

Recommendation 2078 (2015)¹

Countries of transit: meeting new migration and asylum challenges

Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 2073 \(2015\)](#) on countries of transit: meeting new migration and asylum challenges. It recalls, in particular, that the Council of Europe co-operates with non-member States with a view to promoting human rights and emphasises that compliance with the principle of *non-refoulement*, reflected in Article 3 of the European Convention on Human Rights (ETS No. 5), by both member and non-member States, is of crucial importance for migrants and refugees.
2. The Council of Europe should play a role in ensuring that the externalisation by member States of their migration policy and border control to third countries does not result in violations of the human rights of migrants and refugees when they are prevented from entering a Council of Europe member State or returned by a Council of Europe member State to a third country.
3. The Assembly therefore invites the Committee of Ministers to:
 - 3.1. aim to further the human rights of migrants and refugees in its co-operation with third countries, and support these countries in promoting access to protection and basic needs and developing a comprehensive integration policy;
 - 3.2. monitor member States' compliance with the general principle underlying the *Hirsi Jamaa v. Italy* judgment of the European Court of Human Rights, holding countries accountable where there is evidence of push-backs and promoting their compliance with that principle.

1. *Assembly debate* on 29 September 2015 (31st Sitting) (see [Doc. 13867](#) and [addendum](#), report of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Ms Tineke Strik). *Text adopted by the Assembly* on 29 September 2015 (31st Sitting).

