



Council of the  
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CIREA 5

#### DECLASSIFICATION

of document:	ST 5361/99 RESTREINT
dated:	24 February 1999
new status:	Public
Subject:	Compilation of replies received to the questionnaire concerning Afghanistan

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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Brussels, 24 February 1999

5361/99

ADD 2

RESTREINT

CIREA 5

**ADDENDUM TO NOTE**

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from: General Secretariat

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to: CIREA

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Subject: Compilation of replies received to the questionnaire concerning Afghanistan  
(Telex No 5678 dated 8 December 1998)

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Delegations will find attached the English translation of the reply from Greece.

DECLASSIFIED

## GREECE

### 1. STATISTICS

#### TABLE

##### NUMBER OF ASYLUM APPLICATIONS SUBMITTED BY AFGHAN NATIONALS AND NUMBER GRANTED

YEAR	APPLICATIONS	GRANTED
1997	34	4
1998	202	2

### 2. DETAILS OF APPLICATION

#### (a) **Applicant profile**

Most Afghan asylum applicants are men aged 25-45.

Quite often they are accompanied by their wives and dependent children.

None of Afghanistan's ethnic or religious groups appears to be predominant amongst the asylum applicants.

- (b) While up to 1996, asylum applicants referred to the unstable situation in Afghanistan following the withdrawal of Soviet troops and the replacement of Najibollah, Afghan nationals applying for asylum in 1997 and 1998 gave as their main reasons the situation following the Taliban take-over of almost all the country.

In particular, they expressed their opposition to the regime, the restrictions imposed by it because of the strict application of Islamic Sharia law, the lack of democratic institutions, the danger from the battles still being waged in various parts of the country, and the general violation of human rights.

- (c) **How did the applicant leave his country of origin?**

- (d) **Routes taken**

Applicants usually enter the country illegally via Greece's eastern borders (land and sea), from Turkey or, occasionally, from Bulgaria.

Recently, seven Afghan nationals arrived in Crete by boat from the Lebanon. According to their statements, the route they had taken was Afghanistan - Iran - Syria - Lebanon - Crete.

There are also isolated instances of Afghan nationals travelling on forged passports being arrested at Athens airport.

## **GREECE**

### **(e) Documents produced in support of the application**

Most applicants produce no documents to substantiate their claims and support their applications.

### **(f) The vast majority of applications from Afghan nationals concern people who were arrested for illegal entry and then submitted an asylum application.**

In addition, some Afghan nationals submit asylum applications after removal proceedings have already been commenced against them, abusing the procedure in an attempt to have their expulsion repealed.

## **3. ASSESSMENT OF APPLICATIONS IN ACCORDANCE WITH THE GENEVA CONVENTION**

### **(a) The reasons given are examined on the basis of Article 1A of the 1951 Geneva Convention.**

The assessment of the danger alleged by the applicant is carried out in each case on the basis of information provided by him, with all the recent data from official sources regarding the current situation in Afghanistan being taken into account.

### **(b) INTERNAL FLIGHT**

Did not apply in any of the cases.

## **4. CASES OF ASYLUM-SEEKERS WHOSE RELATIVES HAVE REQUESTED ASYLUM IN OTHER COUNTRIES OF THE UNION**

No such cases have arisen thus far.

## **5. APPLICATION OF EXCLUSION CLAUSES (ARTICLE 1F OF THE GENEVA CONVENTION)**

To date, the exclusion clauses in Article 1F of the Geneva Convention have not been applied to

Afghan nationals.

## **6. BASIC PROCEDURES FOR SCRUTINISING APPLICATIONS**

In accordance with current legislation, every asylum application always results in the applicant being interviewed by specially trained personnel from the authority receiving the application.

In particular, the applicant is required to explain his reasons orally and to produce all supporting documents in his possession in order to prove his claims.

The interview is always conducted with the assistance of an interpreter.

### **GREECE**

## **7. TREATMENT OF ASYLUM APPLICANTS WHOSE APPLICATION HAS BEEN REJECTED**

### **Temporary residence permits on humanitarian grounds**

Because of the abnormal situation which has recently arisen in Afghanistan, Afghan nationals who have applied for asylum in Greece, and whose application has been rejected, are not removed, but are granted temporary residence permits on humanitarian grounds, in accordance with Greek law, until the situation returns to normal.

### **Removal**

The decision on whether or not to remove (expel) Afghans is taken in accordance with Greek legislation on a case-by-case basis, as in the case of nationals from other third countries.

However, the Greek authorities face insurmountable obstacles in the case of the expulsion of Afghan nationals living illegally in Greece since, on the one hand, no airline is operating direct flights to Kabul and, on the other, there is no Afghan diplomatic representation in Greece to provide them with travel and other documents.

Naturally, Afghans who have been granted refugee status, or who are covered by the non-refoulement (non-return) clause of Article 33 of the 1951 Geneva Convention, are exempt from the procedure.