



Jesuit Refugee Service – Europe

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## **Africans deported from Spain and Morocco risk death in Sahara desert**

*“Among the deportees, there are a number of refugees, some of them with UNHCR (UN refugee agency) papers. There are also pregnant women and children, many of whom are sick. One man told of how people, injured in the attempt to enter Spanish territory, were left to die in the desert”,* said Fr Boades SJ, a Spanish Jesuit in telephone contact with the deportees.

States have an obligation to identify those fleeing persecution and grant them asylum, and to ensure the orderly and humane return of the rest. Collective and indiscriminate expulsions are prohibited by international law. Spain’s refusal to admit refugees to its asylum process is tantamount to support for the collective expulsions carried out by Morocco. The Moroccan authorities have undertaken mass deportations – some by plane to Senegal and Mali – and others by bus, driving people into the desert and abandoning hundreds of them there without water, at least 30 kms from the nearest town.

*“This is a flagrant breach of international law. Both Spain and Morocco are bound by the UN Refugee Convention and the Convention Against Torture, not to return refugees to territories where their life or freedom would be threatened. Yet refugees trying to enter Spain literally have to climb barbed wire and face bullets to seek protection from persecution”,* said Fr. Boades SJ.

In 1992 Spain and Morocco signed an agreement whereby irregular migrants from either are readmitted to the other. Yet, the agreement includes no provision for people seeking asylum and no legal procedures for return of third country nationals to their countries of origin. Other countries have signed similar readmission agreements, such as Italy with Libya, and similar human rights abuses have been the inevitable result.

Migration and refugee flows will not be resolved by building higher walls or by shooting at migrants. Action to address human rights abuses and poverty in the countries of origin of the migrants is the only effective answer.

In light of this dramatic situation, the Jesuit Refugee Service urge that:

- the international community ensure that urgent humanitarian assistance reaches those who have been deported into the Sahara desert;
- an independent enquiry be established by UN, EU and civil society to investigate the events that led to the deaths and injuries at Ceuta and Melilla;
- the Moroccan and Spanish authorities halt deportations until access to fair asylum determination processes is guaranteed;
- returns carried out be consistent with procedural guarantees and human rights standards under international law; and
- governments signing readmission agreements include guarantees respecting access to asylum and rights on removal.

At European Union level, the Jesuit Refugee Service with five other Christian organisations – Caritas Europa, Churches’ Commission for Migrants in Europe (CCME), Commission of the

Bishops' Conferences of the European Community (COMECE), International Catholic Migration Commission (ICMC), and the Quaker Council for European Affairs – expressed deep concern about the events in Morocco in a letter addressed to the British Minister of Home Affairs Charles Clark, in view of the meeting of the EU Council of Justice and Home Affairs Ministers opened today in Luxemburg.

In the letter, the Christian organisations underline their belief that “higher fences will not stop migratory flows” and argue that only a comprehensive migration policy with accessible channels for regular legal migration will have a lasting impact on reducing irregular migration. They also note that the demand of EU labour markets for skilled and unskilled migration as well as the fundamental rights of migrants should be taken into account when developing such a policy.

Renaud de Villaine, the JRS-Europe advocacy officer, said: *“the events in Ceuta and Melilla mark a new escalation in the attempt to stop migrants and asylum seekers from entering the EU: for the first time since the fall of the Berlin Wall and the iron curtain, unarmed people have been shot dead at a border of the European Union. It is regrettable that the “balanced approach” promoted by the EU in The Hague Program promotes the repressive side of the asylum and immigration policy more than the elements of the policy that protect the human rights of migrants and asylum seekers.”*

**For further information, please contact:**

- In Spain: Fr. Higinio Pi Pérez SJ, [amoversepi@jesuitas.es](mailto:amoversepi@jesuitas.es), +34 6 529 03 982
- In Brussels: Renaud de Villaine, [renaud.devilleine@jrs.net](mailto:renaud.devilleine@jrs.net), +32 2 250 32 23