

23 mei 2025 -09:25

## Brief van Europese leiders omtrent uitwijzing van buitenlandse criminelen

Eerste minister Bart De Wever schreef samen met acht andere Europese leiders, met verschillende politieke overtuigingen, een open brief waarin ze Europa oproepen om werk te maken van meer ruimte voor lidstaten om buitenlandse criminelen uit te wijzen. Lees hier de integrale brief.

*May 22th, 2025*

On the initiative of Denmark and Italy, we – the group of European Presidents and Prime Ministers who have signed this letter – all share a firm belief in our European values, the rule of law and human rights. We are committed to a rule-based international order. We believe deeply in the inviolable dignity of the individual and in the role of multilateral institutions, including the UN, the EU and NATO.

We are leaders of societies that safeguard human rights. Rights and values that are both crucial and fundamental and which constitute cornerstones of our democratic societies.

We also share a strong sense of commitment to our countries and feel a great responsibility for our societies. We belong to different political families and hail from different political traditions. Yet, we agree that it is necessary to start a discussion about how the international conventions match the challenges that we face today. What was once right might not be the answer of tomorrow.

The world has changed fundamentally since many of our ideas were conceived in the ashes of the great wars. The ideas themselves are universal and everlasting. However, we now live in a globalized world where people migrate across borders on a completely different scale.

Over the past decades, irregular migration has contributed significantly to the immigration to Europe. Many have come here via legal pathways. They have learned our languages, believe in democracy, contribute to our societies and have decided to integrate themselves into our culture. Others have come and chosen not to integrate, isolating themselves in parallel societies and distancing themselves from our fundamental values of equality, democracy and freedom. In particular, some have not contributed positively to the societies welcoming them and have chosen to commit crimes.

It is beyond our comprehension how some people can come to our countries and get a share in our freedom and our vast range of opportunities, and, indeed, decide to commit crimes. Although this concerns only a minority of immigrants, it risks undermining the very foundation of our societies. It harms the trust between our citizens and it harms the trust in our institutions.

Fortunately, in some areas, we are moving in the right direction. Many European countries have chosen to tighten their national policies on irregular migration. A majority of EU Member States are ready to consider new solutions to Europe's challenges with migration. These are crucial steps and we should continue this work. Because there is much more to be done before Europe regains control of irregular migration.

However, as leaders, we also believe that there is a need to look at how the European Court of Human Rights has developed its interpretation of the European Convention on Human Rights. Whether the Court,

in some cases, has extended the scope of the Convention too far as compared with the original intentions behind the Convention, thus shifting the balance between the interests which should be protected.

We believe that the development in the Court's interpretation has, in some cases, limited our ability to make political decisions in our own democracies. And thereby affected how we as leaders can protect our democratic societies and our populations against the challenges facing us in the world today.

We have seen, for example, cases concerning the expulsion of criminal foreign nationals where the interpretation of the Convention has resulted in the protection of the wrong people and posed too many limitations on the states' ability to decide whom to expel from their territories.

In our opinion, safety and security for the victims and the vast majority of law-abiding citizens is a crucial and decisive right. And, as a general rule, it should take precedence over other considerations.

On this basis, we – the signatories of this letter – agree that the safety and stability of our own societies should have the highest priority. We believe that:

- We should have more room nationally to decide on when to expel criminal foreign nationals. For example, in cases concerning serious violent crime or drug-related crime. By its nature such crime always has serious implications for the victims.
- We need more freedom to decide on how our authorities can keep track of for example criminal foreigners who cannot be deported from our territories. Criminals who cannot be deported even though they have taken advantage of our hospitality to commit crime and make others feel unsafe.
- We need to be able to take effective steps to counter hostile states that are trying to use our values and rights against us. For example, by instrumentalizing migrants at our borders.

We know that this is a sensitive discussion. Although our aim is to safeguard our democracies, we will likely be accused of the opposite.

In all modesty, we believe that we are strongly aligned with the majority of the citizens of Europe in our approach. We want to use our democratic mandate to launch a new and open minded conversation about the interpretation of the European Convention on Human Rights. We have to restore the right balance. And our countries will cooperate to further this ambition.

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