

HELLENIC REPUBLIC
GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS

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<p>Position regarding the Implementation of the Greek Law for Refugees</p>

This text was laid before the Plenary Session following a session of the Third Sub-Commission (01.11.2004) during which the Greek Council for Refugees (GCR) reintroduced the following issues concerning the non-application of the law: (a) access to the asylum procedures; (b) recognition of refugee status; (c) non-recognition of “humanitarian status” and non-renewal of the one previously granted; and (d) implementation of the Dublin Convention.

The NCHR:

(a) points out that the above stated cases constitute a violation of the Greek legislation as well as the Geneva Convention (1951) and the New York Protocol (1967);

(b) calls upon the Ministry of Public Order (MPO) to ensure that Greek as well as international legislation ratified by the Greek State relating to refugee protection is properly implemented by it;

(c) underlines the fact that these problems constitute a recurring phenomenon and are directly connected to the general framework of refugee protection in Greece, for the improvement of which the NCHR has, since 2001, submitted its proposals to the government;

(d) expresses its disapproval of the fact that these problems, the majority of which has already been highlighted by the NCHR, not only continue to be present, but have significantly worsened over time;

(e) calls upon the MPO to take immediate action for the protection of asylum-seekers and/or refugees under “humanitarian status” according

to the specific Greek legal provisions and not the ones concerning economic migrants, as those deprive them of the rights to which they are entitled to by Greek and international law; and

(f) calls upon the MPO, as the Ministry responsible, to urgently initiate a process of general revision of the Greek refugee-protection framework in cooperation with the competent NGOs and public organizations and in accordance with the Geneva Convention and the NCHR's recommendations.

The text was adopted by the Plenary Session, but not in the form of a resolution, for reasons of urgency. The matter was also highlighted in a presentation to the NCHR by Mr. D. Makris, référendaire to the Council of State.

3 March 2005