Press release | 21.01.2011

EU asylum rules

Human rights court issues damning verdict on EU's 'Dublin II' regulation on asylum seekers

The European Court of Human Rights today delivered its long-awaited judgment in the case of an Afghan national who was expelled to Greece (from Belgium) under the 'Dublin II' regulation. Sitting as a 'Grand Chamber', the court found that the expulsion in this case was a manifest breach of the European Convention on Human Rights. The Greens welcomed the ruling and called for the urgent reform of the current system.

Green civil liberties spokesperson **Judith Sargentini** (Netherlands), who visited the detention facilities in Greece last year, said:

"The court's judgment is crystal clear: sending asylum seekers back to Greece under the current circumstances constitutes a violation of the European Convention on Human Rights (ECHR). The clear inference is that the 'Dublin II' system is dysfunctional and needs to be changed.

"EU member states cannot remain blind to this ruling. They should now invoke the so-called 'sovereignty clause' and take immediate steps to replace 'Dublin II' with a functioning allocation system and stop blocking change. The EU must also move to create a common European asylum system which is fair, humane and just to asylum seekers and in which there is solidarity between member states."

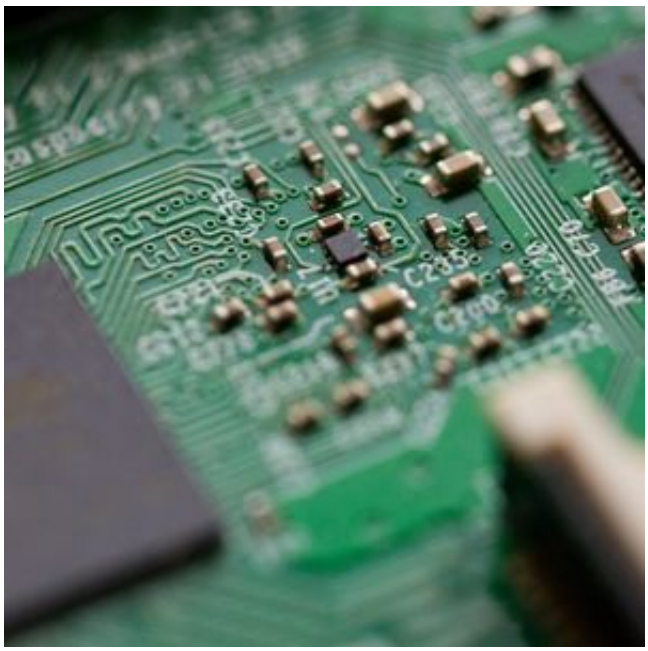
Commenting on the ruling, UK Green MEP and EP shadow draftsperson (rapporteur) on the Dublin II regulation **Jean Lambert** added:

"This ruling confirms that the current EU rules on asylum seekers are untenable. We have been calling for some time for the EU to reform the Dublin II regulation to ensure that EU member states cannot simply ride roughshod over the rights of asylum seekers. EU member states cannot dodge the bullet anymore; the Commission must now move swiftly to ensure EU member states put protection at the heart of their asylum system."

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Jean Lambert

Member



Judith Sargentini

Member

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