

Brussels,

18 AVR. 2006

*Dear President,*

Thank you for your letter of 8 March 2006, in which you enclosed the letter of 7 March 2006 addressed by the Board of the Helsinki Foundation for Human Rights to the Prime Minister of Poland, Mr. Marcinkiewicz, regarding the denial of refugee status to the majority of Chechen asylum seekers by the Polish authorities.

As you will be aware, the "Qualification Directive" (Council Directive 2004/83/EC) lays down common criteria for the identification of persons genuinely in need of international protection. In particular, it contains detailed rules to be applied by the competent national bodies of Member States with regard to the assessment of applications for international protection. It also lays down minimum standards for the definition and content of refugee status, intended to guide the competent authorities in the application of the Geneva Convention. Moreover, it introduces criteria on the basis of which applicants for international protection are to be recognised as eligible for subsidiary protection.

All Member States will have to bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 10 October 2006 at the latest. From that moment, the legislation and practice of every Member State regarding the assessment of an application for international protection and the criteria applied for granting and for refusing refugee or subsidiary protection status will have to be in conformity with the relevant provisions of this Directive.

Mr Marek Antoni Nowicki  
President of the HFHR Board  
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*It will be the Commission's first task to systematically scrutinise the transposition of this Directive in all Member States, to ensure that they have correctly and fully implemented their obligations, and, if necessary, to initiate infringement procedures where this is not the case. Organisations such as the Helsinki Foundation for Human Rights can make a useful contribution in this context, by signalling possible issues and drawing attention to particular areas of concern.*

*Best regards*

A handwritten signature in cursive script, appearing to read 'J. P. ...', written in dark ink.