

To: Member and observer States of the United Nations Human Rights Council

19 June 2023

Re: The UN Human Rights Council should urgently respond to the global pattern of deaths, torture and other grave human rights violations at international borders

Dear Excellencies,

The undersigned civil society organizations and groups write to express our deep concern about policies and practices of migration governance that lead to deaths, torture and other grave human rights violations at and around international borders and to call on the Human Rights Council to take appropriate action by establishing an independent international monitoring mechanism to investigate these violations including root causes of violations in the governance of international migration, and contribute to accountability and redress for victims and their families.

The Missing Migrants Project recorded 55,980 reported deaths of people in migration worldwide from 2014 to May 2023. This number is widely understood to be a significant underestimate. In some regions migrant deaths have reached record highs. These deaths are often not effectively investigated.

The UN Special Rapporteur on the human rights of migrants has repeatedly raised serious concerns about abusive and violent border governance tactics, which include state of emergency measures, the legitimization of pushback and pullback practices through the introduction of legislation and government executive orders, inadequate State-led search and rescue operations and obstacles imposed on non-State search and rescue operators.

As further noted by the former UN Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance, many of the migration policies that contribute to deaths and other grave violations of refugee and migrant rights disproportionately affect individuals from certain national origin, ethnic, racial and religious groups. In many cases these policies involve or are built on structural racism.

The widespread practices of externalization of migration controls by predominantly wealthy countries, who seek to pressure and partner with countries of origin and transit to prevent migrants and asylum seekers from leaving their territories and reaching their borders, also significantly contribute to deaths, torture and other serious violations, particularly against

individuals/people of certain national origins, ethnicity, race or religion obstructing their right to leave and to seek asylum through safe routes and forcing people into dangerous journeys.

The report of the Special Rapporteur on the human rights of migrants on the human rights impact of pushbacks of migrants on land and at sea ([A/HRC/47/30](#)) documents a deeply concerning global pattern of routine human rights violations at international borders concluding:

The practice of “pushbacks” is widespread and exists along most migration routes. Pushbacks manifest an entrenched prejudice against migrants and demonstrate a denial of States’ international obligations to protect the human rights of migrants at international borders.[1]

The depth of concern and worsening situation following this report led the Special Rapporteur to follow up with a report on human rights violations at international borders: trends, prevention and accountability ([A/HRC/50/31](#)), in which they concluded:

that pushbacks remain de facto general policy in many States and continue to seriously impede the enjoyment of the human rights of migrants who cross international borders. The full spectrum of such violations often remains hidden, due to State-led attempts to dismiss or cover up allegations of wrongdoing.[2]

Both reports echo the pattern of human rights violations at international borders that the previous High Commissioners repeatedly drew the Human Rights Council’s attention to. In September 2019 the then High Commissioner used the phrase “lethal disregard” to describe the use of policies and practices that systematically put people’s lives and wellbeing at risk, including children. The work of the Special Rapporteur, the High Commissioner and their Office, and many of the undersigned civil society organizations and groups show that this pattern of violations and abuses is not limited to one corridor or region.

The serious, systematic and widespread nature of human rights violations and abuses at and around international borders has been reported to the Human Rights Council on multiple occasions in [the reports of the Special Rapporteur](#) and has prompted several other Special Procedures to focus reports on migration, including the [Special Rapporteur on torture](#), the [Special Rapporteur on human rights defenders \(twice\)](#), the [Independent Expert on human rights and international solidarity](#), the [Special Rapporteur on extrajudicial, summary or arbitrary executions](#), and the [Working Group on the use of mercenaries](#). Despite this, grave human rights violations persist unabated and with impunity.

The Human Rights Council has acknowledged guidance from the Office of the High Commissioner for Human Rights including [Recommended Principles and Guidelines on Human Rights at International Borders](#) and [the Principles and Guidelines on Human Rights of Migrants in Vulnerable Situations](#). The Human Rights Council has adopted a [Presidential Statement on protection at sea](#) (2014) and resolutions on [migrants in transit](#) (2015), [migrants and refugees in large movements](#) (2016) and [situations of vulnerability](#) (2021). The Council also called upon States to “[ensure accountability and reparations for human rights violations at borders and to](#)

[adopt a racial justice approach, including by adopting policies to address structural racism in the management of international migration flows](#)” (2022).

Despite this, grave human rights violations persist unabated and with impunity.

A new and stronger response drawing on and complementing the work of the Special Rapporteur is needed.

In light of the scale, severity, and global nature of this failure to respect, protect and fulfil the human rights of all regardless of migration status, we call on your governments to ensure an appropriate response from the Human Rights Council by establishing an independent international monitoring mechanism to undertake a global investigation into deaths, enforced disappearances, torture and other grave human rights violations faced by people in transit across international borders including as a result of pushbacks and collective expulsions, and to contribute to accountability and redress for victims and their families.

This independent monitoring mechanism would contribute to prevention and accountability by reporting on its findings and providing recommendations on robust follow up action at national, regional and international levels including addressing root causes of violations and the role of racial discrimination in the management of international migration, to ensure remedy for victims and to end these practices and the climate of impunity surrounding grave human rights violations at borders and in transit.

Sincerely,

1. #MeRepresenta
2. ACCSS
3. aditus foundation
4. African Initiative of Women Human Rights Defenders
5. AfroDiccionario
6. Albergue Decanal Guadalupano
7. Àltera
8. AMMPO
9. Amnesty International
10. AMUMRA Asociacion Civil de Derechos Humanos Mujeres Unidas Migrantes y Refugiadas en Argentina
11. Apna Haq
12. Arizona Palestine Solidarity Alliance
13. Asamblea Abierta de Migrantes y Promigrantes de TARAPACA
14. Asia Pacific Mission for Migrants (APMM)
15. Asociación de Familiares de Migrantes Desaparecidos de Guatemala
16. Asociación Pop No'j
17. Association of Domestic workers (ADW)

18. Asylum Access México (AAMX) A.C.
19. BADIL Resource Center for Palestinian Residency and Refugee Rights
20. BORDE
21. Border Violence Monitoring Network
22. Borderline Europe
23. Bridge EU
24. Buscando Desaparecidos México BUSCAME
25. Cairo Institute for Human Rights Studies
26. Care4Calais
27. CAREF - Comision Argentina para refugiados y migrantes
28. Casa de Atención a Desamparados, AC
29. CCAMYN Centro Comunitario de Atención al Migrante y Necesitado
30. Center for Conflict Management, Almaty
31. Center for Democracy in the Americas (CDA)
32. Center for legal aid - Voice in Bulgaria
33. Centre for Democracy and Development (CDD)
34. Centre for Women Human Rights Defenders in Africa
35. Centro de Atención a la Familia Migrante Indígena (CAFAMI)
36. Centro de Derechos Humanos Paso del Norte
37. Centro de Documentación en Derechos Humanos "Segundo Montes Mozo SJ" (CSMM)
38. Centro de Estudios Legales y Sociales (CELS)
39. Centro de Justicia para la Paz y el Desarrollo A.C (CEPAD)
40. Centro Nacional de Comunicación Social A.C
41. Child Circle
42. Churches' Commission for Migrants in Europe (CCME)
43. Civil Society Action Committee
44. Climate Refugees
45. Coalición de Derechos Humanos
46. Colectivo Buscadoras Guanajuato
47. Colectivo Contra la Tortura y la Impunidad
48. Comision de Accion Social Menonita CASM
49. Comisión Internacional Coordinadora Nacional Inmigrantes Chile
50. Comisión Mexicana de Defensa y Promoción de los Derechos Humanos A.C.
(CMDPDH)
51. Comité de Derechos Humanos de Nuevo Laredo AC
52. Commonwealth Human Rights Initiative (CHRI)
53. CompassCollective (Grenzenlos - People in Motion e.V.)
54. Con Amor y Esperanza Hasta Encontrarles Puebla
55. Conectas Direitos Humanos
56. Consultoría para los Derechos Humanos y el Desplazamiento (CODHES)
57. CONVIVE - Fundación Cepaim
58. Corporación Colectivo sin Fronteras - Chile
59. Corporación mujeres Afrodiaspóricas
60. CUT CHILE

61. Defence for Children International Greece
62. Dejusticia
63. Denise Nuño Lara
64. Domestic Caretakers Union in Taiwan
65. Educación contra el racismo A.C.
66. Emergency ONG Onlus
67. End Streamline Coalition
68. Equipo de Estudios Comunitarios y Acción Psicosocial (ECAP)
69. Equipo del Decenio Afrodescendiente - España
70. EuroMed Rights
71. European Network Against Racism
72. European Sex Workers Rights Alliance (ESWA)
73. Familias de Acapulco en busca de sus desaparecidos A.C
74. Fe y Alegría Venezuela
75. Forced To Flee
76. Franciscan Network for Migrants - USA
77. Franciscans International
78. Frente Nacional de Inmigrantes
79. Frontera con Justicia AC [Casa del Migrante Saltillo]
80. Fundación Construir
81. Fundación para la Justicia y el Estado Democrático de Derecho (FJEDD)
82. Global Alliance against Traffic in Women
83. Global Migrant Workers Network
84. Greek Council for Refugees (GCR)
85. Groundation
86. Hawai'i Institute for Human Rights
87. Hermanas de San José de Lyon
88. HIAS
89. Hong Kong Federation of Asian Domestic Workers Unions
90. Huellas Ancestrales
91. Human Rights Watch
92. I Have Rights.
93. IHH Humanitarian Relief Foundation.
94. INQUEST
95. Instituto de Asuntos Culturales, España (IACE)
96. Instituto de Investigaciones Jurídicas
97. Instituto para las Mujeres en la Migración, AC.
98. International Bar Association's Human Rights Institute (IBAHRI)
99. International Catholic Migration Commission (ICMC)
100. International Commission of Jurists
101. International Council of Voluntary Agencies (ICVA)
102. International Domestic Workers Federation
103. International Federation for Human Rights (FIDH)
104. International Federation of Medical Students' Associations (IFMSA)

105. International Fellowship of Reconciliation
106. International Service for Human Rights (ISHR)
107. INTERSOS
108. Irídia – Center for the defense of Human Rights
109. Ivorian Community of Greece
110. Jesuit Refugee Service
111. JRS (Jesuit Refugee Service) Belgium
112. JRS (Jesuit Refugee Service) Portugal
113. Junax Ko'tantik
114. Justicia y dignidad Cordoba-Orizaba
115. Justicia y dignidad Veracruz
116. Kanlungan Filipino Consortium
117. Kids in Need of Defense (KIND)
118. KISA - Equality, Support, Antiracism
119. Latinas en Poder
120. Legal Center Lesvos
121. Ligue algérienne pour la défense des droits de l'homme
122. Louise Michel
123. Lutheran World Federation (LWF)
124. Magistrada Ya
125. Mesa Nacional para las Migraciones en Guatemala (MENAMIG)
126. Mexiro A.C.
127. Migrant Voice
128. Migrant Women Association Malta
129. Migrants' Rights Network
130. Migration Youth & Children Platform
131. Minority Rights Group International (MRG)
132. MIREDES Internacional
133. Mixed Migration Centre
134. Mobile Info Team
135. Modeteab
136. Move Coalition
137. Movimiento Socio Cultural de trabajadores haitianos' (MOSCTHA)
138. National Advocacy Center of the Sisters of the Good Shepherd
139. National Domestic Women's Workers Union
140. National Federation of Technical and Industrial Workers (Bangladesh)
141. National Network for Immigrant and Refugee Rights
142. Observatorio Ciudadano
143. Observatorio Nacional Ciudadano de Seguridad, Justicia y Legalidad (ONC)
144. OCDIH
145. ONG Jeunesse-Enfance-Migration-Developpement (JMED)
146. ONG Marq'ay
147. Oxfam México
148. PICUM (Platform for International Cooperation on Undocumented Migrants)

149. Politics4Her
150. Poverty Elimination and Community Education (PEACE) Foundation
151. PROTECT Union
152. Public Services International
153. Quaker Asylum and Refugee Network - QARN
154. Quaker Council for European Affairs
155. Quaker United Nations Office
156. Quakers in Britain
157. r42-SailAndRescue
158. Rastreadoras por La Paz de Sinaloa
159. Red Franciscana para Migrantes
160. Red Franciscana para Migrantes, Colombia
161. Red Jesuítica con Migrantes - Latinoamérica y el Caribe (RJM-LAC)
162. Rede de Mulheres Negras de Pernambuco
163. Refugee Legal Support
164. Refugee Social Services
165. Refugee Welfare Association of Cameroon (REWAC)
166. Refugees Seeking Equal Access at the Table (R-SEAT)
167. Réseau Migration Développement Droits Humains (REMIDDH)
168. ResqShip
169. Scalabrini International Migration Network (SIMN)
170. Sdružení pro integraci a migraci / Association for Integration and Migration
171. Sea-Watch
172. Servicio Jesuita a Migrantes, Argentina-Uruguay
173. Servicio Jesuita a Refugiados (JRS) México
174. Sexual Rights Initiative
175. Sin Fronteras IAP
176. Sisters of St. Joseph of Lyon - Maine
177. Soy Mireya Peart. De scuetdo con la propuesta
178. SplitSeed Productions
179. Stolen Dreams
180. Terre des Hommes International Federation
181. The Civic Coalition for Palestinian Rights in Jerusalem
182. The Inter African Committee in Norway (IAC Norway)
183. The International Institute on Race, Equality and Human Rights
184. The Legal Resources Centre
185. Transitional Justice Institute, Ulster University
186. Uniendo Cristales A.C.
187. Unitarian Universalist Service Committee
188. United Domestic Workers of the Philippines (UNITED)
189. Universidad de la Tierra en Puebla, AC
190. Voces Mesoamericanas, Acción con Pueblos Migrantes A.C.
191. Volunteers for Prison Inmates (VPI) Cameroon
192. Women in Migration Network (WIMN)

- 193. Women's International League for Peace and Freedom (WILPF)
- 194. World Uyghur Congress

[1] Report on means to address the human rights impact of pushbacks of migrants on land and at sea - Report of the Special Rapporteur on the human rights of migrants, A/HRC/47/30, Summary

[2] Human rights violations at international borders: trends, prevention and accountability - Report of the Special Rapporteur on the human rights of migrants A/HRC/50/31, para. 70