

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Greece: Proposed changes to asylum procedures flagrantly violate international law

Amnesty International is deeply concerned about a proposed Greek Presidential Decree that would introduce extensive amendments to Presidential Decree 90/2008, which incorporates into Greek law the provisions of the EU Procedures Directive. This Directive regulates the minimum standards for asylum procedures across the EU.

The proposed decree would abolish the second stage of asylum procedures in Greece, leaving asylum-seekers with no recourse to a substantial appeal. If the changes are adopted, asylum-seekers whose applications have been rejected at the first stage would only have access to a review by the Council of State, which does not cover the substance of the request, but only examines procedural aspects.

Amnesty International believes that the proposed changes, if implemented, would deprive asylum-seekers of their right to an effective remedy, which is guaranteed under Article 13 of the European Convention on Human Rights and Article 39 of the EU Procedures Directive. The lack of an effective remedy to negative asylum decisions would lead to violations of Greece's obligations not to return anyone to a country where they would be at risk of serious human rights violations under the UN Refugee Convention and other international human rights treaties.

Amnesty International have said that incorrect decisions on asylum applications would effectively be left unchallenged and people at risk of persecution in other countries may have their asylum claims rejected and returned to countries where they face serious human rights abuses. If these changes are introduced, it would cast severe doubts over Greece's commitment to human rights.

Further, Amnesty International believes that there will continue to be serious concerns regarding the fairness of the first stage of asylum procedures. Under the proposed changes asylum decisions will be taken by local police directors instead of national level. Amnesty International has repeatedly pointed out that the examination of asylum applications by police officers, who also undertake immigration control tasks, undermines the fairness of the asylum procedure

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