

?????? - ?????? ?????????? ??????????, 15 ?????? ??? 2011, 95/52986

Country of Decision:

Greece

Country of Applicant:

Afghanistan

Date of Decision:

15-11-2011

Citation:

?? ?????? ?????????? ??????????, 95/52986

Court Name:

?? ?????? ?????????? ??????????

Keywords:

????????????? ??????????
?????????????
????? (?????????)
????????? ??????????????
????????? ?????????? ? ?????????????? ???????
????????? ??????????????
????????????? ??????????????
?????????????
????????????? ??????????????
?????? / ?????? ???????
?? ?????????? ?????????? / ?????????? ??? ???????
????????????????? ??????????
?????????????
????????????? ?? ?????????????? ?????????????? ??????
????????????? ??????????????
????? ?????????????? ??? ??????????????
????????? ??? ?????????????????????? ???????

Relevant Legislative Provisions:International Law > [1951 Refugee Convention](#) [1] > [Art 1A](#) [2]International Law > [1951 Refugee Convention](#) [1] > [Art 1D](#) [3]International Law > [1951 Refugee Convention](#) [1] > Art 1E

?? ??????????».

? ?????????? ?????????? ?? ?????????????? ?????????????? ?????????????????????, ? ?????? ???????
?? ?????????? ?????? ?????? ?????????????? ?????????????? ?????????????? ?????????????? ?????????, ??????
?????? ?????????? ?????? ?????????? ?? ?????????????? ?? ?????????? ?????? ?????????????????? ?????? ??????
????????????????? ?? ?????????????????????????? ?? ??????? ?????? ?????????????????????? ?????? ?????? ?????????????????,
?????????, ??????, ?????????????????????????????? ?????? ?????? ?????????? ??????????. ??????????, ?????????? ?????? ?????
????????? ? ?????????????????? ??????, ?????????????? ?????? ? ?????????????????? ?????? ?????????????????????? ?????? ??????????
????? ?? ?????????? ?????????? ?????? ?????? ?????????????? ?????????? ?????????????????????? ?????????? ?????? ?????????????????.

Outcome:

? ?????????? ?????????? ?????????? ?????????? ?????? ?????????????.

????????????? ??? ??? ?????????? ??? ?????????????????????? ?????????????????? ?? ?????????????? ?????????????????? ???
????????????????? ??? ?????????????, ?????????? ?? ?? ??????? I? (2) ??? ?????????????? ??? ?????????????? ??????? ???
?? ?????????????? ??? ?????????????? ??? 28 ?????????? 1951 ??? ??? ?????????????????? ?? ?????????????? ???
?????????????

Observations/Comments:

?????? ?????????? ?????? ?????????????????????? ?????????????????? (?????????????????) ??????? ??? ?????? ?????????????????? ??
????????????????? ?????????????????? ??????? (????????????????? ?????????????????????? ?? ?? ?????????????? ??????????????)
????????????????????).

Attachment(s):

 [Original Judgment - Greece ? Special Appeal Committee, 15 November 2011, 95.52986.pdf](#)
[11]

Other sources cited:

- *US CentralIntelligenceAgency, CIAFactbook: Afghanistan, 18/10/2010,*
- *ProgramforCulture& ConflictStudies, 23 October 2008*
- *Minority Rights Group International, World Directory of Minorities and Indigenous Peoples- Afghanistan : Hazaras 2008*
- ?????????????????????? ?????????? ??? ??? ?????????????????? ?????? ?????????? ?????????????? ?????????????????? ?????
????????????????? ??????? ??? ?? ??????????????????,????????? ?????????????????? ?????? ??? ??? ?????? ??????????????
- UNHCR, Eligibility Guidelines for assessing the international protection needs of asylum seekers from Afghanistan, July 2009
- *The New York Times, Taliban Kill 9 'Members of Minority in Ambush, 25 June 2010*
- *Ruttig, Thomas/Afghanistan Analysts Network: A new Taliban front? 21 June 2010, FP - Foreign Policy*
- *Austrian Red Cross, Accord, Response a- 7367 of 6-9-2010, UNHCR Protection Information Unit*
- *ZiaAhmadi- Afghanistan, ARRIssue393, 17 Mar11 Afghanistan: GhorWarlordsAccusedof AbusingWomen*
- *AOG- ArmedOppositionGroups- specificallyIslamicEmirateofAfghanistan(Taliban), Haqqani NetworkandHezb-I-IslamiHekmatyarHH- ANSO, July2011*
- *IRIN, Afghanistan: Kuchi minority complain of marginalization, 23 November 2010*

- *Internal Displacement Monitoring Centre (11 April 2011) Afghanistan: Need to minimise new displacement and increase protection for recently displaced in remote areas*
- *Council of the European Union, Afghanistan, Hezb-i-Wahdat, Human Rights violations, Brussels, 26/04/2001*
- *Refugee Review Tribunal AUSTRALIA RRT Research Response: AFG17439, Afghanistan, 5/8/2005*
- *???????? ???? ?????? ??????? ???? ?????????? ?????? ??? ?????? ???????????, ????????????? ???? ?????????????? ???? ?? ?????????? ?????????????? ???? ?????????????? ???? ?????????????, ??? ??????, ?????, 2009*
- *???????????????????? ?????????? ??? ?? ??????? ?????????????? ???? ??????????????, «????????????? ?? ?????????????? ?????????????? ??????»*
- *????????????????? ??? ??????? ?????????????? ??? ?.??.? ???? ?????? ?????????????? ??? ??? ?????????????????? ???? ?? ?????????????? ?????????????? ???? ?????????????? ??? ?????????????? ??' ???????, ??????, 2009*
- *The New York Times (NY Times), (Afghan Officials Say Jailed Convert Is Free, 24/2/2011*
- *Refugee Review Tribunal, Australia RRT research response, no AFG33041, Afghanistan, 29 February 2008*
- *RRT Case No. 071852303, [2008] RRTA 17, Australia: Refugee Review Tribunal, 25 January 2008*
- *UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Afghanistan and on the achievements of technical assistance in the field of human rights, January 2010*
- *UNODC, Corruption in Afghanistan: Bribery as reported by the victims, January 2010*
- *Human Rights Watch, Selling Justice Short: Why Accountability Matters for Peace, 7 July 2009*
- *UNHCR, Guidelines on International Protection No. 4: Internal Flight or Relocation Alternative Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees, HCR/GIP/03/04, 23 July 2003*

National / Other Legislative Provisions:

[Greece - ????????? ???? ????????? 1951 ?????????????? ?????????? 3989/1959 \(Geneva Convention 1951 Legislative Decree\) \[12\]](#)

[Greece - ?????????????????? ?????? 389/1968 \(?????? ?????????????? ?????????????? 125 ??????? ?\) \(Emergency Act\) \[13\]](#)

[Greece - ??????? ?????????????????? ?????????????????? \(?????? 2690/ 1999\) \(Administrative Procedure Code\) \[14\]](#)

[Greece - ?????????????? ?????????? 69/2008 \(Presidential Decree 69/2008\) \[15\]](#)

[New York Protocol to the 1951 Convention relating to the Status of Refugees \[16\]](#)

Links:

- [1] <http://www.asylumlawdatabase.eu/en/content/1951-refugee-convention>
- [2] <http://www.asylumlawdatabase.eu/en/content/1951-refugee-convention#1>
- [3] <http://www.asylumlawdatabase.eu/en/content/1951-refugee-convention#1d>
- [4] <http://www.asylumlawdatabase.eu/en/content/1951-refugee-convention#1f>
- [5] <http://www.asylumlawdatabase.eu/en/content/asylum-procedures-directive>
- [6] <http://www.asylumlawdatabase.eu/en/content/en-european-convention-protection-human-rights-and-fundamental-freedoms-echr>
- [7] https://www.asylumlawdatabase.eu/node/195#toc_49
- [8] <http://www.asylumlawdatabase.eu/en/content/qualification-directive>
- [9] https://www.asylumlawdatabase.eu/node/195#toc_52

[10] <http://www.asylumlawdatabase.eu/en/content/unhcr-handbook-procedures-and-criteria-determining-refugee-status>

[11] <https://www.asylumlawdatabase.eu/sites/default/files/aldfiles/Original%20Judgment%20-%20Greece%20%E2%80%93%20Special%20Appeal%20Committee%2C%2015%20November%202011>

[12] <https://www.asylumlawdatabase.eu/el/taxonomy/term/4374>

[13] <https://www.asylumlawdatabase.eu/el/taxonomy/term/7333>

[14] <https://www.asylumlawdatabase.eu/el/taxonomy/term/4378>

[15] <https://www.asylumlawdatabase.eu/el/taxonomy/term/7850>

[16] <https://www.asylumlawdatabase.eu/el/taxonomy/term/7965>