

EUROMAD

Legal Submission: Human Rights Violations in EU Migration Policies

Evidence 1

Mortality and Humanitarian Crisis on the Atlantic Migration Route.

Statistical Report and NGO Documentation.

In 2023, approximately **6,007 deaths and disappearances** were recorded on the Atlantic route. This surge in mortality is attributed to the EU's prioritization of **interception and deterrence** over safe migration pathways, which has contributed to a humanitarian crisis. With the EU's New Pact on Migration and Asylum adopted in May 2024, the EU prioritizes border security. This pact includes measures for faster border procedures, increased deportations, and cooperation with third countries to intercept migrants before they reach EU territory. The EU's border agency, Frontex, coordinates operations, intercepting migrant boats. For example, in 2023-2025, EU funded Senegalese coast guards who returned thousands of migrants attempting to reach the Canary Islands. Many were left stranded in the desert or at sea.

This evidence demonstrates a failure to protect the right to life and highlights the lethal consequences of prioritizing border security over humanitarian obligations. The non-Refoulement Principle, Article 33, published in the 1951 Refugee Convention was clearly not respected. The EU is legally obligated not to return migrants to places where their lives or freedoms are at risk, as well as pushbacks and interceptions without proper asylum screening.

Source: The new Humanitarian, documentary video France 24

Evidence 2

Systematic Violation of the Non-Refoulement Principle. Sharp Decline in Asylum Recognition Rates.

International Convention Analysis and Operational Records.

The new Pact on Migration and Asylum allows for accelerated border procedures and lower recognition rates for certain nationalities, including Congolese, Senegalese, or Nigerians. Countries like Senegal, have experienced a significant drop in asylum recognition rates across several EU member states in recent years. This means that Senegalese asylum seekers are increasingly being denied refugee or international protection status, leading to accelerated deportations back to their countries of origin. For example, EU member states, including Greece, Italy, and Spain, have implemented "safe country of origin" lists arbitrarily to halt asylum processing for certain nationalities. Furthermore, pushbacks and interceptions are conducted without proper asylum screening, directly returning individuals to regions where their lives are at risk.

These actions constitute a direct violation of **Article 33 of the 1951 Refugee Convention** and the fundamental right to seek asylum as stated in Article 14 of the UDHR. Denying the Right to Asylum, is a violation of the Fundamental Human Rights: the EU is obligated to provide fair and individual asylum procedures.

Source: European Union Agency for Asylum

Evidence 3

Complicity in Torture and Abuses within Externalized Detention Centers.

Field Reports and Bilateral Agreement Analysis.

The EU provides funding and training for authorities in countries like Libya and Mauritania. Since 2015, the EU has allocated billions to African countries to stem migration, including funding for border patrols, detention centers, and “voluntary return”. The EU signs bilateral agreements with countries like Libya, to intercept and detain migrants, often in conditions that violate human rights. For example, the EU supports Libyan authorities in detaining migrants, despite well-documented torture, slavery, and inhuman conditions. In 2024, over 5,500 migrants were held in Libyan detention centers, with EU funding and training for Libyan coast guards. In Mauritania, for example, authorities backed by EU have been documented committing torture, rape, arbitrary detention, and summary expulsions against migrants.

By funding and externalizing control to entities known for human rights abuses, the EU becomes complicit in violations of the **Prohibition of Torture** (Article 3 ECHR; Article 5 UDHR). The EU’s support for detention centers where torture and abuse occur makes it complicit in these violations. The EU’s policy of externalizing border controls has led to widespread human rights abuses.

Source: European Center for Constitutional Human Rights (ECCHR)

Evidence 4

Diplomatic and Financial Coercion of African Sovereign States.

Diplomatic Correspondence and Policy Analysis.

The EU uses diplomatic and financial pressure to compel African countries to accept deported migrants and cooperate on migration control. A clear example of this is that the UK and EU have threatened penalties against countries like Namibia for not cooperating on deportations. The EU uses development aid, trade deals, and visa policies as leverage to compel African countries to accept deported migrants and cooperate on migration. The EU has threatened penalties like visa restrictions or reduced aid against countries that refuse to cooperate. In February 2025 the UK, aligned with EU policy, secured a migration control deal with Ethiopia, threatening aid cuts if the country did not accept deported migrants.

Using financial aid as a punitive tool to force migration cooperation violates the principle of **non-interference in domestic affairs** established in Article 2 of the UN Charter. Using aid and trade as leverage to force migration control violates the principle of non-interference in domestic affairs. Right to Seek Asylum (Article 14, UDHR): Pressuring countries to prevent migrants from reaching Europe undermines the right to seek asylum.

Source: The Nation Newspaper (second-most-read newspaper in Nigeria, 2011)