

Safe movement of young people

POSITION PAPER

Respect for human rights and humanistic values in the implementation of migrant expulsion procedures



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INTRODUCTION

Migrants are required to respect the laws of their host countries, particularly those governing entry and residence.

Countries of origin have the responsibility to inform prospective migrants of their rights and obligations, hence the awareness programs on the risks of irregular migration.

However, international law establishes that all people have fundamental rights and that States have the duty to respect, protect, and fulfill them.

The obligations imposed on migrants must comply with international law, particularly the respect of human rights for all migrants regardless of their migration status. Respect for fundamental rights and humanistic treatment remain essential in the implementation of expulsion procedures.

In recent years, numerous violations of migrant rights— including those of children and youth—have been observed during expulsion operations.

VIOLETIONS OF MIGRANTS' FUNDAMENTAL RIGHTS: FACTUAL EVIDENCE

International law imposes strict obligations on States, including the principle of non-refoulement, the prohibition of collective expulsions, individualized processing of asylum claims, and respect for human rights. Detention must be a measure of last resort, especially for children. Yet in reality, violent arrests, inhumane detention conditions, and expulsions to dangerous areas are common.

Illustrative examples:

- * Algeria: Over 1,800 Sub-Saharan migrants expelled to the Nigerien border in April 2025, abandoned in the desert without assistance.
- * Tunisia: Dismantling of camps housing 7,000 migrants followed by forced expulsions (April 2025).
- * Guinea: Arrest and repatriation of 772 people to the Sierra Leonean border without prior notice (Dec 2024–Jan 2025).
- * Morocco–Spain: 8,000 migrants used as diplomatic leverage, violently pushed back (May 2021).
- * Mauritania: Mass expulsions in 2025, including long-term residents (over 20 years), deported in conditions that violated human rights.

Testimonies reveal arbitrary arrests, severe violence causing injuries, and allegations of sexual assault. While States retain the right to expel migrants, expulsions must follow due process and allow access to legal remedies. Arbitrary and collective expulsions are prohibited, and irregular entry must not be treated as a criminal offense—especially for victims of trafficking.

IMPACT OF MIGRANT RIGHTS VIOLATIONS ON DEVELOPMENT

The 2030 Agenda and the SDGs acknowledge migrants' positive contribution to sustainable development and call for responses that respect human rights. Ensuring fundamental rights creates an enabling environment for migrant integration and contributes to SDG target 10.2 on social and economic inclusion.

Consequences of failing to respect migrant rights:

1. Economic losses:
2. Essential labor shortages in agriculture, services, and crafts. In Morocco (2021), expulsions caused labor deficits that weakened productive sectors.
3. Social impact:
 4. Children grow up in an environment of fear and hatred, deprived of the benefits of cultural diversity. In Tunisia (2023), hundreds of migrant children were excluded from school; in some cases, schools were closed, denying education to Tunisian children as well.
5. Local economic decline:
6. Migrants contribute to local economies through rent, purchases, and small investments. Expelling them reduces purchasing power and slows development dynamics. In Guinea and Mauritania, migrant workers support the maritime economy; expulsions deprive these sectors of essential human resources.

INSPIRING INITIATIVES:

The initiatives below show how migration, when well supported and structured, can become a driver of shared development and skills transfer.

- * Tunisia: Sub-Saharan migrants becoming ambassadors of Tunisian products in their countries of origin
- * Maghreb: Sub-Saharan labor contributing to agricultural development and agro-food processing
- * Spain-Morocco: "Circular" Migration project for the legal training of agricultural workers
- * United Kingdom-Ghana: Temporary agricultural workers program with skills transfer

CONCLUSIONS AND RECOMMENDATIONS

MAEJT recalls that migrants, especially children and youth, are holders of fundamental human rights. It is crucial to ensure that these rights are respected and that national laws align with international standards.

RECOMMENDATIONS

To States:

- * Reform legal frameworks related to the treatment of irregular migrants to ensure respect for their rights and dignity.
- * Strengthen the capacity of immigration officers on human rights principles.
- * Establish an institutional mechanism to monitor international commitments.

To ECOWAS and the African Union:

- * Urge States to respect international and regional protection instruments.
- * Strengthen the implementation of strategic guidelines (Ouagadougou Plan, 2018 Migration Policy Framework) promoting migration as a development opportunity.

To international and civil society organizations:

- * Continue awareness campaigns on the risks of irregular migration.
- * Strengthen advocacy for human rights and the integration of humanistic values in expulsion procedures.