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EU border control policies negatively affect human rights

Strasbourg, 6/11/2013 - " The EU externalisation of border effect on human rights, in particular the right to leave a country, which is a prerequisite to the enjoyment of other rights - most importantly, the right to Muižnieks, Council of Europe Commissioner [research paper](#) on the right to leave a country.

" The right to leave a country is enshrined in intended to ensure that people can move freely, without unjustified obstacles. However, today's EU approach to border controls and immi to changes in the legislation and practice of third countries which may result in human rights violations, in particular regarding the right to leave a country, the prohibition on collective expulsion and the right to seek and

Measures which raise concerns as to their compliance with human rights include ethnic profiling at border crossing points, sanctions on carriers which do not carry out police work, confiscation of travel documents, readmission agreements and the highly problematic and unlawful practice of so-called push-backs, both at sea and on land.

" The result of such ^{arbitrary} ~~arbitrary~~ ^{residents} ~~residents~~ in the Western Balkans, where countries are pressured to reduce the number of their citizens applying for asylum in the EU under the penalty of seeing all their nationals subject to mandatory visa requirements. Not surprisingly, the authorities of some of these states are restricting the departure of individuals whom they consider at risk of applying for asylum, the vast majority of whom are Roma. "

Between 2009 and 2012 only in " the former Yugo citizens of this state were not allowed to leave the country and passports have been regularly confiscated from those returned to t In December 2012 a new offence was introduced into the Serbian criminal code making it harder for Serbians to seek asylum abroad.

An additional concern highlighted in the paper is that the EU funds detention centres for third-country nationals and encourages its neighbouring states to set up elaborate surveillance systems to make sure that their own citizens are staying put.

Finally, EU member states' border guards carry keep people away from EU borders, as well as at land borders between third states for the purpose of making sure that third-country nationals never get to EU borders hundreds of kilometers away. " Notwithstanding the EU's com freedoms, the com-patibility of its border control activities with international and European human rights law is questionable. It is time that EU border control policies become more respectful of human rights standards, as well a

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The Commissioner for Human Rights is an independent, non-judicial institution within the Council of Europe,

mandated to promote awareness of, and respect for, human rights in the 47 member states of the Organisation. Elected by the Parliamentary Assembly of the Council of Europe, the present Commissioner, Mr Nils Muižnieks took up his function on 1 April 2012