

Council of Europe
The Secretary General

Strasbourg, 15 April 2016

Dear Federal Councillor,

In September 2015, I sent you guidance based on the case law of the European Convention on Human Rights on the treatment of migrants and asylum seekers. In March, I sent you a set of proposals for immediate action to improve the protection of migrant and asylum-seeking children.

Managing the overwhelming numbers of refugees and migrants represents today a significant challenge for all member states of the Council of Europe. The fast changing reality obliges states to adapt their policies in the area of asylum and migration accordingly.


I would like to recall that, when introducing more restrictive measures, member states' must be attentive to their collective responsibility for upholding Human Rights. Moreover, states must continue to ensure that refugees and migrants individually have access to international protection.

The standards of the European Convention on Human Rights constitute an important guidance for all member states, which must be respected even at times of large scale arrivals.

It is with these considerations in mind that I appointed a Special Representative on Refugees and Migration, Ambassador Tomáš Boček, who will be available to advise and assist member states in making the necessary adjustments to their laws and policies. He will be able to draw upon the vast judicial expertise of the Council of Europe, based on the Convention and the case law of the Court.

I am, therefore, pleased to offer his expertise to your Government when preparing and developing legislation and new policies as regards refugees and migrants.

Yours sincerely,



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