



Welcome the stranger.
Protect the refugee.



Generation 2.0
For Rights, Equality & Diversity

Submission to the United Nations Human Rights Committee regarding Greece's adherence to the International Convention on the Elimination of All Forms of Racial Discrimination

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By HIAS Greece and Generation 2.0 RED

Reporting Organisations:

- 1) **HIAS Greece** is an NGO based in Athens and Lesbos. HIAS Greece undertakes critical legal and advocacy work to advance refugee rights through (i) legal representation of the most vulnerable refugees, such as victims of torture, survivors of gender-based violence (GBV), LGBTQI+ individuals, persons with serious health conditions including mental issues, unaccompanied children, single-headed families, and asylum seekers wrongfully detained; (ii) litigation of strategically important cases to achieve important legal precedents and (iii) monitoring the asylum system and human rights compliance, through its presence at key border locations in Greece (Lesvos & Northern Greece) and participation in different national, European and international advocacy networks. Additionally, HIAS Greece's MHPSS program offers high-quality assistance to forcibly displaced populations who encounter hardships and extreme stressors such as violence and disruptions in daily life through individual assessments, counselling, psychosocial support, and referrals as needed
- 2) **Generation 2.0 for Rights, Equality & Diversity** is a nonprofit organisation consisting of people with different origins who work together to promote equal participation in a diverse society, through the empowerment of communities. Generation 2.0 RED combines action and research, aiming to promote human rights, equality and diversity, fight racism, xenophobia and discrimination in general. As an organization, it has over 15 years of experience in social action, sociological & legal research, project management and cultural events. It participates and cooperates with the largest human rights networks in Greece and Europe, claiming the rights of socially vulnerable groups, regardless of their origin, nationality, religion, gender or sexual orientation. So far, Generation 2.0 RED has completed campaigns that led to the right of Greek citizenship for the second generation, participated in festivals and organized events that promote human rights.

Situation of migrants, asylum-seekers, refugees and stateless persons (arts. 2 and 5)

Updated information on the legislative and policy frameworks on asylum-seekers and refugees and on measures to ensure access to education, employment and healthcare services without discrimination to all persons under the State party's jurisdiction. Measures to combat acts of racial discrimination targeting migrants, refugees, asylum-seekers and stateless persons.

Regarding art 5 (e) (iv) -access to public healthcare- the two organizations note the following:

While access to health care for all citizens in Greece, including beneficiaries of international protection (herein after BIPs) is ensured by law¹, the latter often face significant challenges in obtaining a Social Security Registration Number (herein after SSRN), which is essential for accessing healthcare, social services, and employment.

SSRN is crucial for accessing public healthcare services, as it enables individuals to receive medical treatment, prescriptions, and vaccinations. Without SSRN, BIPs, including the most vulnerable, are left without coverage, making it difficult to address even basic health needs. Although Greece introduced temporary social security numbers (PAAYPA) in 2019 specifically for asylum seekers, which then turns to SSRN once a person is recognized as beneficiary of international protection, a discriminatory regulatory framework regarding the SSRN introduced in December 2023, results in long delays and/or denial of the access to healthcare services, leaving many vulnerable populations without adequate medical care.

More specifically:

On December 2023, the Joint Ministerial Decision (B' 7280/22.12.2023) on "Social Registry Number Insurance" regarding the definition of the conditions and the procedure for issuing, activating, deactivating and inactivating the Social Security Registration Number (SSRN), as well as its general operation was issued.

In April 2024 a Circular (No. Φ80320/25192/1-4-2024) of the Deputy Minister of Labor and Social Security on the subject "Instructions for the performance and operation of the Social Security Registry Number" was issued. According to the introduction of the text, the Circular aims to provide instructions for the correct application of the regulatory framework.

Its sections analyze the following issues: Regulatory framework, issuing process, activation, deactivation, reactivation, inactivity, beneficiaries, issuing authorities and supporting documents. According to Article 1 of the JMD, the SSRN is the mandatory employment and insurance identification number of all natural persons covered by the country's social security system. Therefore, the SSRN is issued only for natural persons and the issuance is mandatory for carrying out a series of procedures (insurance, retirement, etc.) under public law. According to article 2 of the JMD, the SSRN after its issuance is marked as (a) active, (b) inactive, or (c) dormant, depending on the actual situation of its owner. The SSRN is issued in principle inactive for all categories of beneficiaries. It is then activated if the holder provides the necessary additional documents. For the Greek citizens, the necessary documents are the identity card (police or armed forces or security

¹ Article 30 para. 1 of Law 4939/2022 explicitly states that "Beneficiaries of international protection have access to medical treatment under the conditions applicable to Greek citizens". Par. 2 of article 30 of Law 4939/2022 provides specifically for beneficiaries of international protection who have special needs, the provision of adequate medical treatment under the same conditions as for Greek citizens.

forces) or Greek passport and one of the specified in the Circular documents to prove actual residence in the country.

However, in the case of beneficiaries of international protection, SSRN is activated if the holder additionally proves access to the labor market or studies, which is not required for the Greek citizens.

Particularly, for the proof of work or studies, beneficiaries of international protection must submit one of the following documents:

- Certificate of employment issued by an existing employer (solemn declaration, officially certified online or at any Citizen Service Centre (CSC))
- Employment contract (posted on ERGANI²)
- Employment commencement certificate (posted on the Independent Authority for Public Revenue (IAPR))
- Certificate of studies in Greece

SSRN is subsequently activated when the holder submits the additional required documents and is deactivated if any of the following requirements are no longer met: a) legal residence, b) access to labor market, c) actual residence in the country. Once deactivated, SSRN can be reactivated when the necessary documents are submitted. When a person applies for the reactivation of SSRN, they must submit the required documents to the competent authorities within one month of lodging the application. When SSRN is inactive, it allows its holders to have access to social insurance, contribution payment, and electronic medicine prescriptions, but it does not give them the right to free access to public healthcare facilities. Finally, SSRN is permanently deactivated (dormant) if its holder dies.

The competent authorities, on the basis of the above-mentioned JMD and the Circular, require the cumulative submission of the above documents for the activation of the SSRN, making access to public health and medical care dependent in substance and in reality, on the possession of a travel document and the existence of an active employment relationship/start of work.

The requirement for all beneficiaries of international protection to present a Certificate of Employment from an employer or an Employment Contract or an Employment Commencement Certificate to activate the SSRN automatically excludes from access to public health care those beneficiaries of international protection who are not yet working or cannot work due to their health condition. In addition, beneficiaries of international protection who are unable to work due to their health condition are also excluded from access to the social assistance system in violation of article 29 of Law 4939/2022, as the possession of an active SSRN is necessary to access the benefits of the Organisation for Welfare Benefits and Social Solidarity (OPEKA).

Regarding beneficiaries of subsidiary protection, it is noted that they receive national passports from the Embassies/Consulates of their country of origin in Greece. However, there are cases where they are neither issued with a national passport nor with a certificate of objective impossibility to issue one, so that a travel document can be issued by the Greek authorities. Therefore, these beneficiaries of subsidiary protection are excluded from access to public health care, as the SSRN cannot be activated as described above.

² Business Service Information System of the Ministry of Labour and Social Security

Such an additional requirement for the beneficiaries of international protection is a clear contradiction with the law which guarantees free healthcare for all notwithstanding legal status or nationality and constitutes a discriminatory policy. Without SSRN, people living with chronic diseases such as HIV, hepatitis, cancer, diabetes, and other complex conditions are left without subsidized vital and lifesaving medicines, such as antiretroviral drugs (ARV) or insulin.

Finally, it is worth noting that the issues of the provision and operation of the SSRN and the safeguarding of the social rights of beneficiaries of international protection have already been raised in a letter under No. 385/17-07-2024 addressed to the Ministry of Migration and Asylum and to all competent authorities by twenty-two (22) civil society organizations, without, however, receiving any response to date.

Regarding art 5 (e) (iv) -access to social security - the two organizations note the following:

According to current national legislation (Law 4387/2016) to receive the full amount of the Greek national pension (384 euros), third country nationals (TCNs) – like Greek nationals - must complete 20 years of insurance. Unlike Greek nationals however, they also need to fulfill an additional requirement: 40 years of permanent and legal residence in Greece.

Those unable to prove 40 years of permanent residence receive a reduced pension at a rate of 1/40 for each remaining year. For example, if a person has been permanently resident in the country for 30 years and has worked continuously, he or she is entitled to a reduced pension by 10/40, as 10 years of legal residence are left until they reach 40 years of residence.

To prove 40 years of permanent and legal residence in Greece, citizens of countries outside the European Union need to demonstrate their residence permits. Since the first coordinated regularisation procedure was launched in 1998 under Presidential Decrees [358/1997](#) and [359/1997](#), a large proportion of non-EU citizens who are now of retirement age are unable to prove 40 years of continuous legal residence due to the inexistence of a systematised residence permit system in Greece before 1998. Moreover, due to institutional gaps or malfunctions in the public administration such as delays, migrants in Greece can very easily lose their legal residence status.

Generation 2.0 has filed a Petition to the Greek Ombudsman, already in August 2019, calling on an intervention regarding the lack of equal access to national pension for elderly TCNs. In February 2020, the Greek Ombudsman [pointed out](#) that "the prerequisite of proving years of residence is alien to the Greek social security system", as the national pension is an insurance benefit, which is granted on the basis of previous insurance, and not on the basis of residence in the Greek state. At the same time, the reduction of the national pension on the basis of years of residence leads to very large inequalities between individuals with the same insurance years and pensionable earnings.

Lack of equal access to the Greek national pension for older TCN pensioners is contrary to EU law and more specifically to Article 21 which prohibits discrimination, including on the basis of nationality, and Article 25 of the Charter of Fundamental Rights, which states that: "The Union recognises and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life". It also contradicts article Article 5(e)(iv) of the Convention which prohibits distinction as to national origin, in the enjoyment of social security.

After years of inaction or incomplete regulation by the state, the additional requirement of 40 years of legal residence, in addition to the years of insurance, should be repealed taking into account the legal vacuum of the 1990s and the later institutional issues in maintaining legal residence in the country. This should be done immediately, as the current regime constitutes unequal treatment between pensioners who have made equal contributions to the social security system on the basis of national origin.