



**« EVERYONE HAS THE RIGHT TO  
LEAVE HIS COUNTRY »  
Article 13 of the Universal Declaration of  
Human Rights**

**Brussels, December 8, 2008**

**Leaving one's country is a right. Nevertheless, leaving one's country can imply 18 months of detention, if the Council passes the directive on return of illegal immigrants <sup>1</sup>.**

Whereas all Europe is celebrating the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights, representatives of the member states governments are about to pass, on the quiet, the directive on return of third country nationals illegally staying within the European Union. This directive is widely contested by numerous Southern countries. It stigmatizes people illegally staying in the EU, and leaving one's country hoping to find a better life in Europe is considered therefore, as a crime. By allowing up to 18 months of detention for migrant families before a forced return, this directive is an infringement to the right to leave one's country guaranteed by the Universal Declaration of Human Rights.

We ask European governments to pull it together and literally comply with the Universal Declaration of Human Rights. We cannot stand:

- Making detention an ordinary way to manage migrants;
- Forbidding the access to the EU territory to removed people ;
- Allowing the detention of minors and the removal of unaccompanied minors
- Removing migrants to third-countries without evaluating the risks they may have to face there ;
- Expelling persons considered vulnerable and entitled to specific treatment.

The AEDH calls up the citizens, residents and elected people from all over the European Union to rise up and ask their representatives to abandon this directive, and turn over this shameful leaf of Human Rights history.

The anniversary of the UDHR should be for Europe, and for the French presidency of the Union, an opportunity to reaffirm to the world that « whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world » <sup>2</sup>. It is the opposite that will be addressed if the return directive is adopted.

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**L'Association Européenne pour la Défense des Droits de l'Homme (AEDH)** regroupe des ligues et associations de défense des droits de l'Homme des pays de l'Union Européenne. Elle est membre associé de la Fédération internationale pour la défense des droits de l'Homme (FIDH). Pour en savoir plus, consultez le site [www.aedh.eu](http://www.aedh.eu)

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<sup>1</sup> This directive was adopted by the European Parliament on June 18, 2008

<sup>2</sup> Extract of the preamble of the Universal Declaration of Human Rights