



PERMANENT MISSION OF GREECE TO THE UNITED NATIONS
866 SECOND AVENUE · NEW YORK, NY 10017-2905
TEL: (212) 888-6900 · FAX: (212) 888-4440
E-mail: grdel.un@mfa.gr

**Statement at the 6th Committee
On Agenda Item 82
“Expulsion of Aliens”
By Ambassador Maria Theofili
Permanent Representative of Greece to the United Nations**

Mr. Chairman,

Greece has been following with great interest the work of the International Law Commission on the expulsion of aliens and has offered specific comments on a number of issues and draft articles during the consideration of the ILC report by the Sixth Committee.

The topic of the expulsion of aliens remains of critical importance, in particular for States facing mixed migration flows of unprecedented dimensions, as transit countries, and a rise in irregular migration. In fact, States are striving to ensure humane conditions of reception and screening of foreign nationals illegally entering the country, to identify and protect vulnerable persons and to improve the conditions of detention of aliens under expulsion. A paramount obligation for States is to fully respect international human rights law and refugee law, while exercising their right to expel an alien from their territory.

The topic of the expulsion of aliens remains of critical importance, in particular for States like Greece, which are facing mixed migration flows of unprecedented dimensions, as transit countries, and a rise in irregular migration. My country is **striving to ensure humane conditions of reception and screening of foreign nationals illegally entering their territory, to identify and protect vulnerable persons and to improve the conditions of detention of aliens under expulsion.**

The draft articles of the ILC cover most of the aspects, substantial and procedural, of the expulsion and identify in a comprehensive manner obligations of States and rights of those under expulsion. However, as we have said on many occasions, the elaboration of an international convention on the basis of the draft articles would not be beneficial. At the national and regional level, different sets of rules have progressively emerged, addressing the specific challenges faced by the States concerned. A telling example is the European Union legislation, transposed by Member States into their domestic legal order, which contains stronger provisions on the protection of human rights. Furthermore, at the regional level, the European Court of Human Rights has developed over the years an im-

portant body of case-law, interpreting, in particular, the European Convention's provisions on procedural rights and the prohibition of ill-treatment and providing specific criteria on how to achieve a fair balance between the right of a State to expel an alien and respect for the human rights of persons under expulsion.

Therefore, we believe that the issue of the expulsion of aliens should best be addressed through regional instruments, tailored to the needs of the countries involved, and the case-law of international judicial and quasi-judicial bodies, rather than through the adoption of uniform rules at the universal level. In this respect, the draft articles adopted by the ILC could serve as a highly relevant and pertinent set of guidelines, assisting States in designing and implementing legislative frameworks and developing practices in the field of the expulsion of aliens in compliance with their obligations under international law.

Thank you Mr Chairman