

Country : Sudan_evidence

Commission : ICJ

Case : Respect of International Obligations in the Protection of Migrants and in Maritime Border Control Operations

Title of evidence: United Nations report on violations against migrants in Libya

Type of evidence: Official report from an international organisation

Description:

A report published by the Office of the United Nations High Commissioner for Human Rights and the United Nations Support Mission in Libya documents serious violations committed against migrants returned to Libya after being intercepted at sea. The document reports arbitrary detention, torture and violence in Libyan centres.

It emphasises that these abuses are known and widely documented, and reiterates that any cooperation with the Libyan authorities on migration matters must comply with international law and the principle of non-refoulement.

Relevance/connection to the case:

This evidence supports Sudan's argument that the risks faced by Sudanese migrants in Libya are predictable and well documented. Thus, any support or coordination facilitating these returns may engage the international responsibility of the States concerned for aiding or assisting in violations of fundamental rights.

Source: Office of the United Nations High Commissioner for Human Rights and United Nations Support Mission in Libya.

Title of evidence: European Parliament report on Frontex's responsibility in pushback operations

Type of evidence: Institutional investigation report

Description:

A European Parliament report examined the role of Frontex in maritime surveillance operations in the Mediterranean. The investigation raised concerns about respect for fundamental rights, particularly with regard to the transmission of information leading to interceptions and returns to third countries where migrants risk inhuman treatment.

The report highlights ineffective and irresponsible internal control processes, which can lead to human rights violations, recalling that all operational actions must comply with international and European obligations regarding the protection of migrants.

Relevance/connection to the case:

This evidence supports Sudan's argument that Frontex's participation in location and coordination operations may give rise to liability when the consequences, in particular of returns to contexts of serious violations, are foreseeable. It highlights that technical or informational cooperation does not exempt from compliance with the principle of non-refoulement.

Source: European Parliament