

Recommendation 1755 (2006)¹

Human rights of irregular migrants

Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 1509 \(2006\)](#) on human rights of irregular migrants.
2. The Assembly is convinced that there is a need to clarify the minimum rights applying to irregular migrants. The Assembly recognises that a legal instrument specifically devoted to the rights of irregular migrants is unlikely to receive support from member states of the Council of Europe but notes that there are other ways in which to codify and clarify the minimum rights of irregular migrants.
3. Therefore, the Assembly recommends that the Committee of Ministers:
 - 3.1. instruct the relevant intergovernmental committees to establish a list of minimum rights for irregular migrants, including civil, political, economic and social rights, with a view to preparing a recommendation or guiding principles for adoption by the Committee of Ministers. These minimum rights should use as a starting point those rights identified in the above-mentioned resolution;
 - 3.2. instruct the European Committee on Migration (CDMG) to hold a round table discussion on the state of ratifications by Council of Europe member states of the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, with a view to analysing the obstacles faced by member states in ratifying this treaty;
 - 3.3. keep under review the effectiveness of the human rights instruments relevant to the protection of the rights of irregular migrants, in particular the European Social Charter (ETS No. 35) and the revised European Social Charter (ETS No. 163), with a view to examining whether there is a need to strengthen the human rights instruments in order to protect the rights of irregular migrants more effectively.

1. Assembly debate on 27 June 2006 (18th Sitting) (see [Doc. 10924](#), report of the Committee on Migration, Refugees and Population, rapporteur: Mr van Thijn). Text adopted by the Assembly on 27 June 2006 (18th Sitting).

