



**Permanent Mission of Greece
to the United Nations Office and other
International Organizations
in Geneva**

URGENT

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NOTE VERBALE

The Permanent Mission of Greece to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honor to attach herewith the reply of His Excellency Mr. George Gerapetritis, Minister for Foreign Affairs of the Hellenic Republic, to the joint communication (Ref: AL GRC 2/2025) addressed to him by Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the human rights of migrants.

The Permanent Mission of Greece to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, November 24, 2025

Encl. : As stated

To:
The Office of the High Commissioner for
Human Rights
In Town



THE MINISTER FOR FOREIGN AFFAIRS

Athens, November 12th, 2025

Ref.: 135

Dear Special Rapporteurs,

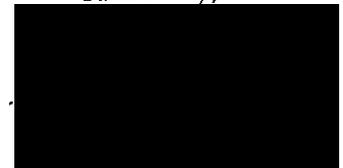
In response to your letter concerning public statements by government officials targeting human rights organizations working in the field of migration and recently introduced restrictions on the right to seek asylum, we have the honour to inform you of the following:

As you are undoubtedly aware, the Hellenic Republic remains steadfast in its commitment to promoting and protecting human rights, consistently adopting a proactive and constructive approach in this domain. Rooted in a longstanding democratic tradition and bolstered by a modern state structure with independent institutions dedicated to upholding the rule of law, Greece continues to be regarded as a leading nation in the safeguarding of Human Rights and Fundamental Freedoms. This unwavering commitment is firmly established in both the Greek Constitution and the pertinent legislative framework. Furthermore, it is evidenced by the standing invitation, in effect since March 2001, extended by the Government of Greece to all thematic Special Procedures Mandate Holders of the United Nations.

As a result of this open invitation, mandate holders of the United Nations Human Rights Council have undertaken official visits to Greece; notably, one was that of Ms Mary Lawlor under the mandate concerning the situation of human rights defenders (13–22 June 2022).

In recognition of the imperative for a holistic and coordinated approach—encompassing all State and governmental entities—in ensuring the respect for human rights in the conduct of their daily activities, please find herewith attached the following clarifications provided by the competent Greek authorities in response to the allegations outlined in the aforementioned Joint Communication.

Sincerely,



George Gerapetritis

H.E. Ms Mary Lawlor
Special Rapporteur on the situation of human rights defenders

H.E. Gina Romero
Special Rapporteur on the rights to freedom of peaceful assembly and of association

H.E. Gehad Madi
Special Rapporteur on the human rights of migrants

Questions 1-2

➤ **Cooperation with NGOs**

NGOs are valuable partners working together with the competent Greek authorities in carrying out a complex and demanding humanitarian duty, establishing a longstanding and mutually beneficial cooperation. This, however, does not mean that NGOs will not be evaluated and monitored/controlled.

In particular, the Ministry of Migration and Asylum (MMA) maintains a regular collaboration with NGOs which carry out projects in various areas in the field of migration and asylum, such as provision of interpretation, protection of Unaccompanied Minors (National Guardianship System, NERM and integration for UAMs), housing of applicants and beneficiaries of international protection, integration of migrants (HELIOS programme), also in collaboration with local communities and communities of migrants.

Recent public statements regarding the strengthening of the framework governing NGOs have focused on enhanced administrative and financial oversight. These measures aim to ensure transparency, accountability, and the proper use of national and EU funds, thus preventing any potential misuse of public resources. There is absolutely no punitive or discriminatory intent towards NGOs that may hold differing views on migration policy, nor any effort to restrict their activities. From the outset, the MMA has emphasized its commitment to good governance and the effective and transparent management of resources allocated to both public services and registered organizations. However, it should be made clear that NGOs cannot either set the migration policy or function contrary to the established laws. Therefore, the public statements made by the Minister for Migration and Asylum are not linked to a restriction of freedom of expression, but rather refer to the observation of NGOs' work in accordance with legislation, particularly within the framework of transparency of resources.

➤ **The functioning of the NGO Registry in the Ministry of Migration and Asylum**

All NGOs active within the Ministry's facilities and structures, or in the framework of relevant EU-funded programs, are registered in the NGO Registry, which has been operational since 2020. The Registry enables the inclusion of organizations whose statutes and objectives are relevant to migration, even if they are not yet operational. However, so far, some NGOs are either not particularly active or are focused on other social groups. As a result, the number of NGOs currently active

in the field of migration is smaller than the number registered in the Registry of NGOs, while many of them are registered for possible future activities.

NGOs in Greece are also included in the financial planning process through their participation in the National Monitoring Committee for EU Home Affairs Funds. In this respect, to further enhance transparency in the activities of organizations, the competent Ministry for Migration and Asylum intends to extend management audits to NGOs receiving funding.

Moreover, there should be a clear distinction between members of NGOs offering humanitarian assistance to persons in need and those participating in actions that facilitate the illegal entry into the country. Therefore, it is essential to emphasize the importance of the Registry of NGOs in ensuring transparency and safety for the beneficiaries of NGOs services. Its objective is not to set barriers to NGOs, and under no circumstances is the registration procedure intended to be excessive or cumbersome. Therefore, there is no "fee" for registration or any other cost for the issuance and submission of requested documents. On the contrary, the objective is to establish the same rules for all NGOs operating in Greece, to verify that they provide high-quality services to beneficiaries, and to facilitate the coordination of efforts undertaken by civil society organizations, in light of their regular funding from the EU or national budget.

It is also worth mentioning that the primary reason for rejecting an application for registration in the NGOs Registry is the submission of incorrect or incomplete documents and supporting materials. It seems, therefore, that the problem is not the inability to submit or issue those documents, but rather errors, such as missing signatures, stamps, validations, reference numbers, etc. Similarly, in many cases, the reason for rejection is the failure to present any supporting documents at all (such as proof of the organization's legal establishment, solemn declarations, annual tax documents that must be submitted to tax offices, etc.).

Today, the Registry comprises 92 Greek and foreign NGOs that fulfil the necessary conditions to participate in the implementation of actions in the areas of international protection, migration, and social integration.

Regarding the registry of NGOs members, registration is necessary for all members of NGOs who, in order to perform their tasks, come into contact with refugees and migrants, especially women, children, and unaccompanied minors. This is particularly true for those who have free access and are active in accommodation facilities.

➤ **Recent amendments and future plans regarding the NGO Registry**

Nevertheless, the authorities are evaluating the existing legal framework, and steps have been taken to reduce costs and administrative burdens, as well as revise the legal framework based on experience, input from the European Commission, and recommendations from the National Transparency Authority.

On this basis, legislative updates aim to streamline the registration process by providing clearer criteria and centralized oversight, making it more transparent and efficient for NGOs to participate in relevant activities while ensuring the high quality of the services provided.

For example, within this framework, an amendment was introduced in May 2024 (Ministerial Decision No. 148104/19-5-2024), providing that it is no longer necessary to renew a registration every three years; instead, it remains valid until a revocation decision is issued.

Currently, there are ongoing technical discussions regarding the provision of interoperability between the IT Systems of the Registry for NGOs in the Ministry of Migration and Asylum and the Registry established in Law 4873/21, applicable to all NGOs within the Ministry of Interior. In this way, the procedure will be more simple and less burdensome, while NGOs active in the area of migration and asylum will submit the required documents only once. On May 28, 2025, a meeting took place with the participation of specialized IT technicians, where the optimal technical solution was agreed upon. This solution enables information systems to interoperate securely, based exclusively on the principle that requested documents are submitted only once, at a single point, by the interested NGOs. Subsequently, request for a new integrated information system has been submitted, which will fully meet the requirements of the current legal framework, support interoperability with other public databases, and significantly contribute to reducing administrative burdens.

Recently, based on the need to revise the current legal framework for the registration of organizations in the special registry, in accordance with the country's international obligations and the principle of the rule of law, it was decided to establish a working group aiming to evaluate and revise the legal framework. The working group consists of legal advisors from both the office of the Minister of Migration and Asylum and the General Secretary for the Reception of Asylum Seekers' Office, staff from the competent Registry Unit of NGOs and NGO Members, that operates under the General Secretariat for the Reception of

Asylum Seekers, and any other experts deemed necessary. The first session of this working group took place on September 24, 2025.

Additionally, reviewing NGOs' registration and updating relevant requirements is included in the Ministry of Migration and Asylum's 2025 Action Plan targets.

It should be also mentioned that on 27 May 2025, the NGO Registry Unit of the Ministry of Migration and Asylum reached out to NGOs with a structured questionnaire, aiming to gather feedback on the registration and renewal procedures, as well as on the functioning of the Registry and the current legal framework. Additionally, the questionnaire provided an opportunity to suggest improvements in cooperation with the Ministry and to express interest in meeting with competent Ministry officials in person. The survey was conducted between May 27, 2025, and June 25, 2025, via an electronic questionnaire. Forty-two (42) out of the ninety-two (92) registered organizations responded to the survey.

Furthermore, the Ministry of Migration and Asylum plans to hold thematic meetings with representatives of NGOs every six months (e.g., on financial issues, asylum, reception, vulnerable groups, and unaccompanied minors), with participation from both the political leadership of the Ministry and the relevant services and departments. It is also intended to establish a structured dialogue framework for NGOs, including an annual high-level meeting between the political leadership and NGOs, which regular operational meetings with the relevant Ministry services will complement. In this framework, an event was held on 3 October 2025, with the participation of the Ministry's political leadership and representatives of NGOs. The findings of the above-mentioned survey concerning the simplification and modernization of the registration process of NGOs in the Registry of NGOs were presented during the event. This was followed by an open dialogue, during which NGO representatives submitted proposals for improving and simplifying the registration process in the Registry, reducing the required documentation, while ensuring transparency, national security, and the safety of beneficiaries. The Ministry will hold biannual meetings organized in thematic pillars to ensure regularity and focus on results. Additionally, frequent meetings are held at the request of NGOs on various issues of concern to them with the relevant departments of the MMA. Representatives of thirty-seven (37) NGOs attended the event and contributed to the dialogue.

Finally, management audits will intensify, along with total accountability regarding funds received by NGOs. Additionally, controls over any illegal activities of NGOs connected to facilitating the illegal entry or stay of migrants in the country, as per national law, will be intensified.

Question 3

Article 79 of Law 5218/2025

In accordance with Article 79 of Law 5218/2025 (GG A' 125), which came into force on 14.07.2025, the submission of asylum applications by third-country nationals entering the country illegally by any watercraft originating from North Africa has been suspended for a period of three (3) months, which ended on 14.10.2025. Individuals are to be returned, without registration, to their country of origin or nationality. During the implementation of this measure, special attention was given to vulnerable persons.

➤ **Ratione behind this measure**

It should be emphasized that this arrangement constitutes an extraordinary measure, taken under specific circumstances of a sudden and concentrated migratory mass influx that posed an asymmetrical threat, affecting both national security and the operational integrity of the country's reception and asylum systems.

In particular, according to data from the first six months of 2025, illegal entries from the Central Mediterranean route increased by three hundred and twenty percent (320%) compared to the corresponding period of 2024. It is indicative that while 4,016 illegal entries from this migratory route were recorded throughout the entire year of 2024, 6,767 illegal entries were recorded just in the first half of 2025. In particular, during July 2025, there were a total of 3,264 illegal entries, with 2,642 illegal entries recorded in the period before the enactment of Article 79 Law 5218/2025.

As a result, Greece declared a state of emergency due to this sharp escalation of flows towards Crete in the first semester of 2025, which renders this legal measure 'absolutely necessary'.

Furthermore, the suspension of asylum applications decided in July 2025 was intended to reduce pressure on the system and safeguard lives, since two-thirds of those arriving from Libya did not qualify for international protection, with most of them coming from safe countries of origin (according to this year's data, 47% from Egypt and 68% in total from Egypt, Bangladesh, and Pakistan, which are safe countries of origin according to current legislation).

It should also be underlined that this measure acted as a strong message to human traffickers and smugglers, thus preventing actions that put the lives of migrants at risk.

The outcomes of this measure have proven to be considerable, considering the significant decrease in migratory flows from North Africa in August and September 2025.

➤ **Compatibility with international law**

In this respect, extended analysis was carried out regarding compatibility with EU and international law. In response to specific concerns mentioned in the letter, parts of this analysis are included below.

It should be stressed that it is the sovereign right and Constitutional obligation of the Hellenic Republic to preserve its national security, and it may adopt any legal measure to this end. This is also reinforced through Article 72 of the Treaty on the Functioning of the European Union (TFEU), providing that it is for the EU Member States to adopt appropriate measures to ensure law and order on their territory and their internal and external security. Indeed, in this case, there is a proven risk to public order and security, as the mass influx of migrants from North Africa, particularly Libya, increased exponentially during the period in question, with illegal arrivals by sea rather than across land borders, making it extremely difficult to prevent them due to the risk to life posed by possible shipwrecks in the middle of the Mediterranean. Furthermore, the aim is to protect the borders, safeguard the security and social stability of the Hellenic Republic and, by extension, the European Union, as Greece is perceived as a gateway for further transit to other European countries.

Additionally, this case meets the conditions for the derogation clause of Article 15 of the European Convention of Human Rights (ECHR), although the Hellenic Republic did not proceed to activate Article 15 ECHR, since that would lead to complete suspension of freedoms provided in the Convention, it took the mildest measure, namely the suspension of asylum applications exclusively for certain third country nationals and for a limited period of time.

Respectively, the 1951 Geneva Convention provides for a “safeguard clause” in Articles 8, 9, 32, and 33, according to which exceptional and temporary measures are permitted for reasons of national security and public order, applied proportionately, as is the case at hand.

The decision to suspend asylum applications postponed the exercise of the right to seek asylum for a strictly limited time period, only three (3) months, it affected only a specific geographical region of the country, did not discriminate on personal characteristics, such as race, religion, or nationality, and did not make a distinction on the basis of asylum claims validity. Moreover, it did not include applications

across the borders and for all third country nationals, but only for those entering illegally by sea coming from North Africa and it was adopted after careful consideration of the quantitative and qualitative characteristics of those choosing this route of entry into the country, which demonstrates the exploitation of the current EU and international asylum framework by populations that do not have refugee profile. Therefore, it served a constitutionally imperative purpose, namely, to safeguard the stability, public order, and internal security of the country in accordance with the principle of proportionality.

➤ **Respect for the principle of non-refoulement**

At the same time, Greece is fully and strongly committed to upholding the principle of non-refoulement. People falling under the provisions of Article 79 of Law 5218/2025 were administratively detained following the issuance of a return decision by the Hellenic Police pursuant to Article 22(4) of Law 3907/2011 (transposing Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, OJ L 348, 24.12.2008, pp. 98-107).¹

In this regard, no provision protecting internationally recognized principles of fundamental human rights, such as the principle of non-refoulement, was affected by this provision, nor has its application been suspended.

The consequence has been a significant reduction in mass illegal arrivals via the Central Mediterranean route, ensuring that Greece can successfully and efficiently meet its obligations under EU and international law in a sustainable manner.

➤ **Detention according to Article 79, L.5218/2025**

On 24.07.2025, the Ministry of Migration and Asylum granted a designated area in the Controlled Access Facility for Temporary Accommodation of Asylum Seekers of Sintiki in Serres, allowing it to operate as a special detention facility in cooperation with the Hellenic Police for the above-mentioned third-country nationals.

However, when implementing this measure, special care was provided to vulnerable persons, who were excluded from detention and the suspension of

¹ It is noted that since 08.09.2025 Law 5226/2025 replaced Law 3907/2011 and the Greek legal framework regarding return procedures of illegally staying third country nationals was reformed according to the Directive 2008/115/EC. Since the new law came into effect, the return decisions for the cases mentioned above, are issued based on article 8 paragraph 4 of Law 5226/2025 (transposing art. 7 Directive 2008/115/EC).

asylum application submission. Thus, vulnerable persons, identified during triage, were referred to the standard reception and identification procedures in accordance with Articles 38 et seq. of Law 4939/2022 and transferred by the competent police authorities as soon as possible to the nearest RIC or CCAC. These categories of vulnerable persons are:

- (a) persons aged seventy (70) years or older, whose age can be verified by identification documents or otherwise clearly confirmed;
- (b) single women;
- (c) single-parent families with minor children;
- (d) persons with serious, clearly seen or documented medical conditions (e.g. amputations, paraplegia, cancer patients, etc.); and
- (e) unaccompanied minors, whose age is verified exclusively through identification documents or is otherwise clearly confirmed.

All in all, the three-month suspension of the submission of asylum applications was fully consistent with both national legislation and international law. The decision was justified and proportionate, adopted under conditions of exceptional and disproportionate migratory pressure on the island of Crete.

Law 5226/25

The new Law 5226/25 (GG A' 154/08.09.2025) titled "Reform of the Framework and Procedures for the Return of Third-Country Nationals and Other Provisions of the Ministry of Migration and Asylum" introduces sweeping reforms to the country's migration policy.

Through this law, Greece seeks to proactively align its national legislation with the forthcoming EU Return Regulation. The new provisions aim to enhance the efficiency of return procedures for third-country nationals who do not qualify for international protection, especially in cases involving threats to public order or security.

With these arrangements, resources (human and material) will be directed towards genuinely well-founded applications for international protection and people who are entitled to asylum, while the system will become more reliable and also those who have no right to international protection will be subject to sanctions and under pressure to return.

More detailed presentation of the above-mentioned legislation:

Recent measures adopted to manage migratory arrivals in Greece

The Greek authorities have recently taken various measures to manage migratory arrivals in Greece. These notably include the adoption by the Hellenic Parliament of a three-month suspension of the right to apply for asylum for foreign nationals who had entered the country illegally by sea from North Africa. This legislative amendment was proposed by the Government following the arrival of almost 10,000 persons on the Greek islands of Crete and Gavdos since the beginning of the year, which was considered as an “emergency” and an “asymmetric threat”, exceeding the capacity of the asylum system – exacerbated by the absence of first-reception facilities in the regions of Crete – and posing a threat to national or EU security.

This temporary ban effectively put a halt to the registration of asylum applications for three months and allowed for the forced return of new arrivals on these islands without assessing their claims.

In accordance with **Article 79 of Law 5218/2025**, which came into force on 14-7-2025, the submission of asylum applications by third-country nationals entering the country illegally by any watercraft originating from North Africa was suspended for a period of three (3) months. **The suspension is no longer in force, as the three-month period has elapsed.**

We have to explain the rationale behind this measure here. First, we refer to the following data: While the entire year of 2024 recorded 4,016 illegal entries from this migratory route, just in the first half of 2025, 6,767 illegal entries were recorded, of which 1,064 occurred between May 21, 2025, and June 22, 2025. **Illegal entries, therefore, have increased by three hundred and twenty percent (320%) compared to the corresponding period of 2024.** In particular, during the month of July, there were a total of 3,264 illegal entries, with 2,642 illegal entries recorded in the period before the submission of the amendment of article 79 of Law 5218/2025. The data indicate a sharp escalation of flows in Crete. This legal measure was “absolutely necessary” due to this reported 320% increase in arrivals in the first semester of 2025. Furthermore, two-thirds of those arriving from Libya do not qualify for international protection and the suspension is intended to reduce pressure on the system **and safeguard lives**. This provision addresses the state of emergency that has been declared in the country due to **the extremely high influx of migrants** (for example, in the first ten days of July there were a total of 3,264 illegal entries via the Southern Mediterranean Migration Route [Libya – Gavdos – Crete]). In light of a sharp rise in arrivals, **this measure is also a strong message to human traffickers and smugglers.**

Furthermore, the majority of people migrating illegally in the manner described above come from safe countries of origin (according to this year's data, 47% from Egypt and 68% in total from Egypt, Bangladesh and Pakistan, which are safe countries of origin according to current legislation).

People who arrived at the time of suspension (as the suspension period is no longer in force) were administratively detained following the issuance of a return decision by the Hellenic Police pursuant to Article 7 of Law 5226/2025 (transposing Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals). These individuals were subject to the provisions of national and EU law regarding illegal entry into the country and European territory, and were returnable in accordance with the provisions of Law 5226/2025 (Government Gazette A 154) and Directive 2008/115/EC. **In this regard, no other provision protecting internationally recognized principles of fundamental human rights, such as the examination of the principle of non-refoulement, is affected by this regulation, nor has its application been suspended.**

In general, it is the sovereign right and constitutional obligation of the Hellenic Republic to preserve its national security and it may adopt any legal measure to this end.

According to **Article 72 of the TFEU on public order and internal security**, which constitutes primary EU Law, the provisions of the Title V of the TFEU on the area of freedom, security, and justice do not affect the exercise of the responsibilities incumbent upon Member States for the maintenance of public order and the safeguarding of internal security. It must be noted that **it is for the Member States to adopt appropriate measures to ensure law and order on their territory and their internal and external security (C-72/22 PPU, par. 74).**

Of course, it is not sufficient to invoke Article 72 TFEU for reasons of general prevention and without a direct link to a specific case, in order for Member States to justify the suspension or even termination of their obligations under EU provisions. **Indeed, in this case, there was a proven risk to public order and security, as the mass influx of migrants from North Africa, particularly Libya, increased exponentially during the period in question, with illegal arrivals by sea rather than across land borders, making it extremely difficult to prevent them due to the risk to life posed by possible shipwrecks in the middle of the Mediterranean.** Furthermore, the aim of the recent legal provision was to protect the borders, safeguard the security and social stability of the Hellenic Republic and, by extension, the European Union, as our country

is seen as a gateway for further transit to other European countries. Consequently, the conditions for invoking Article 72 TFEU were also met.

Moreover, according to **Article 15 of the European Convention on Human Rights**, the Contracting States may, in the event of a public emergency threatening the life of the nation, take measures derogating from their obligations under the Convention to the extent strictly required by the exigencies of the situation. Article 15 is a derogation clause. It affords to Contracting States, in exceptional circumstances, the possibility of derogating, in a limited and supervised manner, from their obligations to secure certain rights and freedoms under the Convention.

The natural and customary meaning of “*public emergency threatening the life of the nation*” is clear and refers to “*an exceptional situation of crisis or emergency which affects the whole population and constitutes a threat to the organized life of the community of which the State is composed*” [Lawless v. Ireland (no. 3), 1961, § 28]. The emergency should be actual or imminent; a crisis which concerns only a particular region of the State can amount to a public emergency threatening “the life of the nation” (see, for instance, derogations in respect of Northern Ireland in Ireland v. the United Kingdom, 1978, § 205, and in respect of South-East Turkey in Aksoy v. Turkey, 1996, § 70); and the crisis or danger should be exceptional in that the normal measures or restrictions permitted by the Convention for the maintenance of public safety, health and order are plainly inadequate [Denmark, Norway, Sweden and the Netherlands v. Greece (the “Greek case”), Commission report, 1969, § 153].

Indeed, in the case at hand, the suspension of asylum applications meets these conditions. Specifically, firstly, there was a real need to stop the influx of third-country nationals without refugee profile. Secondly, the security risk concerned a region of the country, Crete, and thirdly, it threatened the continuity of the community's organized social life. Finally, these flows could not be addressed by other means, as statistical data show that they constituted a diagnosed asymmetric threat in terms of how they could be addressed. Consequently, although the conditions for the application of Article 15 of the ECHR were met, our country did not proceed to activate it, with the complete suspension of freedoms provided for in the ECHR, but took the mildest measure, namely the suspension of asylum applications exclusively for certain thirdcountry nationals and for a limited period of time.

Lastly, in accordance with the provisions of **Articles 8, 9, 32, and 33 of the 1951 Geneva Convention**, exceptional and temporary measures are permitted for reasons of national security and public order, applied proportionately.

The above provisions introduce a type of "safeguard clause," under which our country retains the power to take measures to ensure public order and security on its territory, even in the context of European integration, provided that these measures are proportionate and serve the intended purpose. The provision of Article 79 of Law 5218/2025 **is also in accordance with the principle of proportionality**. Firstly, it does not suspend asylum applications across the borders for all thirdcountry nationals, but only for those who enter illegally by sea from North Africa. Secondly, it is adopted after carefully assessing, over a sufficient period of time, the quantitative and qualitative characteristics of those citizens who choose this route of entry into the country, which demonstrate the exploitation of the current EU and international asylum framework by populations that do not have refugee profile. Lastly, in any case, the regulation is provided for three (3) months only, with the possibility of shortening it in the event of changes in current conditions. Consequently, the regulation: **a.** is imposed by compelling reasons of public interest and **b.** meets the criteria of proportionality, based on reliable and up-to-date scientific data. Therefore, it serves a constitutionally imperative purpose, namely to safeguard the stability, public order, and internal security of the country.

UNCHR in its Press Release (10-07-2025) stated that: '*[.. States have the right to manage borders and address irregular migration. Greece has a longstanding tradition of offering protection to people fleeing war and persecution.]*

We would like to note that individuals with a refugee profile have applied to national courts (the Administrative Court of First Instance of Athens) and the European Court of Human Rights, requesting the suspension of execution and the annulment of the return decisions. According to the Court Decisions, **applicants were partially granted interim measures, suspending their removal but not accepting the request for the receipt of their asylum request.** The abovementioned people also appealed against the decision of detention before the national Administrative Court, but the Court rejected their appeal, though, at the same time, mentioned that they ought not to be returned before they are given a chance to file an asylum application.

Concerning the new law which was introduced on 8-9-2025 to reform the framework of returns of third-country nationals (Law 5226/2025), we would like to note the following:

International law recognizes State sovereignty. Most, if not all, other institutions and principles of international law also rely, directly or indirectly, on State sovereignty. To that end, in migration law, states generally have the sovereign

power to regulate the conditions of entry and stay on their territory (as for EU Member States, this includes EU territory).

In this context, the new Law 5226/2025 titled "*Reform of the Framework and Procedures for the Return of Third-Country Nationals and Other Provisions of the Ministry of Migration and Asylum*" introduces sweeping reforms to the country's migration policy. **Article 27 of the new law** establishes illegal residence in the country as a criminal offence. The aim is to emphasize the criminal nature of illegal residence under Greek law, which does not tolerate the presence on its territory of a foreign national who has lost their right to be there. **However, provision is made for the possibility of suspending the sentence for the above offences if the convicted third-country national declares that he or she will leave the country immediately.**

In this way, it is left to the third-country national themselves to comply with the law and to return to their country once it has been recognized that they are **not in danger and can return safely.**

With these arrangements, resources (human and material) will be directed towards genuinely well-founded applications for international protection and people who are entitled to asylum, while the system will become more reliable.

Non-Governmental Organizations Registry under the Ministry of Migration and Asylum and associated legislation

Article 78 of Law 4939/2022 (G. G. A 111) provides for the maintenance of an N.G.O. Registry under the Ministry of Migration and Asylum. The competent authority is responsible for registering all Greek and international voluntary organizations and civil society organizations on this Registry that fulfil the minimum legal requirements for participating in the implementation of actions in the fields of international protection, migration, and social integration. Nongovernmental organizations, voluntary organizations and every similar organization, Greek or international, which has not been registered on the Registry may not participate in the implementation of the above-mentioned actions on the Greek territory, and especially in the providing of legal, psychosocial and medical services, or the providing of material reception conditions, or the providing of information, as these services are regulated by Law 4939/2022.

This article also sets the minimum legal conditions for the registration of eligible nongovernmental organizations and provides for authorization to the Minister of Migration and Asylum to issue a decision setting additional conditions for the registration of non-governmental organizations on the

Registry. It also provides for an authorization to the Minister of Migration and Asylum to issue a decision specifying the procedures concerning the maintenance of the Registry, the conditions for registration and for continuing to be registered on the Registry, the necessary supporting documents which have to be submitted for registration or for continuing to be registered on the Registry and every other essential legal requirement for the maintenance of the Registry.

In accordance with the above-mentioned authorization, Ministerial Decision No. 10616/20 (G.G. B 3820) was issued on 9-9-2020, specifying the procedures concerning the maintenance of the Registry and the rights and obligations of non-governmental organizations that act in the fields of international protection, migration, and social integration on Greek territory. According to this decision, **the registration** of an organization on the Registry constitutes, at the same time, a certification that the organization has the appropriate legal personality, the necessary qualifications and experience, as well as the quality standards **required by the legislation**. The decision also specifies the conditions for an organization to be registered or to continue being registered on the Registry, as well as the supporting documents that must be submitted to this end. In addition, it provides for the obligation of an organization to submit an annual report through the Ministry's web application and for the authority to conduct on-site checks and audits.

Conclusively, it has to be emphasized that the cause for the establishment of the Registry under the Ministry of Migration and Asylum and for the providing for a legal framework of rights and obligations for the above-mentioned organizations is **the need to register them, for reasons of public interest, in order that transparency in their functioning and, via this, optimization of the services provided by them are guaranteed, as well as the human rights of refugees, asylum seekers and migrants who are on the Greek territory are safeguarded**. These purposes are served by the registration of the aforementioned organizations on the Registry, which constitutes a certification that they fulfil all the necessary conditions and criteria required, ensuring that they provide their services in a transparent and accountable manner. The Registry shall be maintained for as long as these organizations remain active on Greek territory.

In conclusion, both the legislation enacted by the Ministry of Migration and Asylum and the communication thereof by the Minister of Migration and Asylum are fully compatible and harmonized with our country's international and EU obligations, and are oriented towards the recognition of genuine third-country nationals in need of international protection.