

The European Union Returns Directive and its Compatibility with International Human Rights Law

Analysis of Return Decision, Entry Ban, Detention, and Removal

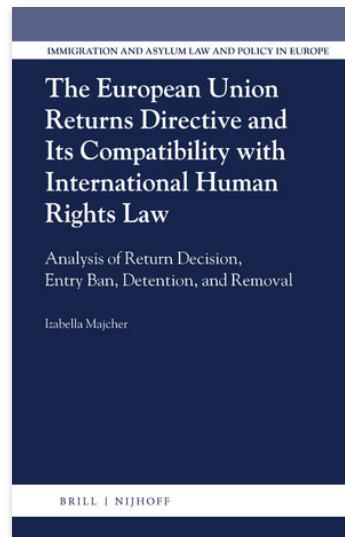
Author: Izabella Majcher

The book undertakes a thorough human rights assessment of the EU Returns Directive. The overarching human rights framework, which circumscribes states prerogatives in the context of expulsion, builds upon obligations derived from the principle of non-refoulement; the right to life, respect for family and private life, effective remedy, basic social rights; the prohibition of torture and ill-treatment; and protection against arbitrary detention and collective expulsion. Based on this assessment, Majcher explores several protection gaps in the EU return policy which may result in violations of migrants' rights and highlights how the provisions of the Directive should be implemented in line with member states' human rights obligations. Informed by this assessment, the book discusses amendments to the Directive, proposed by the European Commission in September 2018.

"By examining the European Union (EU) Returns Directive in the light of international and European human rights law, Izabella Majcher thoroughly explores and analyses the requirements the EU member states' authorities must guarantee migrants in an irregular situation when they adopt and implement return decisions, entry bans, pre-removal detention, and removal." Marie-Laure Basilien-Gainche, Professor of public international law, University Jean Moulin Lyon 3, Honorary member of the Institut universitaire de France

Readership

Academics researching EU policy targeting undocumented migrants and their rights and practitioners, including lawyers, experts, non-governmental and inter-governmental organizations, and domestic and EU policy-makers in the field of migration law and policy.



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