



*HELLENIC REPUBLIC*  
**GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS**  
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## **STATEMENT**

**in response to the recommendation of the European Commission to  
reactivate the refugee return mechanism under the Dublin system**

**December 19<sup>th</sup> 2016**

*The Greek National Commission for Human Rights (GNCHR) is the independent advisory body to the Greek State on matters pertaining to human rights protection. It was established by Law 2667/1998 and is functioning in accordance with the UN Paris Principles. Thirty-two institutions whose activities cover the field of human rights are currently represented in the GNCHR (independent authorities, departments of university-level educational institutions, trade unions, NGOs, political parties and ministries).*

## **GNCHR statement in response to the recommendation of the European Commission to reactivate the refugee return mechanism under the Dublin system.<sup>1</sup>**

The Greek National Commission for Human Rights (hereinafter “GNCHR”), the independent advisory body to the Greek State specialised in human rights issues, in accordance with the powers conferred to it by its founding law, has a mandate to monitor the protection of human rights in the Greek legal order; raise public awareness; take initiatives; examine the compliance of Greek legislation with international human rights standards and submit advisory opinions to the competent organs of the Greek State. The GNCHR attaches great importance to the international protection system and has adopted a number of relevant decisions and recommendations,<sup>2</sup> while closely monitoring the issues rising during the procedures of granting international protection in Greece. Moreover, there has been a clear commitment on the occasion of the recent Belgrade Declaration of 25.11.2015 among National Human Rights Institutions to condemn and publicly oppose the violation of the rights of migrants and refugees.<sup>3</sup>

The GNCHR was informed of the fourth consecutive recommendation by the European Commission to reactivate the refugee return mechanism under the Dublin system<sup>4</sup> and in this regard it expresses its grave concern; it should be recalled that all refugee reception and protection mechanisms in Greece are undergoing tremendous pressure, especially due to the fact that a great number of applicants of international protection is basically trapped in the Greek territory and particularly on the islands of the eastern Aegean Sea, also as a result of the EU-Turkey agreement to which the GNCHR has repeatedly expressed its objections.<sup>5</sup>

The GNCHR reiterates its established positions, insisting that the only possible and effective solution is the immediate modification of the EU migration policy and in particular of the Dublin system, which was proven to be inconsistent with the current needs and incompatible with the effective protection of human rights as well as the principles of solidarity and burden-sharing among the EU Member-States.

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<sup>1</sup> This statement was adopted by the GNCHR’s Plenary on 19.12.2016.

<sup>2</sup> [Report on the “Living Conditions in the reception and accommodation centers for migrants and refugees”, December 2016, GNCHR Statement regarding the serious dimensions that the refugee/migration problem has taken in Greece, 16.03.2016.](#)

<sup>3</sup> Ombudsman/National Human Rights Institutions Declaration on the Protection and Promotion of the Rights of Refugees and Migrants, “5. Condemn and oppose publicly the violation of migrants’ or refugees’ rights and encourage the spirit of tolerance and compassion for refugees and migrants, including ensuring their protection in reception centers and other accommodation facilities.” [http://www.nchr.gr/images/pdf/nea\\_epikairohta/belgrade\\_declaration\\_en.pdf](http://www.nchr.gr/images/pdf/nea_epikairohta/belgrade_declaration_en.pdf).

<sup>4</sup> European Commission, [Fourth Recommendation on the conditions for resuming Dublin transfers of asylum seekers to Greece, 8.12.2016](#). See also, Commission Recommendations of [28.9.2016 addressed to the Hellenic Republic on the specific urgent measures to be taken by Greece in view of the resumption of transfers under Regulation \(EU\) No. 604/2013, C\(2016\) 6311 final](#), [15.6.2016 addressed to the Hellenic Republic on the specific urgent measures to be taken by Greece in view of the resumption of transfers under Regulation \(EU\) No. 604/2013, C\(2016\) 3805 final](#), [10.2.2016 addressed to the Hellenic Republic on the urgent measures to be taken by Greece in view of the resumption of transfers under Regulation \(EU\) No. 604/2013, C\(2016\) 871 final](#).

<sup>5</sup> [GNCHR Report on the EU-Turkey Agreement of the 18th of March 2016 regarding the refugee/migration issue in Europe in light of Greek Law No. 4375/2016, 25.04.2016.](#)