019, the “in-donor refugee costs” that were reported by the DG for Migration Policy in 2019 and 2020 respectively, refer to expenses for the rent of hotels and apartments exclusively for the temporary reception and accommodation of newly arrived asylum seekers, as provided for by the relevant legislated; therefore those costs were included in ODA.

The persons accommodated to those hotels and apartments in mainland Greece belonged to vulnerable groups and were transferred there from the Reception Centers on the islands. Again, the amounts reported cannot be attributed to individual persons and can only be reported as lump sums by contractor.

The “in-donor refugee costs” reported by the DG for Migration Policy the years 2016, 2018 and 2019 were related exclusively to expenses for the temporary sustenance of newly arrived third country citizens who apply for asylum (even if there might be among them cases of abusive use of the asylum system that are later rejected). The DG reported only those expenses for which there was no ambiguity at all with regards to their conformity with the reporting rules for “in-donor refugee costs”.

It is worth mentioning that important human and financial State resources that have been mobilized to address the needs of migrants and asylum seekers arriving in recent years in Greece, have not been reported as “in-donor refugee costs”, because they did not strictly and fully comply with the relevant methodological rules. For example, no administrative costs have been reported by the Ministry of Migration & Asylum as “in-donor refugee costs” despite the administrative costs that are associated with the establishment of a separate Ministry of Migration and Asylum or the significant expansion, in terms of personnel and infrastructure, of the Asylum Service and the First Reception Service.

Costs related to the Dublin Procedure, education, transport, security, rescue at sea, and voluntary repatriation are not included in the in-donor refugee costs **reported by the Ministry of Migration & Asylum.**

As regards, administrative costs related to asylum procedures, they were not included in the ODA **reported by the Ministry of Migration & Asylum.**



### Ministry of Health

The reporting does not relate exclusively to refugees who have stayed for up to twelve months. The hospitals offering treatment to these persons have no way of knowing how long they have stayed in the country. It does exclude costs for refugees from non-ODA eligible countries. Greece's methodology does not include costs for health services provided outside hospitals.

The cost of hospital care Greece reports is based on the concept of Diagnosis-Related Groups (DRG's), which does not include administrative costs or the salaries of the staff providing medical care.

### Hellenic Parliament

In the context of sponsorship of humanitarian aid to socially vulnerable groups, such as refugees, the Hellenic Parliament, as the outstanding body of general government, contributes and grants the school structures of refugees.

- The Hellenic Parliament has a main concern: the sponsorship of school structures, which accommodate refugees' children in collaboration with the Ministry of Education. The Ministry has legislated the formation of school structures by institutionalizing annual ministerial decisions. The Ministry of Education clarified that the contributions of the Hellenic Parliament concern the operating costs of the School Structures.
- Making of school structures concerns the provision of education to refugees' children so as they will be able to study and learn the Greek language efficiently.
- The Hellenic Parliament does not know the details of the procedure so as not to have any responsibility of evaluating the projects of the School Structures.

The educational training is primary and secondary. The Hellenic Parliament encourages this procedure in order to combat illiteracy, to support and promote educational purposes and well-being of refugees-children. Our pursuing ambitious goal is to prevent refugees from social discrimination. The amount of grant for the School Structures summed up to 267,743€ in 2019.

The School Structures are appointed in accordance with the decision of the Ministry of Education and have been in valid since the date, which is referred in the Official Journal of the Government (FEK). The School Structures provide a resort to refugees-children, who have been officially checked and controlled by State authorities. Let it be noted, this procedure is thoroughly supervised in order to abstain from hosting refugees that have been rejected asylum. Furthermore, the school directors are obliged to keep up archives of the registrations in co-operation with the Local Authorities.

### Ministry of Maritime Affairs and Insular Policy

Upon consultation with the Ministry of Maritime Affairs and Insular Policy, Greece has been informed that refugees entering Greece are held for a short period (few days) in detention centers. Throughout that period the port authorities offer 5.87 euros per day per refugee for food provision.

According to the statistical directives (clarification 4), these costs are considered as non-ODA eligible. Hence, the relevant ministry shall exclude such costs in the upcoming ODA reporting flows (2020+).

### Clarification 5. Methodology for assessing costs

**Q5/ Describe the methodology used for assessing ODA-eligible costs and provide the actual data points and detailed calculations used to reach the figures reported as ODA.**

### Ministry of Migration & Asylum

The statistical data provided below is based on real data, held by the Asylum Service of the Ministry of Migration & Asylum. The Asylum Service is competent vis-à-vis the first instance and thus the statistics held by the Service refer to the first instance.



With regards to the “in-donor refugee costs” reported by the DG for Migration Policy for the years 2016, 2018 and 2019, there is no possibility to track expenditures at the level of individual asylum seeker. However, the amounts reported refer exclusively to expenses used to address emergency needs concerning first reception and temporary accommodation of asylum seekers, as described in Q2, Q3 and Q4 above. Our Ministry did not report any administrative costs or costs related to public services that are available to all citizens, including asylum seekers. There is no differentiation with regards to in-donor refugee costs reported for different categories of refugees. You may find below the main statistical data requested.

- Between 1.1.2020 and 31.5.2020, 21.336 applications have been fully registered by the Asylum Service. The number for 2019 stood at 77.285. The majority of these applications were lodged on the islands of Lesbos (7.605), Samos (2.794) and Chios (2.151). The main countries of origin are Afghanistan, Syria, Democratic Republic of the Congo and Pakistan. Greece lodges the fourth (4th) highest number of asylum applications (in absolute numbers) EU-wide, as evidenced by Eurostat statistics.
- Between 1.1.2020 and 31.5.2020, 30.695 decisions at first instance were handed down by the Asylum Service. The rejection rate stands at 46%. For 2019, the number of decisions at first instance stood at 49.775. The rejection rate stood at 44%. The countries with the highest recognition rates are Yemen and Syria.
- Trends: The two key trends witnessed through the last year is a steady high number of applications lodged by nationals of Afghanistan. Afghanistan is nowadays the top country of origin of applicants in Greece, whereas up until mid-2018, this was Syria. Second, there is an increasing proportion of unaccompanied minors who apply for asylum.
- Duration of the procedure: There is a variation in duration of procedure depending on whether an applicant lodges an application on the islands hosting a Reception and Identification Center, where by law an expedited asylum procedure takes place, and the rest of the country. According to Law 4636/2019, the asylum procedure has to be concluded within 6 months.

Detailed statistical bulletin, also available at the website of the Asylum Service of the Ministry of Migration & Asylum: [http://asylo.gov.gr/en/?page\\_id=110](http://asylo.gov.gr/en/?page_id=110).

After rejection, the persons concerned are under the responsibility of Police Authorities, which are the competent authorities to organise their return and readmission and place those persons in pre-departure centres. Police and pre-departure centers are not under the competence of the Ministry of Migration & Asylum. Moreover, forced return and readmission costs do not fall within the scope of ODA. For both the above reasons, any related costs have not been reported as ODA by the Ministry of Migration & Asylum.

The Ministry of Migration & Asylum has reported in-donor refugee costs borne in the years 2016, 2018 and 2019. It has not reported any costs occurring post-rejection because rejected asylum seekers do not, by definition, fall within the scope of the type of costs that the Ministry had reported as ODA. Moreover, the implementation of the return and readmission procedure does not fall within the jurisdiction of the Ministry of Migration & Asylum (competence of Police Authorities - Ministry of Citizen Protection).

Per capita costs for the type of costs reported by the Ministry of Migration & Asylum in previous years is not available.

### Ministry of Health

The methodology used is the following: All hospitals in the country record the expenses they incur for treating refugees, using the Greek version of Diagnosis-Related Groups (DRG's). The hospitals send the cumulative expenses on a monthly basis to the corresponding regional authorities overseeing hospitals. The regional authorities then forward the data to the Ministry of Health, which then compiles and sends the data to the Ministry of Foreign Affairs.

The same methodology is used to assess costs for different categories of refugees. The current methodology has no way of distinguishing between the costs incurred for the same person as an asylum seeker or as a refugee.

Greece's methodology for 2019 does not ensure that costs post-rejection are excluded. Greece is in the process of improving this aspect of the methodology.



The Ministry of Health does not collect data regarding the share of rejected asylum seekers.  
The Ministry of Health does not collect data regarding the average time on support and the average per capita costs.

### The Hellenic Parliament

- The Hellenic Parliament, especially The **Special Accounting Office – Budget Department** collaborates with the competent services of the Public Sector (Ministry of Education etc.). It performs an audit to establish that there are reception facilities available for the purpose of training refugees and that they are operational enough for the organization to be able to make good use of the amounts granted.
- The **Special Accounting Office – Budget Department** cooperates with the Ministry of Education annually in order to grant the total expenditure needed for the heating and cleanliness of school buildings.
- Furthermore, in order to avoid the indulgence of civil funds, the directors of the schools are required to send all the invoices and supporting documents for justification of expenses. The **Special Accounting Office – Budget Department** sends a memo to the organization/body receiving the grant asking them to provide the supporting documents/proof of reception of payment within six months or a year. The **Special Accounting Office – Budget Department** submits the aforementioned documentation to the Commissioner of the Court of Auditors in the Parliament for an ex post audit.
- This procedure is obligatory because the Hellenic Parliament has the intention of checking thoroughly all the expenditure. The procedure has effective outcome. Amounts of grants (summed up to 267,74 in 2019) are checked and validated by making a persistent, figurative search.

Let it be noted, in case of no existence of refugees' children in a school structure, the director is obliged to refund the total amount of money granted to the Exchequer as unduly paid. Nevertheless, the Hellenic Parliament guarantee and insure the public expenditure.

Let it be noted that the above-mentioned procedures are compatible with the principles of sound financial management (economy, effectiveness and efficiency), honesty and transparency of allocated resources.

- It must be identified that the Hellenic Parliament has granted the Ministry of Immigration Policy with 5,000,000 euros in June 2018. Those funds were allocated to costs related to the needs of asylum applicants during the initial, 12 months period from the asylum application. The registration of this expenditure has been passed over in OECD/DAC Statistical Framework so as artifacts would be overcome. It was officially inappropriate to register the expenditure, as simultaneously the Hellenic Parliament would be liable of consistency. This procedure was proposed in order to abstain from double registration by Ministry of Immigration Policy as well.
- As far as the other questions are concerned, the Hellenic Parliament is officially unauthorized to answer to the extreme. The aim of the Hellenic Parliament in the financial affairs of Refugees' hostage is thoroughly subsidiary. Let it be identified, for example, the Hellenic Parliament has not any authority in distinction, identification of refugees' flows and verification of 12-month rule. Although time allotted to this important matter of policy must be used properly, the grants provided cover the provision of humanitarian and development aid towards refugees who resort to Greece.
- Let it be noted, the Hellenic Parliament is addressed to socially vulnerable groups aiming the establishment of social normality and achieves it gradually.

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**ODA costs in 2018**

<b>Cost Category</b>	<b>Amount reported as ODA</b>
Material Relief Assistance and Services	18 824 692
Education for Refugee Children	2 406 060
Assisted voluntary returns	2 233 438
Identification, referral, accommodation and counselling services	1 864 846
Operation of shelters for unaccompanied minors	1 785 093
Financial aid to school units across the country in order to cover heating expenses	357 542
Transfer of refugees in refugee reception centers in Athens	231 745
Food and shelter services in reception and identification centers	152 677
Expenditures for the effective management of migration-refugee flows	59 304
<b>Total ODA reported in 2018</b>	<b>27 915 397 USD</b>

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