EU Externalisation Measures on the Central Mediterranean Route: Human Rights Implications

Input for United Nations Special Rapporteur on the Human Rights of Migrants

This submission is presented in response to the call for inputs by the United Nations Special Rapporteur on the human rights of migrants, concerning migration externalisation and its impact on the human rights of migrants. It provides an analysis of the human rights implications of European Union externalisation measures, based on direct observations and operational experience of SOS Humanity along the Central Mediterranean migration route.

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"Migration over the Mediterranean is a problem and a catastrophe, because the European Union is financing Libyan authorities. The authorities use terrorism against the refugees. They are not a government. They do human trafficking, they hand the migrants from person to person, from employee to employee."

Refugee from Sudan on board the NGO rescue vessel Humanity 1, August 2023

SOS Humanity is a humanitarian NGO rescuing people in distress in the Central Mediterranean Sea. It was founded in Berlin in 2015, has been active under the name SOS Humanity and operating the rescue ship Humanity 1 since August 2022. Between 2016 and today, more than 38.500 children, women and men were rescued from drowning in the central Mediterranean. The work of SOS Humanity is guided by the four principles of saving lives, protecting and assisting, testifying and changing. In addition to their work at sea, SOS Humanity documents human rights violations in the Mediterranean and advocates for the rights of refugees to be respected. The work of SOS Humanity is supported by a broad voluntary and financial commitment from civil society.

1. Examples of Externalisation Measures: EU Cooperation with Libya and Tunisia on Search and Rescue

Over the past decade, the EU has increasingly outsourced migration control to non-EU states, particularly Libya and Tunisia, by funding and supporting their Search and Rescue (SAR) regions, Rescue Coordination Centres (RCCs), and coast guards—entities widely linked to human rights abuses. Since 2015, the EU has invested at least €290.5 million[1], largely from development funds, into these border regimes to prevent arrivals in Europe, despite a lack of transparency, limited parliamentary oversight, and insufficient human rights monitoring—raising serious concerns about accountability. This cooperation has enabled systematic illegal and forced returns to Libya and Tunisia ("pull-backs")—countries that cannot be considered safe—contravening international law and exposing people to arbitrary detention, ill-treatment, and other serious rights violations.

a) EU cooperation with Libya on SAR

The basis for EU cooperation with Libya on SAR operations is rooted in political agreements such as the 2017 Malta Declaration of the EU[2] and the Italy–Libya Memorandum of Understanding (MoU)[3], which is set to be renewed in 2025, despite sustained criticism from human rights bodies. This cooperation is reinforced by substantial operational and financial support. EU funding through the EU Emergency Trust Fund for Africa (EUTF) and the Neighbourhood, Development and International Cooperation Instrument (NDICI) has channelled at least €84 million into strengthening Libya's border control and SAR capacity. Key components include the delivery of patrol vessels by Italy, direct training of the so-called Libyan Coast Guard under the EU military operation EUNAVFOR MED Sophia (and later Operation Irini), and backing for the establishment of a Libyan SAR region, formally recognized by the International Maritime Organization in 2018. While these actions are framed as efforts to combat human trafficking and save lives at sea, in practice they have enabled the systematic interception and forced return of migrants and refugees to Libya—where they are routinely subjected to arbitrary detention, torture, sexualised violence, enslavement and forced labour. The UN Independent Fact-Finding Mission on Libya has concluded that these abuses against migrants and refugees may amount to crimes against humanity[4]. Despite clear evidence of human rights violations, the EU continues to fund and coordinate with Libyan authorities, making itself complicit in grave abuses.

b) EU cooperation with Tunisia on SAR

The European Union's cooperation with Tunisia on SAR operations has intensified since 2023, aiming to prevent migrants and refugees from reaching the EU via the Central Mediterranean sea. This collaboration is anchored in the EU-Tunisia Memorandum of Understanding signed in July 2023, which encompasses €105 million dedicated to border and migration management. Key initiatives include the establishment of a Tunisian RCC, the declaration of a Tunisian SAR region in June 2024, and the

[1] The figure was calculated by SOS Humanity according to publicly available information. It relates to the following projects and funding instruments with direct link to SAR: SIBMMIL (2017–2024), EUTF (2015– 2024), BMP Maghreb (2018–2024), NDICI (2021–2027), Strengthening the Tunisian Coast Guard Training Pillar (2023–2026), MoU between EU and Tunisia (since 2023).
[2] EU Council (2017): Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route - Consilium
[3] ASGI (2017), translation of Italy-Libya MoU: ITALY-LIBYA-MEMORANDUM-02.02.2017.pdf
[4] OHCHR (2021): Libya: Evidence crimes against humanity and war crimes committed since 2016, UN report finds | OHCHR

provision of equipment and training to enhance Tunisia's SAR capabilities. These efforts are supported by EU funding instruments such as the EUTF and the NDICI, with implementation partners including the International Centre for Migration Policy Development (ICMPD), Civipol, and the German Federal Police. These measures raise serious concerns of EU complicity, as persons intercepted by Tunisian authorities face abuse, arbitrary detention, and forced expulsions, violating international law and the EU's human rights obligations.

6. Human Rights Implications of EU Externalisation Measures

EU cooperation with Libya and Tunisia in SAR operations has led to serious, ongoing violations of fundamental human rights, including the right to leave any country, prohibition of torture and ill-treatment, non-refoulement, right to life, and bans on arbitrary detention and collective expulsion. Between 2015 and April 2025, at least 336,057 individuals were returned to Libya by the Libyan and Tunisian coast guards (see table 1). Based on SOS Humanity's operational experience and survivor testimonies, this submission highlights how EU policies enable systematic abuses and breach international legal obligations under the 1951 Refugee Convention, the European Convention on Human Rights, the UN Convention Against Torture, the ICCPR, and the UN Convention on the Rights of the Child.

Table 1: Human Cost of Externalisation: Deaths, Disappearances, and Illegal Returns Along the Central Mediterranean Route 2015-2025[5]

Year	Dead & Missing[6]	Forced returns to Libya[7]	Forced returns to Tunisia[8]
2015	3,149	No data	No data
2016	4,574	14,332	No data
2017	2,853	15,358	No data
2018	1,314	14,949	4,519
2019	1,262	9,035	4,177
2020	1,001	11,891	13,466
2021	1,553	32,425	25,657
2022	1,417	24,684	38,372
2023	2,526	17,190	80,636
2024	1,719	21,762	No data
2025 (Jan-April)	379	7,604	No data
Total		169,230	166,827
Total	**21,747 persons**	**336,057 persons**	

[5] The official data represent minimum figures, as the true scale of shipwrecks, disappearances, and illegal returns remains largely invisible and unreported.
[6] IOM Missing Migrants Project
[7] 2016-2019: UNHCR; 2020-2025: IOM Libya
[8] 2018-2021: FTDES; 2022-2024 Tunisian National Guard

a) Human Rights Violations at Sea Witnessed by SOS Humanity

SOS Humanity has consistently documented grave violations of international maritime and human rights law resulting from the EU's externalisation policies in the Central Mediterranean. Through direct operational experience aboard the SAR vessel Humanity 1, the organisation has observed how EU Member States and their partners, particularly the so-called Libyan Coast Guard, systematically undermine the right to life, the prohibition of torture and ill-treatment, and the principle of non-refoulement.

On 2 March 2024, during a rescue operation in international waters, the so-called Libyan Coast Guard—operating a Corrubia-class patrol boat funded by the EU and donated by Italy in 2023—intervened violently in an ongoing rescue operation of Humanity 1[9]. Armed personnel fired a machine gun into the water, forcibly returned survivors to Libya, and triggered panic among those onboard. This resulted in at least one presumed drowning. Despite adhering to all applicable provisions of international maritime law, including the duty to render assistance under the International Convention for the Safety of Life at Sea (SOLAS) and the International Convention on Maritime Search and Rescue (SAR), the Italian authorities subsequently detained Humanity 1 for 20 days. An Italian court later ruled this detention unlawful and affirmed that SOS Humanity had acted within the bounds of international law, whereas the actions of the Libyan Coast Guard violated fundamental rights and legal standards[10].

Further, in December 2022[11] and November 2023[12], SOS Humanity documented two separate incidents in which the so-called Libyan Coast Guard failed to rescue individuals who had fallen into the water during aggressive interception manoeuvres. Armed and masked personnel on EU-funded vessels demonstrated unprofessional and violent conduct, including threatening behaviour toward the humanitarian crew. In both cases, Humanity 1 was forced to intervene to prevent further loss of life. Survivors rescued by the organisation reported witnessing the forced separation of family members, many of whom were returned to Libya under conditions amounting to collective expulsion and arbitrary detention.

Moreover, the Maltese and Italian RCCs repeatedly fail to fulfil their coordination responsibilities and refer to Libyan and Tunisian authorities for SAR operations – despite the ongoing human rights violations and the fact that both countries cannot provide a place of safety for people rescued at sea in compliance with international law. SOS Humanity reports numerous instances during its missions where Maltese and/or Italian RCCs withheld or delayed vital information, failed to respond to distress calls, or redirected responsibility to other authorities—practices that obstruct life-saving efforts and amount to a failure to render assistance.

b) Testimonies by Survivors Rescued at Sea[13]

SOS Humanity has published two reports—"Borders of (In)Humanity" (2025) and "Humanity Overboard" (2024)—that expose the devastating consequences of the EU's externalisation policies. Drawing on testimonies from over 250 survivors rescued by crews of the rescue ship

[9] SOS Humanity (2024): Rescue ship detained by Italy after being threatened by Libyans - SOS HUMANITY
[10] SOS Humanity (2024): Final court decision: Detention of Humanity 1 was unlawful! - SOS HUMANITY
[11] SOS Humanity (2023): Rescue Report No. 3: Humanity 1 at Sea - SOS HUMANITY
[12] SOS Humanity (2023): Rescue Report No. 9 - SOS HUMANITY
[13] See also: Reports by Refugees in Libya and Refugees in Tunisia

Humanity 1 between September 2022 and August 2024, the two reports document systematic human rights violations in Tunisia, Libya, and the Central Mediterranean. Survivors recount grave human rights violations—enabled and sustained by EU political and financial support. The findings not only challenge the EU's narrative of "humane migration control" but also reveal how the obstruction of rescue operations and cooperation with unsafe third countries have turned the Mediterranean into one of the world's deadliest migration routes.

"Borders of (In)Humanity" (2025) analyses testimonies from 64 survivors rescued across 13 operations between October 2022 and August 2024, focusing on three critical points in their journeys—Libya, Tunisia, and the Central Mediterranean. It highlights the diverse and alarming effects of externalisation policies:

- The survivors testified about racist, sexist and religious discrimination, persecution, denial of fundamental rights, modern-day slavery, torture, and physical and sexualised violence.
- In Libya, survivors almost universally reported arbitrary detention in dire conditions including hunger, denial of medical treatment and summary executions. Many were sold as slaves and trafficked for profit, including across the Tunisian border. Often, these violations were not merely enabled but carried out by state actors, military/police personnel or Coast Guards funded by the EU, making European complicity clear.
- In Tunisia, all of those interviewed experienced systematic discrimination, which comprised day-to-day discrimination, denial of rights including the right to medical treatment, financial exploitation and modern-day slavery, as well as the persecution of minorities. Many suffered from violence, including physical violence, torture, and sexualised violence. Lastly, survivors were threatened with or experienced so-called 'desert dumping'[14] or human trafficking across the border to Libya.
- The situation in the Central Mediterranean is similarly dire. Survivors reported violent pull-backs by the so-called Libyan and Tunisian Coast Guards, often experienced numerous times. They testified about violence at sea[15] – including beatings, gunshots, sexualised violence, the intentional sinking of already unseaworthy boats and leaving people to drown, some of whom had jumped into the water for fear of being forced back to Libya or Tunisia. Survivors reported European authorities failing to rescue or coordinate, but instead facilitating their capture by the Tunisian and so-called Libyan Coast Guards.

"Humanity Overboard" (2024) draws from mission data and reports collected between September 2022 and March 2024, including an anonymous survey of 190 rescued people aboard Humanity 1. It reveals the complex causes of displacement and underscores how EU externalisation and the obstruction of SAR efforts contribute to the Mediterranean's deadly toll.

Based on these findings, SOS Humanity calls on the EU and its member states to:

1. Fulfil their legal duty to save lives at sea in accordance with international maritime and human rights law;
2. Immediately end all migration-related cooperation with Tunisia and Libya that results in rights violations;
3. Establish a state-led EU Search and Rescue programme.

[14] See also: Report "State Trafficking" (2024) by Researchers X
[15] See also: Report "Interrupted Sea" (2024) by Alarm Phone