Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 787 (1976)[1]

Harmonisation of eligibility practice under the 1951 Geneva Convention on the Status of Refugees and the 1967 Protocol

Parliamentary Assembly

The Assembly,

1. Considering that, although refugee status is founded upon the provisions of a number of international conventions, eligibility for this status in individual cases is determined in substantially different ways in different states ;

2. Observing that not all European states parties to these instruments have established a formal procedure for the examination of applications, and that the national procedures which have been established do not conform to a single pattern ;

3. Concerned about the widely differing recognition rates in the various states, which are the result of the adoption of different criteria and, in part, of reliance upon inadequate information ;

4. Noting that refugee status granted in one state is not necessarily recognised in other states parties to the same conventions, and that a greater uniformity of eligibility practice would contribute towards a greater willingness to grant such mutual recognition ;

5. Bearing in mind the recommendations formulated by the European Consultation on Refugees and Exiles in Europe, held in Geneva in January 1976, and in particular those which call for action by the Council of Europe,

6. Recommends that the Committee of Ministers consider :

a. the inclusion in the revised medium-term plan, as an objective within field VIII (cooperation in the legal field), of the harmonisation of eligibility practice, in application of the 1951 Geneva Convention and 1967 Protocol, relating to the status of refugees ;

b. the creation for a limited period of an ad hoc committee of experts to examine the most appropriate means for the realisation of the objective mentioned in a and for further work on the legal questions relating to international refugees.

1. SeeDoc. 3831, report of the Committee on Population and Refugees. Text adopted by the Assembly by the tacit adoption procedure on 16 September 1976.