

**ROYAL DECREE 203/1995 (February 10) APPROVING THE  
IMPLEMENTATION REGULATION OF LAW 5/1984 (March 26)  
REGULATING REFUGEE STATUS AND THE RIGHT TO ASYLUM**

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*Law 5/1984 (March 26) regulating refugee status and the right to asylum, which was amended by Law 9/1994, establishes the basic principles governing these matters within our legal system. To this effect, the new Law makes reiterated references to the precepts of the 1951 Geneva Convention and to the 1967 Protocol on the Status of Refugees, but, in terms of procedure, the Law is restricted to describing the general framework for the administrative processing of requests for asylum. The Law introduces the procedure of admissibility to the regular refugee status determination procedure so as to impede the fraudulent use of the refugee protection system by individuals whose objective is economically-motivated immigration. In order to complete the new Law, the Regulation below is hereby enacted, the contents of which are centred on the procedure to be followed in the recognition of refugee status, as well as on the rules and guarantees which are to govern the process of determining admissibility to the regular refugee status determination procedure, whether the asylum-seeker is at the border or inside Spanish territory. It also stipulates the consequences of decisions of acceptance or rejection of requests for asylum, and the appeals which may be filed against negative decisions through both administrative and judicial channels. In particular, it regulates the contents and consequences of favourable reports provided by the United Nations High Commissioner for Refugees during the procedure of admissibility to the regular refugee status determination procedure while the asylum-seeker is at the border. Last, the exceptional situation posed by those individuals displaced as a result of grave conflicts or disturbances of a political, technical or religious nature is discussed. For such individuals, specific legal coverage has been created providing for their access to the assistance intended for asylum-seekers and for refugees. In virtue thereof and at the proposal of the Ministers of Foreign Affairs, Justice and Interior, and Social Affairs; and with the favourable report provided by the Interministerial Commission on Alien Affairs; and with the approval of the Minister of Public Administration; and in accordance with the Council of State; and following deliberation of the Council of Ministers in their meeting on 10 February 1995,*

I DECLARE:

**Sole article.** The enactment of the Implementing Decree of Law 5/1984 (March 26) regulating refugee status and the right to asylum, which was amended by Law 9/1994, the text of which is included herein.

SOLE ADDITIONAL PROVISION.

Hereby created within the General Direction of Electoral Processes, Alien Affairs and Asylum within the Ministry of Justice and of the Interior is the Office for Asylum and Refuge, which will be directed by the General Under-director of Asylum. The structure of this Office will be that which is established using the corresponding employee position listing.

## SOLE PROVISION OF REPEAL.

Royal Decree 511/1985 (February 20) approving the Implementing Decree for the Law regulating refugee status and the right to asylum is hereby repealed, as are all rules of equal or lower legal rank that preclude the Royal Decree herein.

## FIRST FINAL PROVISION.

The Ministers of Foreign Affairs, Justice and Interior, and Social Affairs, either in conjunction with one another or by acting individually, are hereby authorised to order as many provisions as required in the implementation of the Royal Decree herein, within the scope of their authority.

## SECOND FINAL PROVISION.

The Royal Decree herein will take effect the day after its publication in the *Boletín Oficial del Estado* (*Official Bulletin of the Spanish State*).