



UNHCR
The UN Refugee Agency

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UNHCR will not participate in the new asylum procedure in Greece unless structural changes are made

The United Nations High Commissioner for Refugees notes with great concern that the structural changes introduced by the new Presidential Decree 81/2009 do not sufficiently guarantee efficiency and fairness of the refugee status determination procedure in Greece as required by International and European legislation.

The new PD decentralises asylum decision making at first instance to over 50 police directorates across the country which are faced with serious shortcomings related with expert personnel, interpretation services and legal aid. It also abolishes the existing appeals' board, which was the decision-making body at second instance, and only maintains a limited judicial review before the Council of State, thus not guaranteeing the right to an "effective remedy". Furthermore by designating the Alternate Minister of Public Order as the decision-making authority for the pending appeals (backlog), it would not be compatible with EU Legislation that requires an independent organ from the first instance decision-making body.

"These new developments are likely to make protection in Greece even more elusive for those who need it," stated Laurens Jolles, UNHCR Regional Representative.

In light of the above, at the present stage UNHCR cannot participate either at the Advisory Refugee Committees for the examination of the asylum claims at first instance or at the Advisory Appeals' Committees for the examination of the backlog of some 30,000 pending appeals.

Should Greek authorities in the future move towards structural changes that guarantee a fair and efficient refugee status determination procedure, UNHCR would be ready to be fully involved and to play an effective role in the context of the asylum procedure in Greece.

UNHCR will continue its close collaboration with the Greek authorities in terms of training, provision of technical expertise and legal advice, observing the refugee status determination procedure as appropriate and submitting suggestions and recommendations to the Government for future improvements.

END

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