



**Doc. 15382 – Compendium of written amendments**  
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**(Final version)**

## **Increased migration pressure on the borders of Latvia, Lithuania and Poland with Belarus**

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## A. Draft Resolution

1. The Parliamentary Assembly is concerned by the unfolding situation of hybrid attacks by the Belarusian authorities resulting in increased migration and asylum pressures at the Belarus border with Latvia, Lithuania and Poland. This is all the more worrying as it has been orchestrated by the Belarusian authorities in response to European Union sanctions against Belarus imposed for harsh violations of human rights. It condemns any instrumentalisation of migrants, refugees and asylum seekers by States for political purposes.
2. The Assembly notes with concern that recent arrivals of migrants and asylum seekers created significant challenges for Latvia, Lithuania and Poland, putting a strain on their migrant and refugee reception capacities.
3. The Assembly however reiterates the obligations of all Council of Europe member States to uphold human rights and humanitarian principles as well as refugee law and the right to seek asylum. Member States should furthermore ensure necessary humanitarian assistance to people in need of protection, paying a special attention to the situation of vulnerable groups, including families with small children, unaccompanied and separated children and people with disabilities and special needs. In this they should consider a gender perspective in terms of protection needs.
4. The Assembly considers that effective border management by Council of Europe member States should be accompanied by adequate responses to the rights of asylum seekers. Border management should be fully compliant with European and international law and in particular the European Convention on Human Rights (ETS No. 5) and the 1951 Convention Relating to the Status of Refugees.
5. The Assembly condemns the growing tendency to restrict the right to seek asylum of persons crossing a border irregularly and any practice by member States of pushbacks of migrants and asylum seekers to third countries, where international protection needs may not be guaranteed. It recalls the obligation of member States to respect the principle of non-refoulement and the prohibition against collective expulsion of aliens.
6. The Assembly is highly concerned that the situation at the EU's eastern border provoked a new wave of anti-migrant

### Amendment 2

**Tabled by Mr Lukas SAVICKAS, Ms Laima Liucija ANDRIKIENĖ, Mr Emanuelis ZINGERIS, Mr Arminas LYDEKA, Mr Kęstutis MASIULIS, Mr Uldis BUDRIKIS, Ms Inese LĪBIŅA-EGNERE**

*In the draft resolution, paragraph 1, first sentence, delete the word "increased" and insert the following word:*

*"instrumentalised"*

### Amendment 5

**Tabled by Mr Paulo PISCO, Ms Serap YAŞAR, Mr Kimmo KILJUNEN, Lord Leslie GRIFFITHS, Mr Carlos Alberto GONÇALVES**

*In the draft resolution, after paragraph 5, insert the following paragraph:*

*"The Assembly considers that the European Union and its agencies should closely monitor the situation at the border and the actions by its member States that could lead to violations of human rights of migrants and asylum seekers. Furthermore, the European Union should initiate legal enforcement action against its member States which are responsible for human rights violations or for introducing legal provisions in breach of European Union law."*

rhetoric, which resulted in countries being forced to build new fences in Europe to prevent the neighbouring authoritarian regime from instrumentalising migrants, asylum seekers and refugees for its political goals.

7. The Assembly welcomes the efforts of the European Union to reconsider its reception procedures and solidarity mechanism, including the resettlement solution in the New Pact on Migration and Asylum. The situation at the EU's eastern border has shown that the Temporary Protection Directive of the European Union should be reanimated in order to be used in exceptional situations where there is a mass influx of migrants, asylum seekers and refugees. It is also important to develop a comprehensive migration risk assessment algorithm allowing for the elaboration of effective reaction strategies.
8. In response to the current situation at the border with Belarus, the Assembly calls on governments of member States of the Council of Europe to support Latvia, Lithuania and Poland by:
  - 8.1. providing urgent financial and technical assistance to ensure necessary protection of migrants, asylum seekers and refugees;
  - 8.2. establishing effective support arrangements for these countries so that they can ensure efficient reception, adequate accommodation, effective identification of people with special needs, timely access to information about asylum procedure and social and other services for new arrivals while their applications for asylum are being processed in fair and prompt procedures;
9. The Assembly calls on the authorities of Belarus to:
  - 9.1. stop the instrumentalisation of migrants, refugees and asylum seekers, in particular those in a vulnerable situation, and stop facilitating travel to Belarus of third country nationals under false pretences of tourism.
  - 9.2. take full responsibility under applicable international law for third country nationals present in Belarus territory, especially those in vulnerable situations, and refrain from illegal actions such as taking away their travel documents or forcibly pushing them towards the border;
  - 9.3. co-operate with its neighbours, Latvia, Lithuania and Poland, as well as with the European Union, on cross-border arrangements in order to solve ongoing problems in terms of irregular migration flows across these borders.
10. The Assembly also calls on the authorities of Latvia, Lithuania and Poland to:
  - 10.1. provide access to asylum procedures to all those seeking asylum;

**Amendment 3**

**Tabled by Mr Arkadiusz MULARCZYK, Mr Bolesław PIECHA, Mr Marcin GWÓŹDŹ, Mr Zbigniew GIRZYŃSKI, Mr Kazimierz**

- 10.2. refrain from pushbacks to Belarus, and provide necessary safeguards to ensure the human rights of those seeking entry to their territory;
- 10.3. ensure that detention of asylum seekers is only used as a last resort and alternatives to detention are explored. When detention is resorted to, it should be carried out with all relevant safeguards, including an assessment on the circumstances of the individuals and their families. Children should never be detained regardless of their migratory status;
- 10.4. in co-operation with the European Asylum Support Office, provide adequate reception, accommodation, identification of people with special needs, access to information about the asylum procedure and social and other services to new arrivals;
- 10.5. ensure that the United Nations High Commissioner for Refugees (UNHCR) and organisations providing humanitarian assistance and legal aid are provided with unhindered access to migrants, asylum seekers and refugees, including at the border;
- 10.6. despite the state of emergency, ensure that vulnerable groups, such as unaccompanied minors, survivors of torture, sexual violence and other forms of serious violence are exempted from accelerated asylum procedure and referred to more adequate and safe reception facilities, and ensure that those who need psychological support have access to specialist services;
- 10.7. guarantee that returns of migrants to third countries do not take place without sufficient safeguards for the rights of those being returned, and work with Belarus and the European Union to solve ongoing problems in terms of irregular migration flows across these borders;
11. The Assembly welcomes the support offered by the UNHCR to the countries concerned in order to provide legal and technical expertise on reception, site management and processing of asylum applications, and encourages the UNHCR and the International Organization for Migration to further strengthen their monitoring of migratory pressure situations, in co-operation with other human rights organisations, in order to provide early warning of impending problems.

**MATUSZNY, Ms Iwona ARENT, Mr Daniel MILEWSKI**

*In the draft resolution, paragraph 10.1, replace the second instance of the word "asylum" with the following words:*

*"international protection".*

**Amendment 4**

**Tabled by Mr Arkadiusz MULARCZYK, Mr Bolesław PIECHA, Mr Marcin GWÓŹDŹ, Mr Zbigniew GIRZYŃSKI, Mr Kazimierz MATUSZNY, Ms Iwona ARENT, Mr Daniel MILEWSKI**

*In the draft resolution, at the end of paragraph 10.3, insert the following words:*

*"in the current extraordinary situation of migration pressure generated by a neighbouring state"*

12. The Assembly proposes the creation, within the Council of Europe, of a permanent group or body on the human rights situation in Belarus, one of the tasks of which will be monitoring the situation of migrants, refugees and asylum seekers from Belarus.

**Amendment 6**

**Tabled by Mr Paulo PISCO, Ms Serap YAŞAR, Ms Mai KIVELÄ, Mr Petri HONKONEN, Ms Inka HOPUSU, Ms Ingjerd Schie SCHOU, Mr Ahmet YILDIZ, Mr George LOUCAIDES, Mr Stefan SCHENNACH, Mr Domagoj HAJDUKOVIĆ**

*In the draft resolution, replace paragraph 12 with the following paragraph:*

*"The Assembly proposes to continue following the human rights situation in Belarus, including that of migrants, refugees and asylum seekers from Belarus, in the framework of its ongoing report on "Call for an inclusive national political process in Belarus".*

**Amendment 1**

**Tabled by Mr Lukas SAVICKAS, Ms Laima Liucija ANDRIKIENĖ, Mr Emanuelis ZINGERIS, Mr Arminas LYDEKA, Mr Kęstutis MASIULIS, Mr Uldis BUDRIKIS, Ms Inese LĪBIŅA-EGNERE**

*In the title of the draft resolution, replace the word "increased" with the word:*

*"instrumentalised"*