



Comunicación presentada en el congreso internacional EUROCRIM 2025 de la European Society of Criminology celebrado en Atenas, Grecia entre los días 3 y 6 de septiembre de 2025.

Migrant deaths and disappearances: effective investigation of alleged crimes on European borders

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It would be appropriate to start this abstract stating the statistics on how many people have lost their lives or disappeared on European borders in the year 2024. We could then emphasize the importance of investigating the causes of these results. But let's say there was one. There was one human being, with a name, history and identity, who, no matter what the causes, got on a boat and begun a migration journey towards Europe. And one day this life disappears forever. Sometimes, there are allegations made by survivors, family of the victims or NGOs that the deaths or disappearances of migrants had place in the context of armed or police forces operations and were a result of ill-treatment by officers. In most cases, investigations into the allegations are closed due to lack of evidence or insufficient information. What are the obligations of the State in the investigation of these alleged crimes? How can it be concluded that an investigation was enough? How are authorities responsible regarding the safeguard of the lives of those within their jurisdiction? The jurisprudence of The European Court of Human Rights has established that the right to life of the Convention can be violated in the cases where the authorities had not investigated properly the death of persons. Because of this one individual and since there cannot be an effective right to life if violations against it are not prosecuted, we are going to study how alleged crimes on borders are investigated. What is the meaning of the concept "effective investigation"? In this paper we are going to present the procedural and substantive aspects of the right to life through the ECoHR's case-law, the standard it has established regarding the investigation conducted by authorities and how does this impact migrant deaths and disappearances at borders.