



EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK
RÉSEAU EURO-MÉDITERRANÉEN DES DROITS DE L'HOMME
الشبكة الأوروبية - المتوسطية لحقوق الإنسان

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EUROPEAN PARLIAMENT: DO NOT VOTE IN FAVOUR OF AN EU-TURKEY READMISSION AGREEMENT!

On 26 February, the European Parliament will vote on the “EU-Turkey agreement on the readmission of persons residing without authorisation”. The Euro-Mediterranean Human Rights Network (EMHRN) and Migreurop call upon the European Parliament to vote against this agreement until the full respect of rights of migrants and refugees can be guaranteed at all stages of the readmission procedure.

This agreement would allow the EU and Turkey to return foreign nationals irregularly entering and/or residing on their territories. However, EMHRN and Migreurop believe that the following three aspects of the agreement and its implementation are particularly problematic:

- 1) The **lack of substantial human rights safeguards** concerning the treatment of third country nationals upon readmission by Turkey, who may be subject to arbitrary detention or be deported despite being eligible for refugee status or the domestic “temporary asylum” status.
- 2) The **excessive room for discretion** left to EU member state authorities when examining protection claims and inconsistent respect of international obligations in connection with the treatment of intercepted irregular migrants subject to readmission returns, therefore undermining the right to asylum in the EU.
- 3) The **lack of transparency, monitoring and accountability** over the implementation of the agreement.

Despite the statement by the EU commissioner for home affairs, Cecilia Malmström, that under the agreement, returning foreign nationals to their country of origin will be carried out “in full respect of international law and fundamental rights” the implementation of previous agreements between the EU and member states and third countries has so far resulted in substantial violations of the rights of migrants, refugees and asylum seekers, on both the European side and the one of the contracting party.

EU-led readmission agreements illustrate the European trend on migration and asylum; a trend driven by the will to strengthen external borders in order to sustain internal free movement within. Even if readmission agreements as such are nothing new and have been used as migration control tools by states for decades, what is different about EU-led agreements is that it is now a supranational body that is politically responsible for negotiating these agreements, while EU Member States are responsible for the practical implementation of the readmission procedure. In terms of accountability, the watering down of responsibilities between different actors makes monitoring and effective remedies against abuses potentially difficult to address. This has been demonstrated again with the recent push-backs of asylum-seekers at the EU’s land and sea border areas, including around Lampedusa, where full compliance with European and international law concerning fundamental rights and asylum was not guaranteed.

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For further information, please see: EMHRN policy brief, [An EU-Turkey Readmission Agreement-Undermining the rights of Migrants, Refugees and Asylum Seekers?](#), June 2013.