

POLICY BRIEF

Tracing the Effects of Legal Status on Mental Well-Being of the Forcibly Displaced People in Greece



Executive summary

The policy brief discusses the prevalence of psychological distress among forcibly displaced people in Greece and its connection to the various stages of the asylum procedure. Following the chronological evolution of the asylum procedure, it comments on the expectations and the reality faced from the moment of the arrival.

The policy brief made use of different primary, qualitative and quantitative research methods such as online questionnaires and interviews. The material collected is presented through quotes from the side of the forcibly displaced people and the professionals who participated in the research. The juxtaposition of the opinions expressed by the two categories of the participants presents the different approaches to the situation at hand.

As most survivors of forced displacement do not receive the mental health care they are entitled to due to scarcity of services and stigma against mental health conditions, policy recommendations include suggestions such as acknowledgement of the importance of MHPSS services as one of the primary needs and adequate cultural adaptation of MHPSS services to the cultural and contextual needs of the target population.

Introduction

Context

The first semester of 2023 was marked by a significant operational retreat of actors offering legal aid and MHPSS support in Lesvos, as the population of the Closed Controlled Access Centre (CCAC) was gradually dropping. At the time of writing, (summer- fall 2023) the Lesvos camp population was at 4,948 people out of which 28% is women, 26% children and 46% men and with the numbers on the rise again. The nationality breakdown of the camp is reflected in the data collected here as an estimated 39% is from Afghanistan and 12% from various other countries¹.

Despite the fluctuating number of camp residents compared to previous months, people report multiple and persisting difficulties in their daily lives, which at varying degrees intertwine with the legal procedures they're undergoing.

In Athens, people are forced to either stay in camps far outside the urban center where most services are located or become self-accommodated by being hosted in temporary and precarious situations. Legal and MHPSS services in Athens exist, yet often they are dispersed and not closely located to any of the camps in Attica region.

Methodology

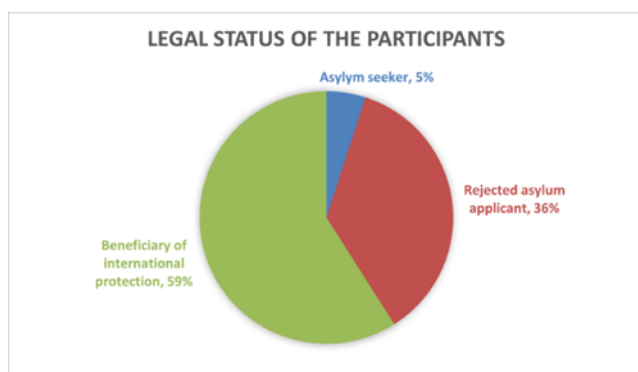
In the context of this project leading to this policy brief, special emphasis was placed on the participants' perspective, namely the forcibly displaced individuals who answered our questionnaire, in order to capture the experiences and difficulties, as they are perceived by the directly affected social groups. Our initial project aimed

¹ UNHCR Greece, Lesvos Weekly Snapshot (18-24 September 2023).

at gathering information through questionnaires and interviews of people seeking asylum in Greece and consequently assessing all collected data and insights with the purpose of exploring the multifaceted interrelations between the legal aspects of the asylum process in all its dimensions (legal status included) and forcibly displaced people's mental well-being.

Consequently, the findings of this policy brief are based on qualitative data collected between March-June 2023. More specifically, 23 asylum seekers and beneficiaries of international protection mainly from Syria, Iran and Afghanistan completed an online survey questionnaire pertaining to legal status and access to mental health services. Three semi-constructed interviews with key informants/humanitarian professionals in Greece and one with an asylum seeker from Iraq were conducted and lastly, one focus group discussion with three Afghan asylum seekers took place. Overall, a total of 26 individuals shared information and their experiences for this policy brief. The sections of the policy brief are developed thematically, following the time sequence/evolution of the asylum application process, while simultaneously conversing, through the citation of relevant quotes, with the participants in the research.

The key informant interviews were conducted in Greek and English, while the interview and focus group discussion with asylum seekers were conducted in Arabic and Farsi respectively with the help of interpreters, informed by their gender and cultural identity. All participants in the survey provided oral or written consent, after they were informed about the purpose of the project, the voluntary and anonymous nature of the interview and their right to refuse to answer questions, as well as to terminate the interview at any time and for any reason they deemed appropriate, without having to provide any explanation. All refugees and asylum seekers' names contained in this report have been changed to protect their privacy and safety.



Limitations

The participants in the interviews are in many cases beneficiaries of HIAS, which means that they often had support from professionals (e.g. on their asylum procedure).

The small sample size in some subsets of data analysed means that the findings can only be indicative of wider patterns in the population's experiences. It is important to note that the data collected only accounts for people who were able to overcome obstacles to reach care or who were referred to care in their mental health and/or legal programme.

23

Online survey questionnaires

4

Semi-constructed interviews

1

Focus group

1. Facing the reality of reception and asylum system in Greece



I remember I was glad I left my country because for the first time we were safe.

- Halimah*, asylum seeking woman from Iraq

Legal framework

- i) **Access to Asylum:** Asylum registration appointments in the mainland are being scheduled online, after several months' waiting. No official attestation document is being provided to the asylum seekers in the meantime. This keeps them in a prolonged legal limbo, exposing them to risk of arrest/detention and consequently excludes them from dignified reception conditions and deprives vulnerable persons of the special procedural guarantees that should be applied. Also, the prerequisite of a 100 euros fee per family member for the submission of second/third subsequent applications, is not applied to other EU member states than Greece and raises additional barriers to the access to asylum procedure that should be unimpeded, according to the International and European law.
- ii) **Asylum procedure:** A significant number of asylum applicants -originating from Afghanistan, Syria, Pakistan, Bangladesh, and Somalia- do not initially have their applications examined on the merits (substance of the asylum claim), but only on admissibility grounds, following the Joint Ministerial Decision that designates Türkiye as a "safe third country". If their asylum application is rejected as inadmissible with the reasoning that prior to entering Greece they had passed through Türkiye, they are placed under return procedures even though their application has not been assessed as to the main reasons for seeking international protection. Additionally, no readmissions to Türkiye have taken place since March 2020², hence, asylum seekers whose applications have been rejected as inadmissible on the basis of the "safe third country" concept, remain stranded on the Greek islands, for extended periods.

2. From arrival's early hope to the long process of disenchantment



We were all very happy when we arrived. We felt that a dream came true; that we were finally somewhere where we and our children could have a future; that we could cope with everything.

- Amina*, asylum seeking woman from Afghanistan

The processing time of the applications' examination may vary and, in some cases, can exceed six (6) or twelve (12) months. Lengthy procedures also characterize the family reunification process under Dublin Regulation, therefore this can disproportionately negatively affect cases of vulnerable applicants, such as unaccompanied

² AIDA (Asylum Information Database), ECRE Country Report: Greece, 2022 Update, p.20

children. Regarding the residence permits' renewal, long waiting time that can reach up to nine (9) months is also observed. Meanwhile, beneficiaries of international protection are provided with a certificate which cannot nonetheless ensure the continuation of their rights' enjoyment (access to work, social benefits etc.), but only protects them from being arrested in view of return.



The arrival here was a happy moment. Then everything changed to worst.

- Fatima*, asylum seeking woman from Afghanistan

3.High expectations and harsh realities: participants and professionals' differing approaches to arriving in Greece

It's remarkable that participants described their arrival to Greece as a positive moment in their lives, as for them it had connotations of safety, hope and life prospects. On the other hand, professionals expected to support asylum-seekers in their introduction to the reception and asylum system highlight the response insufficiencies from the very moment of someone's arrival to Greece. For professionals, newly arrived asylum-seekers are only at the start of a grueling and confusing process.



Anyone arriving ideally should be receiving preparation for interview. It would be important to have this also done in a humane way, not in big groups, with interpretation and an appropriate setting.

- MHPSS practitioner, Lesvos

Professionals also emphasized the importance of regular information provision during all stages of the legal procedures from arrival to Greece to criminal charges, legal frameworks regulating civic status and personal and family life in Greece (e.g., fines, domestic life, civil procedures) among many other topics. Such aspects included but were not limited to time, place and appropriate environment for information provision, illiteracy, language, the information provider's perceived characteristics (e.g. authority figure, community member) as well as a person's cultural and psychological receptivity to information.



In Lesvos there is some access to services because it's all more concentrated in terms of space. In Athens there are no sufficient services, you don't know where to go; the services are dispersed. On some islands, like Leros, there is not enough services.

- Legal practitioner, Lesvos



There is lack of information regarding the person's right to have a legal representative – it's different to announce than to inform people. Announcement is fulfilling the official requirement of what they can receive. To inform is to make sure they understand. For this to happen we need to accept that things we say may be heard in a different way. Can we take into account that a distressed person can't withhold information when they hear it?

- MHPSS practitioner, Athens

4. In a legal and psychological limbo: how the long process affects asylum seekers' mental health

Participants talked about the rejection they received without specifying the stage nor did the rejection degree appear to make any difference in the way it was connected to feelings of psychological distress. In their narratives, rejections of any stage marked a defining point in their own as well as their family's well-being. That is not to say that participants didn't attribute their distress to other reasons, such as their situation prior to fleeing and the journey itself or a combination of all three life periods.



My mental health is better now than when I arrived. A bit improved but not good. The asylum procedure is too long. We have waited for 8 months, and we only have received asylum applicant cards.

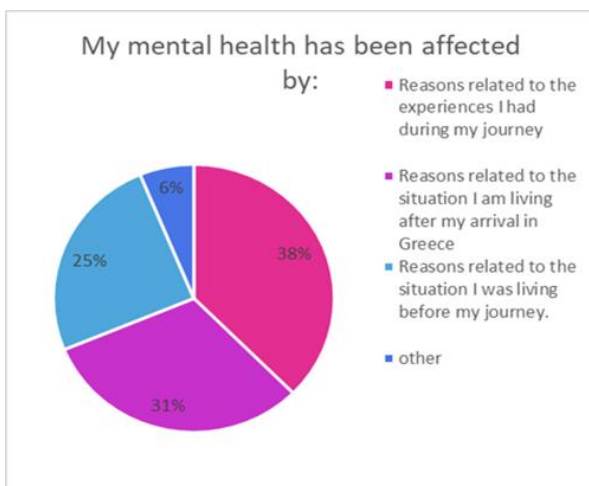
- Halimah*, asylum seeking woman from Iraq



After the first rejection, we felt very stressed. When we found a lawyer, that was a big relief. When the system is restored, and we can register the subsequent application we will also feel relief. Now we feel we can't cope with most of the things.

- Maryam*, asylum seeking woman from Afghanistan

In the surveys, interviews and FGDs what participants termed as “stress” was further described through follow up questions, asking them to recall their mental well-being when they first arrived in Greece and compare it to the present day³. Participants shared that in the beginning they experienced increased psycho-somatic issues (muscle pains, headaches, stomachaches, dizziness), incessant thoughts and inability to cope with daily life. As time passed, they reported feeling more able to cope with daily tasks, however this –along with the other psychological complaints– was liable to any developments in their legal case.



³ To this purpose an adapted version of Refugee Health Screener-15 (RHS-15) was used. Citation: Hollifield M, Verbillis-Kolp S, Farmer B, Toolson EC, Woldehaimanot T, Yamazaki J, Holland A, St Clair J, SooHoo J. The Refugee Health Screener-15 (RHS-15): development and validation of an instrument for anxiety, depression, and PTSD in refugees. Gen Hosp Psychiatry. 2013 Mar-Apr;35(2):202-9. doi: 10.1016/j.genhosppsych.2012.12.002. Epub 2013 Jan 22. PMID: 23347455.



MHPSS is more underestimated and needed on Lesvos at the moment. There is no available funding for mental health as it seems like an invisible disability, but it's one of the primary needs. It's a type of service that requires time and program stability, meaning stable staff, is crucial.

- MHPSS practitioner, Lesvos



They [rejected applicants] cannot return to their country, they cannot go to Turkey, they cannot move inside Greece. They are just in 'limbo' and waiting, a very stressful situation.

- Legal practitioner, Lesvos

5.A vicious cycle of legal rejections and distress

Both in Athens and Lesvos, MHPSS services are mostly provided in office-type settings outside the camp as the latter are considered inappropriate for service provision. On Lesvos, MHPSS services that remain accessible on the island are at full capacity and are affected by funding restrictions and program instability. Camp residents can access MHPSS services through referral pathways or occasionally self-referrals. According to professionals in the field, the stigma around mental health issues persists, while several barriers keep people from accessing MHPSS services, most important of which was considered awareness of mental health issues and services. Nonetheless, Lesvos FGD participants reported feeling supported when they received psychological support.



I was stressed after the interview and then after the rejection which came very quickly.

- Noor*, asylum seeking woman from Afghanistan



Refugee status feels like a dream for us. Even the children of a family are affected by the stress of the parents. Now that I have been rejected, I have no appetite to do other activities.

- Noor*, asylum seeking woman from Afghanistan



My current situation also does not allow me to recover psychologically because since my request for international protection was rejected, I live only in fear of finding myself again in the hands of people who tortured me. In all seriousness, I'd rather die than relive what I've been through.

- Pascal*, asylum seeking man from Guinea

In Athens, MHPSS services are dispersed in the urban setting and people experience a wide range of practical and social issues for which the usual recommendation from front-line professionals is to receive legal and/or MHPSS support. At the same time and despite numerous reports, a significant gap remains for child mental health services and specialized mental health support appropriate for this population. The sparsity of legal and social support, particularly for rejected and recognized refugees, appears to redirect these sub-groups to mental health services where they can only address their request to alleviate stress, which ultimately is often related to the systemic gaps and inconsistencies.



The moment we treat someone they lose vulnerability and access to certain rights (exemption from the border procedure). We would like a more coherent and rational approach that will resolve internal conflicts and paradoxes in policies.

- MHPSS practitioner, Athens

6. Understanding and evaluation of MHPSS support

In line with a recent MHPSS needs assessment, participants expressed various conceptualizations of mental health and mental health support as something that initially was unfamiliar or vaguely similar to medical care but often helpful. Nonetheless, as shown in this needs assessment, MHPSS professionals interviewed for this project also found the MHPSS services inadequately adapted to the cultural and contextual needs of the population.



Before coming to Greece, we weren't familiar with the idea of the psychologist. Now, everybody sees a psychologist.

- Amina*, asylum seeking woman from Afghanistan



Mental health services provision is not adjusted to the cultural background of each community (e.g. lack of female professionals, non-inclusive of religious needs). Also, the type of approach, in how psychiatric care is implemented and how it's conceptualized. The global health movement is globalizing western mental health concept. It doesn't take into account multiple expressions of health and help-seeking behaviors.

- MHPSS practitioner, Athens



When my psychologist left the NGO she was working with, I felt lonely, I liked talking with her. If she didn't call me for a weekly session, I would call her, I liked it a lot.

- Pascal*, asylum seeking man from Guinea



In practice it's hard for people to acknowledge the psychological difficulties they experience, either because they don't realize them as such or due to taboo, especially in Arabic speaking communities. There is a need for more awareness raising inside camps around mental health as well as having information about what MHPSS services are. For example, they can't tell the difference between the role of psychologist and psychiatrist. There could be more done in mental health awareness. But another prerequisite is to spend more time and build ties with communities, so as to enhance outreach.

- MHPSS practitioner, Lesbos

Recommendations

Based on the above, the following recommendations are presented in order to address the challenges on the legal procedure and the mental health services provision for those seeking safety and protection in Greece:

- Acknowledgement of the importance of MHPSS services as one of the primary needs.
- Adjustment of funding in order to allow for increased capacity of mental health professionals both in the public and private sector.
- Setting as a goal an accessible and effective communication link between mental health services and the Asylum Service.
- Regular reassessment of vulnerabilities that derive from mental health issues, during the asylum procedure.
- Adequate cultural adaptation of MHPSS services to the cultural and contextual needs of the target population.
- Provision of more training to advance capacities and skills of professionals, as well as specific criteria for MHPSS staff that are hired to work in such services.
- Regular provision of essential trainings on MHPSS concepts to the legal staff and all those involved in legal services (e.g., Asylum Service case workers, Public Prosecutors).
- Setting as a goal to create legal mediators from countries of origin so they can facilitate info provision and support regarding the asylum procedures.

Concluding remarks

The unpredictability and long duration of processing asylum applications lodged both in Lesvos and Attica region continues. This situation consequently prolongs asylum applicants' uncertainty about their legal status and the protection provisions stemming from it.

It appears that access to asylum is hindered or progressively made it more complex to navigate without support from a lawyer. Most notably, the multiple and accentuating constraints that arise and persistently obstruct access to asylum, further expose the people who seek protection to risk and deprive them of the reception conditions they are entitled to. Applicants as well as legal aid staff find themselves in a constant race to keep up with the procedures, tight deadlines and frequent and successive changes in legislation and administrative practices which are not always implemented in a uniform manner.

The present participant sample attributed their distress to their legal situation to a greater degree than some professionals who emphasized either social determinants of mental health and/or pre-arrival traumatic events. Professionals in MHPSS and other sectors offer support, which to an extent can offer relief and increase resilience to tolerate the uncertainties and complexities of obtaining refugee status. However, it's noteworthy that the challenges of the context and the intersection between legal and psychological difficulties of the population impact the professionals' mental and practical capacities.

Disclaimer

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Contact

For more information, please contact:

greece@hias.org

+30 2108655088

+30 22510 55488