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

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 13061
05 November 2012

The interception and rescue at sea of asylum seekers, refugees and irregular migrants

Reply to Recommendation[1]: Recommendation 1974 (2011)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation 1974 (2011) on "The interception and rescue at sea of asylum seekers, refugees and irregular migrants". It has brought it to the attention of member States' governments and has also communicated it to the Steering Committee for Human Rights (CDDH). The Committee of Ministers also refers to its reply to Assembly Recommendations 1967 and 1973 (2011), which is of particular relevance to the present reply.

2. The Committee of Ministers continues to share the concerns of the Parliamentary Assembly on the situation with regard to asylum seekers, refugees and irregular migrants that endeavour to reach the southern borders of Europe by sea. It concurs on the need to ensure that all international human rights obligations are complied with when dealing with the interception and rescue at sea of persons in such vulnerable situations, and that training of personnel concerned in such procedures is of particular importance.

3. The Committee of Ministers recalls that in June 2011, it took note of the Framework for Council of Europe Work on Migration Issues which would form the basis for future activities in this transversal field. This document outlines*, inter alia,* possible actions to be undertaken by the Council of Europe with a view to assisting member States upon their request to respond to possible large-scale arrival of irregular migrants, asylum seekers and refugees in a manner compatible with human rights. In particular, this document[2] invited the Secretariat to contribute (in co-operation with the United Nations High Commissioner for Refugees and the European Union) to developing and delivering training for the officials in contact with asylum seekers and irregular migrants. The Programme of Activities for 2012-2013 takes up this proposal authorising the Secretariat to offer assistance to member States that might face possible large scale arrival, upon their request.

4. The Committee of Ministers informs the Assembly that co-operation with the UNHCR, the International Organisation for Migration, the European Commission and Frontex is currently developed by the Secretariat and co-ordination of activities is ensured in respect of member States that have requested Council of Europe co-operation on human rights aspects of migration and asylum.

5. The Committee would also recall that, within the framework of its function of supervising the execution of all relevant judgments by the European Court of Human Rights, it follows developments in this field. It also draws attention to assistance activities that could be offered by the Council of Europe, including awareness-raising, training, sharing of experiences and legislative expertise.

6. Finally, the Committee of Ministers recalls that on 1 July 2009, it adopted the Guidelines on Human Rights Protection in the Context of Accelerated Asylum procedures.

---

1. Adopted at the 1153rd meeting of the Ministers' Deputies (24 October 2012).
2. Cf. SG/Inf(2011)10 rev, Appendix 1.