

In light of ever-growing and undeniable evidence that pushbacks and border violence constitute a disconcerting Europe-wide approach to asylum and migration, the End Pushbacks Partnership calls on the European Union to take urgent and decisive action.

## 1. THE EUROPEAN COMMISSION MUST HOLD MEMBER STATES TO ACCOUNT, TO:

- Ensure the effective access to asylum registration at both external and internal borders. Moreover, every asylum application needs to be thoroughly assessed, and all safeguards upheld – including the adequate assessment and protection of vulnerable cases.
  - Provide dignified and adequate reception conditions in open facilities, moving away from the 'hotspot' approach and preventing the further deterioration of the existing human bottlenecks in frontline member states.
  - Ensure respect for the Schengen Border Code, especially with regards to the systematic renewal of temporary border controls at certain internal borders (for instance by France).
  - Ensure that illegal detention practices as part of pushbacks come to an urgent end.
  - Urgently call on Member States to end racial profiling both inside the territory of Member States and at border points and investigate civil society reports that evidence discriminatory practices.
- 

## 2. THE EUROPEAN COMMISSION MUST HOLD EUROPEAN AGENCIES TO ACCOUNT, IN PARTICULAR FRONTEX, IN ORDER TO:

- Ensure that all FRONTEX interventions are fully in line with the Member States' and EU's human rights obligations and are executed in a transparent and accountable way.
  - Improve internal and external reporting mechanisms to ensure independence, accessibility and capacity to conduct comprehensive investigations and monitoring.
  - Immediately suspend ongoing operations in Member States which are insufficiently addressing human rights violations at borders.
- 

## 3. THE EUROPEAN COMMISSION MUST DEVELOP AN AMBITIOUS EU-WIDE MONITORING MECHANISM TO OVERSEE RIGHTS VIOLATIONS AT EUROPE'S BORDERS.

- This should be done in line with the [recommendations](#) put forward by a coalition of NGOs, as shared with EU and national stakeholders.

#### **4. THE EUROPEAN COMMISSION MUST STOP TYING BORDER MANAGEMENT AND PREVENTION OF INWARD MIGRATION TO DEVELOPMENT AID, VISA LIBERALISATION SCHEMES AND OTHER INCENTIVES, INCLUDING IN RELATION TO EU ACCESSION COUNTRIES.**

---

#### **5. SEARCH AND RESCUE (SAR) MISSIONS ARE VITAL TO ENSURE RESPECT FOR FUNDAMENTAL RIGHTS AND MARITIME LAW. AS SUCH THE EUROPEAN COMMISSION IS URGED TO:**

- Introduce EU-funded Search and Rescue operations in the Mediterranean Sea.
  - Cease the funding of the Libyan Coast Guard which, with the support of the EU, conducts pullbacks in the Mediterranean and violates human rights.
  - Ensure that Member States operate in full respect of their Search and Rescue obligations, end pushbacks to third countries such as Libya, and cease long stand-offs at sea which lead to protracted uncertainty for persons rescued by private Search and Rescue organisations.
  - Support NGOs and private vessels conducting SAR operations, including by avoiding describing these activities as constituting a 'pull factor', and by calling on Member States to stop the arbitrary disruption and criminalisation of Search and Rescue organisations.
- 

#### **6. EU MONEY MUST UNDER NO CIRCUMSTANCES FUND RIGHTS VIOLATIONS AT ITS BORDERS. IN ITS NEGOTIATION WITH THE COUNCIL ON THE MULTIANNUL FINANCIAL FRAMEWORK 2021-2027, THE EUROPEAN PARLIAMENT MUST DEMAND A SHIFT IN EU FUNDING FOCUS:**

- Instead of increasing funding for border guards and technologies as well as for cooperation with third countries on "fighting irregular migration", there should be a shift to support resettlement from third countries and other legal pathways to the EU (i.e. humanitarian corridors), relocation processes from frontline Member States, dignified and open reception centres in transit points and across the EU, asylum procedures aligned with international and European laws and standards, as well as the implementation of EU-funded Search and Rescue operations (see point 5).
  - Member States' access to migration and border management funding must be conditional upon ongoing compliance to human rights at borders, respect of the right to asylum, and the undertaking of veritable investigations of allegations of rights violations. Similarly, third countries who consistently violate human rights must not receive EU funding, especially not for migration and border management purposes.
- 

#### **7. IN VIEW OF THE UPCOMING PACT NEGOTIATIONS, THE EUROPEAN PARLIAMENT AND THE COUNCIL MUST CONSIDER THE FOLLOWING COMMISSIONS' PROPOSALS TO AVOID ENDING UP WITH MORE RIGHTS VIOLATIONS AT EU BORDERS:**

- Improve safeguards within the Pact's pre-entry screening procedure to make sure vulnerabilities are properly assessed and detected, followed by prompt action to ensure rights and proper services are provided.
- Prevent the adoption of truncated border procedures, an extended detention regime, and limited access to asylum, by rejecting the proposed border regulation.
- Rethink the Pact's proposed solidarity mechanism which does not present a sustainable solution to the pressure on frontline states and might encourage further dangerous pushback practices. The consequences of non-compliance must also be clarified, alongside clear solutions to a potential scenario where most Member States show preference for 'return sponsorship' over relocation.