

CALL FOR THE CLOSURE OF CAMPS FOR MIGRANTS, IN EUROPE AND BEYOND

In member states of the European Union, as well as in neighboring countries (Libya, Morocco, Turkey, Ukraine) and beyond (Mauritania, Lebanon), the presence of an ever increasing number of zones of detention conceals policies and practices contrary to international commitments which some of these states are bound to (the United Nations Convention relating to the Status of Refugees, the International Convention on the Rights of the Child, etc.). In Cyprus, Greece, Italy, Malta, migrants are automatically placed in detention, whatever their humanitarian and/or legal situation is, including those rescued or intercepted at sea after long journeys.

Whatever name we may give them¹, these camps for foreigners have become a prized tool to manage migrant populations. People are detained without trial or sentence, in prison-like conditions, sometimes even confined in cells. Such detention sanctions those who did not respect laws relative to border crossing or length of stay in a country, though these can be contrary to international laws, for instance in the case of the protection of refugees. In some cases, mistreatment and physical or psychological violence are commonplace. Frequent incidents (riots, hunger strikes, voluntary fire), with sometimes tragic consequences (suicides, deaths), serve to show how inappropriate the detention system is for the people it targets.

The proliferation of camps has come hand in hand with an increase in the length of detention,² which often exceeds the time required to organize deportations. Behind the official objectives stated (rationalization of migration management), the institutionalization of the detention of migrants is part of a deterrence policy which criminalizes those considered undesirable. This policy, which runs contrary to democratic principles, comes with exorbitant costs: not only at a human level, but also with regards to the police and administrative forces it mobilizes, which it is estimated exceeds several billion Euros for EU member states³.

Since 2002, the Migreurop network endeavors to document and denounce the consequences of the EU migration policies, first and foremost with regards to the confinement of migrants⁴. In 2004, its members called for a collective action *against the creation of camps at the borders of Europe*⁵. Since then, numerous reports have been issued by UN agencies, by the CPT (European Committee for the Prevention of Torture), by the Council of Europe Commissioner for Human Rights, by parliamentary missions, by international organizations or NGOs.

¹ The camps we refer to include « closed camps » or « centri di identificazione ed espulsione », but also of « waiting zones », « transit centers », even « reception centers ».

² The « return directive » adopted by the European Council in December 2008 allows for detention stretching up to 18 months.

³ In 2008, « the annual cost of deportations carried out in France are estimated at a cost of more than 700 million Euros at least ». Migreurop (2009) *Atlas des migrants en Europe. Géographie critique des politiques migratoires*, Paris, Armand Colin, p. 91.

⁴ See Migreurop's map « *Encampment* » in Europe and in Mediterranean area,

<http://www.migreurop.org/rubrique266.html> Carte des camps

⁵ <http://www.migreurop.org/article656.html>

The reports and field observations all conclude that the detention of migrants leads by its very nature to the violation of human rights: in the first instance on the freedom of movement, but also a right to asylum, the right of respect for private and family life, the right to protection against inhuman or degrading treatments, or rights specific to vulnerable people such as children. In 2007, a report solicited by the European Parliament stated that: *“The deprivation of freedom and the conditions in detention centres create or aggravate psychological or psychiatric disorders. (...) Depriving children of their freedom can however have a particularly harmful impact on these children and lead to the onset of psychological disorders in the short or long-term”*⁶.

Very often, no effective judicial control is exercised in practice with regards to confinement, although infringement of individual liberties are at stake.

The large-scale confinement of migrants which has been developed in the framework of European asylum and immigration policy proves to be ineffective in relation to its supposed objectives of “controlling migration flows”. It is incongruous to attempt to resolve the issue of so-called “irregular” migration from a security angle. Participating to the stigmatization of migrants as “guilty”, and propagating the idea that to exercising one’s right to circulate freely is a crime, it is at the roots of recurrent violations of human rights and serves to feed racism and xenophobia.

Migreurop demands that governments of EU member states and its neighboring countries to stop resorting to detention as a tool for controlling migration flows, and calls for civil society to oppose the system of detention of migrants.

April 2010

Summary of problems identified in detention zones for migrants

Certain issues are repeatedly highlighted in the reports issued by different organisations or observatory missions in camps where migrants are detained.

In January 2008, the summary report of the **UN Working Group on Arbitrary Detention**, based on field missions reports carried over the previous months, gives a very clear overview of the main issues faced in zones of detention, and of the subsequent violation of human rights they entail*:

- lack of a legal framework, whether it be for immigration and asylum procedures, or with regards to detention if the case may be;
- the use of detention without any judicial procedure, for identification procedures only or to act as a deterrence tool;
- the disproportionate length of detention, with sometimes no official time limit attached to it;
- the detention, in certain countries, of asylum seekers, of minors, of sick and handicapped people;
- the « trying » and « deplorable » conditions some migrants are sometimes faced to.

Other matters of serious concern should also be mentioned, such as the frequency of specific mental or health problems, especially psychiatric problems, which many detained migrants are suffering from, whatever country or detention conditions they find themselves in.

* <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/100/92/PDF/G0810092.pdf?OpenElement>

⁶ European Parliament, *“The conditions in centres for third country nationals (detention camps, open centres as well as transit centres and transit zones) with a particular focus on provisions and facilities for persons with special needs in the 25 EU member states”*, IP/C/LIBE/IC/2006-181, dec. 2007