

Athens, 04 June 2021

Greek Ombudsman calls for access to health care for asylum seekers

Asylum seekers face severe constraints in accessing the public health system in Greece. Although access to healthcare is a clear obligation in Greek and European legislation, asylum seekers in Greece that have not been issued the Temporary Foreigner's Insurance and Health Care Number (P.A.A.Y.P.A) are de facto excluded from necessary public health services.

The Greek Ombudsman has now intervened and urged the Greek authorities to grant access to the medical care to asylum seekers. The Greek Ombudsman further requested that the Asylum Service prioritizes appointments of vulnerable applicants, should their physical presence be needed.

Médecins Sans Frontières (MSF) and Equal Rights Beyond Borders have recently dealt with the cases of two vulnerable asylum applicants unable to access healthcare services. Both applicants have severe vulnerabilities related to the torture they had faced in the past in their countries of origin and both live under precarious conditions and require uninhibited and continuous access to healthcare. As they lack a Temporary Foreigner's Insurance and Health Care Number (P.A.A.Y.P.A.), they are unable to proceed to a number of necessary and urgent diagnostic tests, hospital visits and to receive treatment.

Applicants of international protection in Greece are assigned a P.A.A.Y.P.A. in accordance with Art. 55 par. 2 of the Greek Asylum Law 4636/2019. The P.A.A.Y.P.A. number is indicated on the asylum seeker's card and facilitates the access to basic healthcare services provided by Art. 33 of Law 4368/2016, to the labour market and social security and related services, in accordance with the requirements of EU law, and in particular Art. 19 of the Reception Conditions Directive 2013/33.

In July 2019 the Greek government revoked the decision to provide asylum seekers with A.M.K.A that provided access to regular healthcare and medication. Until the adoption of the new international protection act (L. 4636/2019), that replaced A.M.K.A with P.A.A.YPA in November 2019, asylum seekers were officially deprived of the right to access the public health system in Greece. The Joint Ministerial Decision 717/31.01.2020 outlined the conditions and procedure for the provision of P.A.A.Y.P.A.. The number is issued after the completion of the full registration of the asylum application. For A.M.K.A. holders who were registered before the Law's amendment, a P.A.A.Y.P.A. number should have automatically been issued, pursuant to Art. 11 JMD. For applicants with a full registration prior to the above amendments, as in the present case, the P.A.A.Y.P.A. number was to be issued at the time of the scheduled renewal of their asylum card. In any case, the validity of the P.A.A.Y.P.A. corresponds to that of the asylum card, otherwise the applicant is deprived of access to care.

Due to the Covid-19 pandemic measures and the relevant suspension of activities of the Asylum Service's regional Offices from March 2020, the validity of the asylum seeker's cards were renewed automatically by a series of issued Ministerial Decisions, for a period from June 2020 to June 2021.

As a result, the two applicants were left in a limbo, even if they were being supported by MSF, whose Social Workers assisted them and repeatedly addressed the competent authorities to resolve the issue. The physical and psychological condition of the applicants has deteriorated as they could not access specialized services suitable to their vulnerabilities.

A report to the Ombudsman was sent on 27.04.2021 by both organisations, indicating the above burdens that applicants of international protection in similar conditions face, urging for the Ombudsman's intervention for the two applicants.

Following our request, the Ombudsman sent a letter to the Greek Asylum Service, urging for the extension of the validity of the P.A.A.Y.P.A. in correspondence with the validity of all asylum cards, and suggested its equal implementation to applicants who have not received P.A.A.Y.P.A., as in the cases of the two applicants.

Moreover, the Ombudsman requested the immediate issuance of a P.A.A.Y.P.A. number for both applicants, referring at the same time to the relevant legal provisions. The Ombudsman further requested the prioritization of their appointments, should their physical presence be needed, urging for an equal treatment of other cases of vulnerable persons.

It is now imperative that to fully enforce compliance with the Ombudsman's recommendations as quickly as possible to ensure that the health of these two applicants is not put at further risk and that all administrative barriers are immediately lifted for all asylum seekers requiring regular access to healthcare in Greece.