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Spain and Morocco: Failure to protect the rights of migrants - Ceuta and Melilla one year on

Between August and October 2005, 13 people were killed and many more seriously wounded whilst trying to cross the border from Morocco into Spain at the Spanish enclaves of Ceuta and Melilla, north of Morocco. A year after these events, Amnesty International has launched a new report to highlight the climate of impunity allowing human rights violations to be committed by Spanish and Moroccan authorities protecting the border.

Use of excessive force

In October 2005, Amnesty International sent a delegation to the area to investigate reports of human rights abuses. The organization discovered that some of these deaths and injuries had been caused by live ammunition used by border guards. Other injuries had been caused as a result of heavy rubber bullets shot at people while they were on the fences. Amnesty International is also concerned about allegations of beatings by border guards when people fall between the two border fences. According to reports some of those injured, are immediately expelled back into Moroccan territory without being given appropriate medical treatment for their injuries. The organization also heard of at least one person who died on the Moroccan side of the border as a result of injuries sustained from beatings by border guards on the Spanish side.

While the Spanish and Moroccan authorities have begun investigations into these deaths, no results of investigations have yet been made public, nor are there sufficient guarantees that investigations are thorough, independent and impartial

Unlawful expulsions

Many of those who the organization spoke to had been expelled back into Morocco from Spain, without being given an opportunity to claim asylum. From reports received, the organization believes that most people are not informed of their right to seek asylum. If they do attempt to exercise this right, the authorities do not provide them with adequate information about the asylum procedure or provide them with legal and language assistance as required by international law.

Amnesty International continues to receive reports that in Morocco, asylum-seekers are arrested and expelled by the Moroccan authorities to neighbouring countries. Of particular concern are allegations that Moroccan officials have confiscated UNHCR documents confirming that the individuals are asylum-seekers and then destroyed the papers in front of them.

The organization also received reports of Moroccan authorities abandoning migrants in desert areas with little or no food or water. It was reported that at least one man died and many others fell ill as a result of such treatment.

On 3 July 2006 three more deaths occurred at the border fence between Melilla and Morocco, while the victims were trying to enter Spain. Amnesty International is deeply concerned about the Spanish and Moroccan governments' treatment of migrants and urges them to implement the report's recommendations to end the climate of impunity at the Spanish-Moroccan border and to ensure that those wishing to seek asylum have access to a fair asylum procedure.