



**Doc. 13452**

24 March 2014

## Application of the Human Rights Convention to protect criminals from expulsion

**Reply to Written question<sup>1</sup>:** Written question No. 649 (Doc. 13387)  
Committee of Ministers

1. The Committee of Ministers recalls the fundamental principle enshrined in Article 1 of the European Convention on Human Rights, which secures to everyone within the jurisdiction of the High Contracting Parties the rights and freedoms defined in Section I of this Convention.
2. As the Committee of Ministers had the opportunity to indicate when replying to a previous question of the Honourable Parliamentarian (see reply to Written Question No. 641), the Court's case law on the matter, as far as expulsion of an individual having committed serious offences is concerned, aims at balancing the Convention rights enjoyed by such an individual and the interest of the State concerned to expel, the seriousness of the offence being one of the elements to be taken into account in such balancing.
3. In this context, the Committee of Ministers notes that the Court determines the scope of the protection afforded under the Convention's provisions with respect to each individual case before it.

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1. Adopted at the 1194th meeting of the Ministers' Deputies (12 March 2014).

