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The European Union's lists of "safe countries": a denial of the right of asylum

On 30 May 2016, the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament will discuss the proposed amendments to the [proposal for a regulation by the European Commission](#) in September 2015 for the purpose of establishing an EU common list of "safe countries of origin". Such a labelling implies that there should be, in principle no risk of persecution for asylum seekers and that the rule of law is respected in those countries.

The AEDH, EuroMed Rights and the FIDH warn against the dangers of using the concept of safety in processing asylum applications ([see analysis](#)). No country may be deemed "safe". By adopting such a list, the European Union (EU) and its Member States will institutionalise at European level a practice by which the Member States could refuse to fully comply with their responsibilities towards asylum seekers, in violation of their international obligations.

To date, 12 of the 28 Member States have a national list of "safe countries", but the lists are far from homogeneous. The Commission's proposal aims to remedy these disparities. The seven countries that the proposal deems "safe" are: **Albania, Bosnia and Herzegovina, Macedonia, Kosovo, Montenegro, Serbia and Turkey.**

The Commission plans to use the same approach in order to ensure that a common list of "safe third countries" is adopted to enable asylum seekers to be sent back to the countries through which they transited before their arrival in the EU, and where they could "legitimately" file their asylum applications.

In the interest of rationalisation and harmonisation of the European system, the EU would give institutional legitimacy to an abuse of the asylum application for the purpose of controlling migration. The use of the concept of "safety" has serious consequences on asylum seekers' rights: expedited examination of applications, non-suspensive appeals, application likely to be rejected, if not declared inadmissible in the case of "safe third countries", and return to the country of origin. Despite these critical issues, while many individuals are attempting to gain access to international protection within the EU, our organisations deplore the fact that civil society was not involved in a discussion of this proposal at any stage.

The AEDH, EuroMed Rights and the FIDH have always opposed the use of the concept of "safe country of origin" in the application of asylum law. No country can be presumed safe for all its citizens, whether they are countries referred to by the European Commission, or countries listed by certain Member States. Our organisations

expose this state of affairs through regional and country fact sheets (Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Maghreb region). ***We oppose a notion which, we believe, is contrary to the principle of non-discrimination on the grounds of nationality enshrined in international law.*** We call on the European Parliament and the Council to reject the adoption of this regulation.

A public event will be held in Paris on 7 June 2016 at the headquarters of the Ligue française des Droits de l'Homme (LDH) where the LDH, the AEDH, EuroMed Rights and the FIDH will report in detail on the human rights violations occurring in Turkey (more information will be published on our website in the coming days).

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