

Title of Evidence 1: Dutch Compliance with the 1951 Refugee Convention

Type of Evidence: International Treaty Obligation

Description:

The Netherlands remains a State Party to the Convention relating to the Status of Refugees and its 1967 Protocol. Article 33 prohibits refoulement. This principle is directly implemented in Dutch national law through the Aliens Act 2000 (Vreemdelingenwet 2000). As of 2026, asylum seekers in the Netherlands continue to receive individual assessments, legal assistance, and access to appeal before independent courts.

Relevance to the Case:

This demonstrates that the Netherlands has binding legal safeguards in place and does not engage in systematic unlawful returns.

Source:

1951 Refugee Convention, Article 33; Dutch Aliens Act 2000 (current legislation).

Title of Evidence 2: Oversight Mechanisms within Frontex

Type of Evidence: EU Regulation

Description:

Frontex operates under Regulation (EU) 2019/1896, which is still in force. This Regulation established a Fundamental Rights Officer and a complaints mechanism to ensure compliance with human rights during operations. These mechanisms remain operational in 2026.

Relevance to the Case:

This shows that EU border operations, including Dutch participation, are legally supervised and subject to accountability procedures.

Source:

Regulation (EU) 2019/1896 on the European Border and Coast Guard.

Title of Evidence 3: European Court of Human Rights Jurisprudence

Type of Evidence: Case Law

Description:

The European Court of Human Rights has consistently ruled that States must respect Article 3 of the European Convention on Human Rights, especially in removal cases. Dutch courts apply this jurisprudence when assessing deportation decisions.

Relevance to the Case:

This confirms that the Netherlands operates within a binding regional human rights framework with judicial control over migration decisions.

Source:

ECHR, Article 3; established case law including *Hirsi Jamaa v. Italy* (2012).

Title of Evidence 4: Duty to Rescue at Sea under International Law

Type of Evidence: International Maritime Law

Description:

Article 98 of the United Nations Convention on the Law of the Sea requires States to assist persons in distress at sea. Dutch participation in maritime operations under EU coordination includes search and rescue obligations. This legal duty remains binding today.

Relevance to the Case:

This demonstrates that maritime border operations are not solely security-based but include life-saving obligations under international law.

Source:

UNCLOS, Article 98