

International Court of Justice affair: To what extent can the European Union and its agency Frontex strike a balance between safeguarding borders and complying with international law and the fundamental rights of migrants?

PREUVE 1

- Titre: Frontex-Turkey MoU (2012)
- Type: Accord international
- Description: Signed for risk analysis, training, R&D—non-executive support only.
- Pertinence: Preserves Turkish border control; Frontex can't command operations.
- Source: Frontex official release

PREUVE N2

- Titre: EU-Turkey Statement (2016)
- Type: Intergouvernemental decision
- Description: Returns from Greece for EU aid/resettlement; Turkey hosts 3.6M refugees.
- Pertinence: Validates safe third-country externalization under 1951 Convention.
- Source: Official EU documents

PREUVE N3

- Titre: CJEU NF v. Council (T-192/16, 2017)
- Type: Jurisprudence CJEU
- Description: Statement not EU act—lacks CJEU review jurisdiction.
- Pertinence: Affirms intergovernmental nature, protecting Turkey's sovereignty.
- Source: Curia.europa.eu

PREUVE N4

- Titre: Regulation (EU) 2019/1896 (Frontex Regulation)
- Type: EU legislation
- Description: Authorizes Frontex working arrangements with third countries for training/equipment only—no executive powers abroad.
- Pertinence: Legally limits Frontex to non-operational roles on Turkish territory.
- Source: Official Journal of the EU

PREUVE N5

- Titre: ICJ Bosnia v. Serbia (2007)
- Type: Jurisprudence ICJ

- Description: State responsibility requires "effective control" over specific operations (paras. 400-407).
- Pertinence: Turkey retains full control; Frontex cooperation ≠ attribution of conduct.
- Source: ICJ Reports 2007