

The concept of 'safe country of origin or transit' in migration issues

The International Federation for Human Rights, meeting at its General Congress in Bogotá,

- Considering the fundamental principles of human rights set out in the Universal Declaration of Human Rights, the 1951 Geneva Convention relating to the Status of Refugees, the European Convention on Human Rights, and other regional and international instruments guaranteeing the protection of persons in situations of mobility,
- Recalling that the concept of a 'safe country' — be it a country of origin, transit or readmission — is increasingly being used by European states as a political tool to externalise border and migration controls, to the detriment of the right to asylum and the effective protection of migrants and refugees,
- Noting the recurring criticism from migrant rights organisations, particularly in Europe, which denounce the lack of transparency, the absence of legal guarantees, and the lack of objective criteria used to designate certain countries as 'safe',
- Noting further the analyses of human rights organisations, which clearly demonstrate and provide documentation showing that the countries designated as such cannot be considered 'safe third countries' because of the systematic violations of the rights of migrants and refugees on their territories (violence, illegal expulsions, structural racial discrimination, lack of a genuine asylum system),
- Expressing concern about bilateral or multilateral agreements concluded between the European Union and certain third countries, including Tunisia, Libya, Egypt, Mauritania, and Lebanon which aim to curb migration flows without respecting their international obligations to protect vulnerable persons,
- Expressing regret at the use of the concept of 'safe country' as a tool for deterrence and to accelerate the denial of requests for asylum and to justify hostile hosting policies,

Adopts the following resolution:

- Reaffirms that everyone has the right to seek asylum and to have their request examined individually, fairly, and thoroughly, regardless of their nationality or migration route;
- Condemns the misuse and politicisation of the concept of 'safe country of origin or transit' that contribute to undermining the right to asylum, criminalising migration, and voiding international protection of its substance;
- Strongly opposes the designation of Tunisia, Egypt, and Morocco as 'safe third countries,' given the documented violations of migrants' rights, as reported by the Tunisian Forum for Economic and Social Rights, Médecins Sans Frontières, and other independent non-governmental organisations;
- Calls for the criteria for designating so-called 'safe' countries to be enshrined in a strict and transparent framework that complies with international law, respects human rights and the obligations of States, and is subject to effective judicial review;
- Reaffirms that asylum is not a privilege granted by States, but a fundamental right enshrined in international law, and calls on the European Union and its Member States to fully respect their international commitments in this regard, by guaranteeing that all persons who are persecuted or threatened have access to fair and

THE CONCEPT OF 'SAFE COUNTRY OF ORIGIN OR TRANSIT' IN MIGRATION ISSUES

2/2

effective asylum procedures, unhindered by political or administrative obstacles;

- Calls upon the FIDH and its member organisations to urge European Union Member States to end policies for externalising border control through migration cooperation agreements with countries that do not guarantee the fundamental rights of migrants, in particular;
- Calls for the elimination of accelerated procedures at borders that are used as measures for deportation, detention, and limiting the right to asylum;
- Calls for the involvement of civil society organisations and independent experts in the evaluation of migration and asylum policies so as to ensure transparency and accountability; and
- Supports the civil society organisations in Europe and the Global South that denounce these inhumane policies and work for dignity, justice, and the rights of all persons in situations of mobility.