



**Doc. 12771**

12 October 2011

## Effective and fair returns of irregular migrants and failed asylum seekers

### Motion for a resolution

several Assembly members

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This motion has not been discussed in the Assembly and commits only those who have signed it

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Europe needs efficient, effective and fair returns of irregular migrants and failed asylum seekers as a part of a comprehensive and balanced migration policy. In 2008, the estimated number of irregular migrants within the 27 European Union member states alone was estimated between 1.9 and 3.8 million people. In 2009, however, only about 40% of the 570 000 irregular migrants apprehended in the European Union were sent back to their home country or to the country from which they travelled to European Union member states, through, for example, the so called "Dublin returns". The success of returns, however, varies significantly between Council of Europe member states.

There is therefore a need for a better understanding of the effectiveness of returns, including in terms of numbers, costs, efficiency and sustainability, while also taking into account the need to respect the asylum system, the principle of non-*refoulement* and the human rights of the persons concerned.

The Parliamentary Assembly should examine best practices regarding return, evaluate the effectiveness of co-operation with third countries, in particular, through bilateral and European Union readmission agreements, and analyse the European Union legal framework on return (the so-called "Return Directive" as well as the so called "Dublin system") and their implementation in practice. It should also highlight particular human rights problems associated with the return process and its consequences on the persons concerned.

The Assembly should continue to recognise that not all persons can be returned, and for those who cannot be returned, other solutions need to be found.

*Signed (see overleaf)*



*Signed*<sup>1</sup>:

CLAPPISON James, United Kingdom, EDG  
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BOSWELL Tim, United Kingdom, EDG  
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CHOPE Christopher, United Kingdom, EDG  
DARCHIASHVILI David, Georgia, EPP/CD  
DAVITAIA Paata, Georgia, EDG  
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DUNDEE Alexander, [The Earl of], United Kingdom, EDG  
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WALTER Robert, United Kingdom, EDG  
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1. ALDE: Alliance of Liberals and Democrats for Europe  
EDG: European Democrat Group  
EPP/CD: Group of the European People's Party  
SOC: Socialist Group