



## RESOURCE 2

### The Human Cost of Fortress Europe Human rights violations against migrants and refugees at Europe's borders Amnesty International

Every year thousands of migrants and refugees try to reach Europe. Some are driven by the need to escape grinding poverty; others are seeking refuge from violence and persecution. Their journey is fraught with danger. At least 23 000 people are estimated to have lost their lives trying to reach Europe since 2000.<sup>1</sup> And those who make it to the borders of the European Union (EU) find that safety remains beyond their grasp.

The EU and its Member States have constructed an increasingly impenetrable fortress to keep irregular migrants out – irrespective of their motives, regardless of the desperate measures that many are prepared to take to reach their shores. In order to 'defend' its borders, the EU has funded sophisticated surveillance systems, has given financial support to Member States located at its external borders (e.g. Bulgaria and Greece) to fortify their borders, and has created an agency to coordinate a Europe-wide team of border guards to patrol the EU's frontiers.

Individual Member States themselves are taking drastic measures to stop irregular arrivals. Migrants and refugees are being expelled unlawfully from Bulgaria, Greece and Spain, without access to asylum procedures and often in ways that put them at grave risk. They are ill-treated by border guards and coastguards. In addition, some Member States are using the threat of lengthy detention as a deterrent for those thinking about coming to Europe.<sup>2</sup>

A refugee is a person who has fled from their own country because they have a well-founded fear of persecution and their government cannot or will not protect them. **Asylum procedures** are designed to determine whether someone meets the legal definition of a refugee. When a country recognises someone as a refugee, it gives them **international protection** as a substitute for the protection of their country of origin.

An **asylum seeker** is someone who has left their country seeking protection but has yet to be recognised as a refugee. During the time an asylum claim is being examined, asylum seekers must not be forced to return to their country of origin.

The measures employed by the EU do not stop at its actual borders but extend deep into neighbouring countries. The EU and its Member States have sought to create a buffer zone by entering into cooperation arrangements with neighbouring countries that help them block irregular migration towards Europe. They have funded reception and detention centres for migrants and refugees in countries where there are serious concerns over access to asylum procedures in detention, such as Turkey and Ukraine.<sup>3</sup> They have put in place readmission agreements with countries of origin and transit, allowing those who manage to arrive in Europe to be sent back more easily.



### The myths

Some in the EU and the media have tried to justify increasingly harsh migration policies on the grounds that Europe is having to cope with more than its fair share of refugees and migrants. It is also often argued that the vast majority of those irregularly entering Europe are economic migrants.

### The facts

Most of the world's refugees do not leave their regions of origin. At the end of 2013, the countries hosting the largest numbers of refugees were: Pakistan, Iran, Lebanon, Jordan, Turkey, Kenya, Chad, Ethiopia, China and the USA.<sup>4</sup>

Since the beginning of the crisis in Syria, over 2.8 million Syrians have fled their homes – more than half of them children.<sup>5</sup> Only 96 000 had reached Europe in search of protection by the end of April 2014.<sup>6</sup> In 2013, 48 % of all irregular entrants and 63 % of all those arriving irregularly by sea came from Syria, Eritrea, Afghanistan and Somalia, countries torn by conflict and widespread human rights abuses.<sup>7</sup> The majority of those fleeing these countries are clearly fleeing generalised violence or persecution, and are prima facie in need of international protection.

These measures, whose effectiveness in stopping irregular migration to Europe is at best questionable, are causing human suffering and costing human lives.<sup>8</sup> With safer routes into the EU being closed off by fences, increased surveillance and the deployment of more and more security forces, people are being forced to take ever more dangerous routes, sometimes with tragic consequences. Women, men and children are drowning at sea or suffocating in trucks. They face violence at the EU's borders and are denied their right to seek asylum. Those seeking to enter the EU end up trapped in countries such as Libya, Morocco, Ukraine or Turkey, where their rights are at risk. In these countries they may suffer destitution without access to social and economic rights, or they face violence and even torture.<sup>9</sup>

It is the sum total of these policies and practices, within, at and outside the EU's borders, that this report refers to as 'Fortress Europe'.

Full report: [The Human Cost of Fortress Europe](#) (accessed 7 May 2015)

<sup>1</sup> The estimate is calculated through data compiled by journalists as part of the project 'The Migrants Files,' available at: <http://www.journalismfund.eu/migrants-files> (accessed 7 May 2015).

<sup>2</sup> For example, prolonged and indiscriminate use of detention in squalid conditions is a major plank in Greece's migration control policy. For more information on detention of migrants and asylum seekers in Greece, see Amnesty International, 'Frontier Europe: Human rights abuses on Greece's border with Turkey' (July 2013). On 20 March 2014, the Greek State Legal Council published an opinion which allows for indefinite detention of migrants (Opinion 44/2014). According to this opinion, which was later adopted by the Minister of Public Order and Citizen Protection through a ministerial decision, if a detainee cannot be returned as a result of their refusal to cooperate with the Greek authorities within eighteen months (the maximum period allowed under EU law for detention for the purpose of removal), then their detention can continue beyond eighteen months. This is a clear violation of the European Returns Directive (Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals) and is a breach of Greece's international human rights obligations.

<sup>3</sup> See for example, Jesuit Refugee Service, 'No Other Option: Testimonies from Asylum Seekers Living in the Ukraine' (June 2011); ECRE, 'Detention of Migrants in Ukraine' (October 2010); and the project fiche for the establishment of reception and removal centres in Turkey available [here](#) (accessed 20 June 2014). For information on conditions in detention in



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Turkey, see the section 'Trapped in Transit.' For Ukraine, see UN High Commissioner for Refugees (UNHCR), 'Ukraine as a country of asylum: Observations on the situation of asylum-seekers and refugees in Ukraine', July 2013.

<sup>4</sup> UNHCR, Global Trends 2013, 20 June 2014.

<sup>5</sup> UNHCR Syria Regional Refugee Response, available [here](#) (accessed 7 May 2015).

<sup>6</sup> Email correspondence with the UNHCR (20 May 2014).

<sup>7</sup> Frontex Annual Risk Analysis 2014, 14 May 2014.

<sup>8</sup> According to Frontex Annual Risk Analysis 2014, the number of people arriving in Europe irregularly rose by almost 50 % in 2013 by comparison with 2012.

<sup>9</sup> See publications by Amnesty International: "If an African dies here, no one cares" – abuses of migrants and refugees in detention in Libya' (December 2013); 'Scapegoats of Fear: Rights of Refugees, Asylum-Seekers and Migrants Abused in Libya' (June 2013); 'Seeking Safety, Finding Fear: Refugees, Asylum seekers and migrants in Libya and Malta' (December 2010); 'SOS Europe: Human Rights and Migration Control' (June 2012); 'Frontier Europe: Human Rights abuses on Greece's border with Turkey' (July 2013); 'An International Failure: the Syrian Refugee Crisis' (December 2013); 'Refugees in Bulgaria trapped in substandard conditions' (December 2013). See also: 'Ukraine as a country of asylum. Observations on the situation of asylum-seekers and refugees in Ukraine' (July 2013), and Raphi R. Rechitsky, 'Refugee Migration to Ukraine and the Geopolitics Of Control At Europe's Eastern Borders', 1 April 2013, Fahamu Refugee Legal Aid Newsletter.

