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Prevention of abuse of mutual legal co-operation with respect to refugees and asylum seekers

Motion for a resolution

tabled by Mr Emanuelis ZINGERIS and other members of the Assembly

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

In [Resolution 2315 \(2019\)](#) on the *Interpol reform and extradition proceedings: building trust by fighting abuse*, the Parliamentary Assembly stated that mutual legal co-operation mechanisms are also subject to misuse and may result in violation of privacy, property, professional rights and deprivation of liberty, particularly under the 1990 Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (ETS No. 141), as well as the 2000 United Nations Convention against Transnational Organized Crime.

Recently noted that some non-democratic States abuse mutual legal co-operation to persecute political opponents abroad, including refugees and asylum seekers. Those who are targeted by mutual legal co-operation requests have very limited or no legal remedies to prevent or stop such abuses. This results in severe risks to the basic protection under the 1951 Refugee Convention, as well as a real threat to fair trial standards and other basic defence rights, especially under Articles 6 and 13 of the European Convention on Human Rights.

The Assembly cannot accept the abuse of mutual legal assistance instruments that undermines international co-operation in criminal matters and destroys trust among States and should therefore re-examine this issue in the form of a new report.

Signed (see overleaf)



*Signed*¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
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UEL: Group of the Unified European Left
NR: Representatives not belonging to a Political Group