

URGENT ACTION

GRANT ASYLUM-SEEKERS AND MIGRANT CHILDREN HEALTHCARE

Since July 2019 asylum-seekers and children of irregular migrants are prevented from accessing the public health system in Greece. An asylum law introduced in November has regulated the issue but implementing measures are still lacking, putting the life and health of thousands of children and adults at risk.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Mr Giannis Vrotsis, Ministry of Labour and Social Affairs

29, Stadiou, PC 10110

Athens, Greece

Email: ypourgios_erg@yeka.gr

Dear Minister,

I am concerned about Greece's continuing failure to grant unhindered access to free healthcare and medicines in the public health system to asylum-seekers, unaccompanied children and children born in Greece to parents with irregular migration status.

Greek Law grants free access to medical and pharmaceutical services to members of "vulnerable social groups", including refugees, asylum-seekers and minors, irrespective of their legal status. This right must be operationalised through the granting of a Social Security Number (AMKA) or, for those who do not fulfil the requirements for AMKA or do not have one, through a special Foreigner's Health Care Card (K.Y.P.A). However, following the decision to withdraw the circular that regulated AMKA for non-Greek nationals in July 2019, there has been no procedure put in place to issue this number, and no alternative has been offered to grant free access to healthcare to people who fall within these categories. In October, a new circular regulated the situation of recognised refugees, but not that of asylum-seekers and children of migrants without a regularised status. The process to grant K.Y.P.A cards has also remained inactive, so far. The new November 2019 Asylum Law proposed an alternative for asylum-seekers, the 'Temporary number for insurance and healthcare for third-country nationals' (PAAYPA). However, this instrument has not been operationalised.

As a result, thousands of asylum-seekers, including the almost 50,000 who have arrived in Greece since July 2019, are effectively prevented from accessing the care and medicines they need to tackle serious and often chronic diseases. Moreover, without AMKA, they may face difficulties accessing other services; including seeking employment and social assistance. I am aware that for many years, due to the large number of arrivals of asylum-seekers at its borders, Greece has been under enormous pressure, while the rest of Europe has not taken its fair share. However, this situation puts the health and lives of people at risk and is a serious breach of the internationally recognised right to health, that Greece is bound to respect under national, international and European law.

In light of the above, I urge you to take immediate action to ensure that asylum-seekers, unaccompanied children and children born in Greece to parents with an irregular migration status, can access free healthcare in the public system, as mandated by Greek Law 4368/2016.

Yours sincerely,

ADDITIONAL INFORMATION

Greece is one of the main recipients of asylum-seekers, refugees and migrants coming to Europe. Since 2015, with migratory flows increasing and the lingering effects of the economic crisis, the Greek asylum and welfare systems have been under constant strain. While Greece deserves to be commended for its efforts, and we must recognise the failure of EU's policies to provide meaningful support, asylum-seekers, refugees and migrants currently in Greece live in often abysmal conditions and, in the long term, have little to no access to the social system or integration paths. With sea arrivals increasing in mid-2019, the population on the Aegean Islands has reached record numbers, with 42.041 people present as of 6 January 2020, compared to only 17.034 on 6 July 2019. Despite the new government's efforts to reduce arrivals and move people to the mainland, overcrowding and appalling conditions in the camps are still routine.

As far as access to healthcare is concerned, Greek Law 4368/2016 (Article 33) provides free access to medical and pharmaceutical services to members of "vulnerable social groups", including refugees, asylum-seekers and minors irrespective of their legal status, including unaccompanied children and children without legal residence. According to the same law, individuals falling under Article 33 must have a Social Security Number ("AMKA") to access free public healthcare. As of 2016, asylum-seekers and other members of "vulnerable groups" that do not fulfil the requirements for AMKA or do not have one, are entitled to a Foreigner's Health Care Card ("K.Y.P.A.") granting access to free healthcare in the public system. However, the process to grant K.Y.P.A. has so far remained inactive.

Following a July 2019 decision, the Ministry of Labour withdrew the circular that regulated how AMKA was granted to non-Greek nationals. Since then, there has been no procedure put in place to grant AMKA to asylum-seekers or children of irregular migrants. In October, it was announced that a new circular would regulate their situation, but to date it has not been issued. A November 2019 Asylum Law, tried to overcome the issue, providing asylum-seekers access to public healthcare through a 'Temporary number for insurance and healthcare for third-country nationals' (PAAYPE). However, children of irregular migrants and asylum-seekers who have not completed the registration of their claims are not covered by PAAYPE. Two months since the law was passed, PAAYPE is not yet operational.

NGOs, like MSF, and doctors in the public system have been doing their best to continue providing health care and to make up for the failures of the state, but they are not equipped to meet the scale of existing needs, and serious cases continue being reported. In Athens, in November 2019, a Pakistani man with cancer was unable to undergo a CT scan or begin chemotherapy due to his inability to obtain an AMKA. He was eventually able to begin treatments thanks to a decision from the administration of the hospital, which allowed him to receive treatments free of charge, by way of exception. Amnesty International has been made aware of several cases in Athens and on the Aegean Islands, where people faced similar barriers. Please see: <https://www.amnesty.org/en/documents/eur25/1213/2019/en/>. In September 2019 Amnesty spoke to the doctors of two asylum-seekers living with HIV (a man and a woman), currently being treated in a major hospital in Athens. They explained that if these individuals were discharged, they would not be able to access their antiretroviral medicines, because they have not been able to get an AMKA. One of the two patients, N*, a HIV positive asylum-seeker from a Central Africa country, has been treated in the hospital's clinic since May 2019 for a complication from her illness, and is receiving antiretroviral therapy and other essential medication there. N* has applied for asylum, but she has been refused an AMKA. Her doctors have tried to find her a place to live, without success, and are worried that when discharged N* will likely become homeless. They worry that once discharged, she will not have access to her antiretroviral or other medications, causing her condition to worsen. She is not in the position to pay for any medication.

MSF also reported on the deterioration of the situation at their clinics in Lesbos, Samos and Athens; between July and November 2019, their Day Care Centre in Athens experienced a 'large increase in the number of patients seeking care without AMKA – from 18 percent of patients in January to 43 percent in November'. The organisation also voiced its concern that their primary clinic is unable to provide long-term and specialised care. Doctors, civil society, UNCHR and the Greek Ombudsperson have called on Greek authorities to address the situation on several occasions, with no effective response. During a joint press-conference in December, MSF, Amnesty, the Greek Refugee Council (GCR) and ELEDA re-stated these concerns. See here in Greek: <https://www.amnesty.gr/news/press/article/22824/prosklisi-se-koini-synenteyxi-typoy-gia-tin-prosvasi-stin-ygeia>. Recently, the EU Commissioner Vice-President for the 'Promoting our European way of life' also addressed the issue, expressing his support for a solution to be found.

The Greek NGO, Positive Voice, an organisation that deals with HIV patients, called on Greek authorities to grant access to antiretroviral medications to non-Greek individuals, noting that *'in the first ten months of 2019, 43 percent of new HIV diagnoses in Greece concerned refugees and migrants (204 people)'* and that *'Infections Units are unable to provide antiretroviral treatment to foreigners who do not have an AMKA, thus endangering their health and lives'*.

PREFERRED LANGUAGE TO ADDRESS TARGET: English and Greek

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 28 February 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

ADDITIONAL TARGETS: Embassy of Greece, 1A Holland Park, Kensington, London W11 3TP