



**Doc. 16387**

22 April 2026

## Council of Europe action to protect the human rights of migrants, asylum-seekers and refugees

### Motion for a resolution

tabled by the Committee on Migration, International Protection and Economic Co-operation

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

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The Committee of Ministers, at its 135th Session in Chisinau on 15 May 2026, is due to adopt a Political Declaration on the European Convention on Human Rights and migration. It is important that any follow-up to this declaration protects the human rights of migrants, asylum-seekers and refugees, as well as the integrity of the Convention system.

The European Convention on Human Rights applies to all those within the jurisdiction of its signatories, without any discrimination, and the case law of the European Court of Human Rights must likewise be considered and applied to all, with no discriminatory effect on migrants, asylum-seekers and refugees. This applies equally in cases of expulsion where Article 3 of the Convention may be of paramount concern.

The autonomy and independence of the European Court of Human Rights must be fully respected.

Fundamental human rights cannot be contingent on political expediency nor on claims of negative public opinion or lack of confidence in the Convention system. Such reasoning runs counter to the objectives of the New Democratic Pact. Democratic resilience and public trust must instead be strengthened through the consistent and principled application of human rights and the rule of law and a human rights-based political leadership.

The Parliamentary Assembly resolves to monitor closely the adoption and implementation of the Declaration, with particular attention to the possible creation of an intergovernmental committee on migration, the Court's on-going jurisprudence, and the situation as regards to expulsions, pushbacks and externalised migration policies.

