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International appeal

The European Union's extraterritorial refugee camps

We demand a public inspection of the inhumane internment camps of refugees and migrants in the Mediterranean region in order to support the demand for their immediate closure.

What is this appeal about? In May this year, the EU is going to initiate its third attempt to probe the foreign policy situation to assess if it can set up extraterritorial refugee camps in northern Africa. The German interior minister Otto Schily is planning to visit the governments of Algeria, Tunisia, Libya and Egypt in order to clear up earlier „misunderstandings“ on the matter: up to now, the governments of these countries are not willing to agree to the building of EU camps on northern African territory on a mere whim from Berlin, Rome or London. Newspapers there sarcastically report that Germany is known to be the „world champion“ in the building of camps and that it really was not necessary to export that know-how. Tony Blair had voiced the idea of externalising refugee camps at the beginning of the 2003 Iraq war, calling on the EU to send asylum seekers back to areas outside the EU's external borders. The EU, in accordance with his plan, would then be able to select a few asylum seekers who would be allowed to enter. In the summer of 2004, the Italian interior minister Giuseppe Pisanu, together with Otto Schily, seized Blair's proposal to avert responsibility from the EU for the thousands of deaths of boat people occurring in the Mediterranean region since the implementation of the EU's restrictive militarised asylum and migration policy. Schily's new initiative from May 2005 will probably be spearheaded under the name of the „fight against global terrorism“. Because the European security doctrine alleges that the same North African networks responsible for organising terrorism are also responsible for the migration of boat people.

In a Europe-wide appeal from 12.10.2004, numerous initiatives and individuals have already demanded the closure of all extraterritorial EU camps and a halt to the building of new camps (see <http://no-camps.org/>). It is now the time to publicly scrutinise the existing camps and prisons in the Mediterranean region because human rights groups are being denied access to these camps and there are various indications that secret camps are being built nevertheless.

Boat people targeted. Although an more accessible route for a poor Senegalese or Algerian refugee is to cross the Mediterranean Sea to Europe by wooden boat (pateras), this option takes a lot of determination and daringness, resulting in approximately 10,000 deaths since the creation of the visa regime towards North African states in 1992. It is, however, not the question of compensation payments that is currently debated in Europe, nor is it asked who is responsible for the mass deaths at sea; instead it is the economic „damage“ that boat people allegedly cause after successful passage to the EU that is widely debated.

According to official figures, boat people only constitute a very small percentage of the around 500,000 people who cross the EU's southern borders secretly and without documentation year to year. It is the „poor“ that have to resort to the risky passage by boat. For those who can afford it or have connections with friends or relatives migration can be an easier task by buying a well forged passport and travelling

by plane or crossing the straits with one of the major car ferries'. This way of migration is a costly business and it is argued that „criminal networks“ are profiteering in an organised manner. In the case of Eastern Europe, however, most of these „networks“ have proven to be police constructs rather than reality, with everything being defined as „criminal“ that opposes those legal forms of EU migration politics that fall short of human rights principles.

The border regime that drives migration into „illegality“ is based on utilitarian principles and driven by European economic interests. The European labour market relies on undocumented workers. Especially in the Mediterranean region, the EU's border control measures reinforce a marked difference in living standards. With the visa regime, Europe's interior ministers are themselves responsible for refugees and migrants crossing the Mediterranean secretly and without documentation. Unlike the future plans to lift entry restrictions for Eastern Europeans over a period of time, such plans do not exist for the countries of the South. At the same time, many North African states have concluded readmission agreements with western European countries, with far-reaching consequences, as these states are now obliged to search for and deport migrants in transit. In return, Spain and Italy have merely agreed to allow entry for a minimal quota of legal workers from selected northern African countries. In general, services on behalf of the EU in return for the migration political cooperation of northern African states are lacking, or they take place in the energy sector (investments in North African gas or oil production). The servility of northern African governments with regard to extraterritorial EU refugee camps appears to be reaching its limits.

However, the tenacity of those regimes against EU demands is not led by a principled humanitarian stance in favour of refugees and against camps *per se*. This is why in future the question will be how much the EU is willing to give politically and financially for the creation of such camps.

The secret nature of extraterritorial camps. For the last two to three years, the biggest deportation camps of the EU have been created on the Canary Islands, in southern Spain and on the southern islands of Italy. They are being controlled by para-military forces and are not accessible to human rights groups (including UNHCR) or journalists. These camps are the organisational preconditions for mass deportations to the future camps in North Africa. The first mass airlift deportation in Europe's post-war history took place in October 2004: under military command, more than 1000 refugees were deported from southern Italy to Libya, without an examination of their identity or an individual examination of their reasons for flight. This constituted a blatant violation of the Geneva Refugee Convention and the European Convention of Human Rights.

At the same time, Rocco Buttiglione, the designated and later suspended EU commissioner for Justice and Home Affairs (!) assured during his hearing before the European Parliament that he had never proposed „to create concentration camps in north Africa to deport illegals there“, and that he was not intending to make such a proposal in the future (Minutes of the Hearings, *Handelsblatt*, 5.10.2004). Buttiglione was criticised by some members of parliament after he described his vision of camps around Europe as a „good idea“ during several interviews (amongst others on the radio station *Deutschlandfunk* on 27.8.2004). He clarified his ideas of „reception centres“ by saying that they should only be created with the consent and cooperation of the sovereign states on the other side of the Mediterranean. He further proposed that they could also serve to separate and select the desired economic migrants to Europe (*Die Welt*, 31.8.2004; *Frankfurter Rundschau*, 6.10.2004).

The proposal to create extraterritorial EU camps was received with a storm of protests in Europe. Furthermore, the North African governments have not provided land for future EU reception centres (Schily. *FAZ*, 23.07.2004). The concept though is being steadily refined in order to realise these camps, even if this is being continually denied in official statements: at their informal meeting in Scheveningen on 30 September to 1 October 2004, the EU's justice and interior ministers agreed in principle that the EU is striving for the creation of „reception camps for asylum seekers“ in Algeria, Tunisia, Morocco, Mauritius and Libya, not under supervision of the EU but of the respective countries. On 31 January this year, the EU interior minister's conference in Luxemburg, however, stated that the idea of extraterritorial camps had been „buried“. Because of the boat people in the Mediterranean, it was said, in future the EU would accept some quota refugees from North Africa.

How the camps can nevertheless become reality is exemplified by extraterritorial camps and prisons run

by the US in some north African states to enable the use of torture on prisoners (compare Jane Mayer, 'Outsourcing Torture' in: *The New Yorker*, 14.2.2005): the already existing infrastructure in those countries - the prisons, the airports, the torture institutions and torture personnel - are being used secretly for EU and US interests.

It is unlikely that the creation of the extraterritorial refugee camps will not be advertised with boards informing the passer-by that „The EU is building here!“. The concept behind the camps is more one of hired complicity. At the same time, North African states are supposed to be turned into „appropriate first asylum states“. The EU is presenting this as a strategy in accord with human rights that appears to be strengthening the protection of refugees outside of Europe. No matter how the European camp visions will be realised in law and practise: for those imprisoned, neither constitutional rights nor recourse to the courts will apply (Schily, *Süddeutsche Zeitung*, 2.8.2004) and the authorities will know how to obscure the financing, the administrative responsibility and accountability.

The fact that chain deportations (migrants are deported from one country to the other until they are back again to the country of origin) stated taking place from Europe in particular to Mali, Niger, Nigeria and Ghana became known already before the Italian mass deportation to Libya last October: refugees who had been deported from south European countries had reported back about military desert camps in North African countries in which they were interned for some time. Some were subsequently driven to and abandoned in border regions in the Sahara. Many migrants, it has been reported, have not survived this ordeal and collapsed or died of thirst.

It is to be feared that once the extraterritorial camps have been institutionalised, the situation of refugees and undocumented migrants within Europe will become even worse. The repression of irregular migration will be increased with far-reaching consequences. Tony Blair's comprehensive plan foresees the deportation of all asylum seekers to outside the EU's borders. Once these capacities exist, they will be used - resulting in a Europe with comprehensive population control measures and only hired or carefully selected migrants and refugees will be granted access.

This is why we demand that delegations of members of national and the EU parliament as well as human rights groups from the EU and from north African states visit the regions where extraterritorial camps are located and visit the externalised prisons financed by the EU along the migration routes as soon as possible, in order to work towards their closure. The agenda includes an inspection of the big deportation camps in southern Spain and southern Italy as well as the desert camps. It is of uttermost importance to create a critical publicity around the EU's strategy to build camps around Europe, which violates international human rights obligations, and to expose the developing complicity in the creation of these camps.

Support the appeal

With this appeal we want to call on the European public, civil society and national and EU members of parliament. Please distribute this appeal (translations available under

http://www.grundrechtekomitee.de/ub_showarticle.php?articleID=151).

Initiatives and organisations can sign this appeal by **20 July 2005** by mailing appell@grundrechtekomitee.de. The names of signatories will be collected on the above named website and all groups will receive a complete list of signatories after 20 July, with which they can inform their local media about the delegations planning to visit the camps.

Public persons who are willing to accompany such a delegation and thereby publicise it should also contact the *Komitee für Grundrechte und Demokratie*, stating your address and e-mail.

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