



COMISSÃO JURÍDICA INTERAMERICANA
COMITÉ JURÍDICO INTERAMERICANO
INTER-AMERICAN JURIDICAL COMMITTEE
COMITÉ JURIDIQUE INTERAMÉRICAIN

ORGANIZAÇÃO DOS ESTADOS AMERICANOS
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PRESS RELEASE

THE INTER-AMERICAN JURIDICAL COMMITTEE MANIFESTED ITS CONCERN ABOUT THE DIRECTIVE ON RETURN ADOPTED BY THE PARLIAMENT OF THE EUROPEAN UNION

THE INTER-AMERICAN JURIDICAL COMMITTEE, through Resolution CJI/RES.150 (LXXIII-O/08) of August 2008 adopted an Opinion regarding the Directive on Return adopted by the Parliament of the European Union, in which it resolved, among other items:

1. To manifest its concern that the contents of the directive adopted by the Parliament of the European Union might be applied or interpreted in such a way that it is not consistent with the international instruments with regard to respect and protection of the human rights of immigrants, for the following reasons:

- It does not offer adequate guarantee of due legal process for immigrants liable to expulsion;
- It implies mechanisms for internment that are inconsistent with the international principles of International Law and provisions contained in the internal legal systems of the States;
- It offers inadequate protection to immigrants in vulnerable conditions, especially as regards children and adolescents, or when it refers to situations that could affect family unity;

2. To reiterate categorically that no State should consider an individual's migratory status as a crime in itself, or for that reason adopt measures of a penal nature or for the equivalent effect.

3. To manifest the need to use appropriate means to avoid undue interpretation or application of the Directive on Return approved by the Parliament of the European Union in a manner inconsistent with international obligations on the matter, both of a conventional and customary nature.