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This Factsheet does not bind the Court and is not exhaustive

Collective expulsions

Article 4 of Protocol No. 4: prohibition of collective expulsion of aliens

“Collective expulsion” = any measure compelling aliens, as a group, to leave a country, except where such a measure is taken on the basis of a reasonable and objective examination of the particular case of each individual alien of the group.

[Becker v. Denmark](#) 03.10.1975

The applicant, who was a journalist and the director of a body called “Project Children’s Protection and Security International” alleged that the return to Vietnam of 199 Vietnamese children received in Denmark would represent, if carried out, a violation of Article 4 of Protocol No. 4.

Declared inadmissible: as Denmark had agreed to a case-by-case examination and, as it was in the interest of some of the children to be repatriated rather than to remain, there was no longer a collective expulsion issue.

[Čonka v. Belgium](#) 05.02.2002

Violation of Article 4 of Protocol No. 4: An expulsion procedure (against Slovakian nationals of Roma origin) had not afforded sufficient guarantees demonstrating that the personal circumstances of each of those concerned had been genuinely and individually taken into account. In the Court’s view, the procedure followed did not enable it to eliminate all doubt that the expulsion might have been collective, that doubt being reinforced by several factors: the political authorities had previously given instructions to the relevant authority for the implementation of operations of that kind; all the aliens concerned had been required to attend the police station at the same time; the orders served on them requiring them to leave the territory and for their arrest were couched in identical terms; it was very difficult for the aliens to contact a lawyer; the asylum procedure had not been completed.

[Sultani v. France](#) 20.09.2007

No violation of Article 4 of Protocol No. 4: The authorities, in their decision to reject asylum applications, had taken into consideration not only the overall context in Afghanistan but also the applicant’s statements about his personal situation and the alleged risks for him in the event of his return. His situation had thus been examined individually and had provided sufficient grounds for his removal.

Pending cases in which the applicants allege violations of Article 4 of Protocol No. 4

In these cases the applicants also allege that they would risk treatment contrary to Article 3 of the Convention (prohibition of inhuman or degrading treatment) if they are returned

A.N. v. France (lodged on 19.10.2009) [Statement of fact in French](#)

F.Z. v. France and Greece (lodged on 11.01.2010) [Statement of facts in French](#): Afghan nationals complaining about their collective expulsion from France.

[Hirsi and Others v. Italy](#) (lodged on 26.05.2009) [Statement of facts in French](#): 11 Somali nationals and 13 Eritrean nationals, whose boats were intercepted by the Italian authorities inside the Maltese Search and Rescue Region, were then transferred to Italian Navy vessels and taken back to Tripoli (Libya). They allege that they were subjected to an atypical collective expulsion, devoid of any legal basis. [Hearing on 22.06.2011](#)

Alisina Sharifi and Others v. Italy and Greece (lodged on 25.03.2009) [Statement of facts in French](#): 35 applicants (32 Afghan nationals, 2 Sudanese nationals, 1 Eritrean national) were intercepted in various Italian ports by the border police, which allegedly returned them immediately to Greece. They complain, among other things, about their collective expulsion from Italy.

See also [Factsheet on Dublin cases and Expulsions and extraditions](#).

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