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Pushbacks on land and sea: illegal measures of migration management

Motion for a resolution

tabled by the Committee on Migration, Refugees and Displaced Persons

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

Article 3 of the European Convention on Human Rights and Article 4 of its Protocol prohibit member States of the Council of Europe returning migrants and asylum seekers to another country without an individual assessment as to whether this is safe.

Pushbacks have now taken on worrying proportions, and these events are taking place routinely on land, but also in the more deadly environment of the sea.

Allegations are no longer limited to just one or two countries, or one or two incidents, but have become widespread and, perhaps most worryingly, part of tolerated policy.

UNHCR, International NGOs, mainstream media, the Council of Europe Commissioner for Human Rights have all spoken out about these practices, and the Parliamentary Assembly has passed resolutions and recommendations. Unfortunately, these practices appear to continue and worsen. Evidence of this can be seen in the headline media but also in the number of serious cases being lodged with the European Court of Human Rights.

The Assembly has already mapped the standards and case-law which constitute the framework for prohibiting pushbacks and collective expulsions. As the situation has continued to worsen, the Assembly needs to ensure that allegations of pushbacks are fully investigated and those responsible are held to account to dissuade the continuation of such practices.

