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Monitoring the return of irregular migrants and failed asylum seekers by land, sea and air

Reply to Recommendation¹: Recommendation 2028 (2013)
Committee of Ministers

1. The Committee of Ministers has carefully considered Parliamentary Assembly Recommendation 2028 (2013) on “Monitoring the return of irregular migrants and failed asylum seekers by land, sea and air”. It has brought the recommendation to the attention of member States. It has also sent it to various competent Council of Europe bodies for possible comments.

2. The Committee of Ministers welcomes the Assembly’s ongoing interest in irregular migrants and asylum seekers. It would refer to the replies it has given to a number of previous recommendations by the Assembly on this issue.²

3. The Committee of Ministers notes the importance and the relevance of the Parliamentary Assembly’s proposals (paragraphs 7 and 8 of the recommendation). It underlines that the scale and complexity of migration trends and, in particular, the human rights problems which arise in this context are a challenge for European States that demands a common response. In this area, the Council of Europe offers a very wide range of binding and non-binding standards which cover most of the issues raised by the Assembly. It also provides member States with practical assistance, including expert opinions on legislation and training and capacity building for the different administrative bodies responsible for managing the situation of irregular migrants, with a view to ensuring that their cases are dealt with in a manner that respects human rights.

4. In addition, the Committee of Ministers has requested the Secretary General to make sure that the Council of Europe’s activities are closely co-ordinated with those of other international organisations, especially the European Union, and are geared towards the aspects for which the Organisation has recognised expertise. In this context, the Committee of Ministers draws the Assembly’s attention to its reply to Recommendation 2016 (2013) on “Frontex: human rights responsibilities”, in which it underlined, in particular, the co-operation between Frontex and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).³

5. However, the Committee of Ministers would like to inform the Assembly that, in view of the current budgetary context, there are no plans to draw up new standards or guidelines on migration. The main focus of the Organisation’s work in this area lies on promoting more effective use of the already extensive body of instruments and standards as well as monitoring thereof.

1. Adopted at the 1200th meeting of the Ministers’ Deputies (28 May 2014).

2. See in particular CM/AS(2006)Rec1755 final, CM/AS(2010)Rec1900 final, CM/AS(2010)Rec1925 final, CM/AS(2011)Rec1926 final and CM/AS(2012)Rec1974 final.

3. See CM/AS(2013)Rec2016 final.

