



Press Release

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122 EU and Member States officials are potentially complicit in Crimes Against Humanity against 'Migrants' on the Central Mediterranean route

Embargo until: 10:00 (AM) (CET) Thursday 16 October 2025

ICC Counsels Dr. Omer Shatz and Dr. Juan Branco submitted a **700**-page legal brief to the International Criminal Court, revealing all EU and Member State organs and agencies involved in crimes against humanity committed against 'migrants' transiting through the Central Mediterranean route.

The filing includes a database of more than **500** European officials who were in office during the examined period, and a list of **122** individuals who are suspected of co-perpetrating these crimes. The findings are based on **6** years of investigation, supported by the International Law in Action capstone clinic of the Master's Program in Human Rights and Humanitarian Action at Sciences Po Paris.

The case relies on three types of unprecedented evidence: (i) interviews conducted with **77** senior European officials; (ii) exclusive access to minutes of high-level meetings of the EU Council; and (iii) analysis of numerous confidential reports.

Over the past decade (2015–2025), more than **25,000** asylum seekers have been killed by drowning, and over **150,000** survivors have been abducted and forcibly transferred to Libya, where they were detained, tortured, raped, and enslaved. Since **2017**, the ICC Prosecutor has been reporting to the UN Security Council that ongoing crimes against humanity are being committed against 'migrants' along this route.

In **2019**, Dr. Shatz and Dr. Branco filed a case before the ICC, demonstrating that these crimes were being committed pursuant to two EU deterrence-based policies, aimed at preventing arrivals to Europe at all costs: a policy of mass killings by drowning, and a policy of mass refoulement by proxies. In **2020**, the case was admitted and assigned to the Libya investigation.

In 2023, the UN Human Rights Council's Fact-Finding Mission on Libya corroborated the allegations made in the ICC case, finding that **European officials are participating in crimes against humanity against 'migrants' on the Central Mediterranean route.**

Yet, from 2019 to date, the **ICC Prosecutor has not investigated or prosecuted a single European national.** When the Court issued its first arrest warrant against a Libyan national suspected of crimes against humanity against 'migrants', a European government, Italy, obstructed justice by releasing him from custody and smuggling its partner in crime back to Libya, in open defiance of the ICC warrant (*Al-Masri* case).

Based on the previous and present submissions, the Counsels call upon the Prosecutor to immediately open an investigation into the Suspects identified in this case. In parallel, they intend to seize the President of the Pre-Trial Chambers, requesting that a Chamber exercise judicial review over the Prosecutor's six years of inaction.

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