

AMNESTY INTERNATIONAL

Public Statement

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Spain/Morocco: Migrant rights between two fires

At least five men of sub-Saharan origin lost their lives and several others were injured during the night of 28 to 29 September 2005 when several hundred individuals tried to gain entry to Spanish territory by climbing over two razor-wire fences separating the Spanish enclave of Ceuta from Morocco, and were confronted by the law enforcement officials of both countries. The incidents happened exactly one month after the death of two other men, one of whom was a minor, in the Spanish enclave of Melilla, which occurred in similar circumstances.

Amnesty International is gravely concerned by reports of excessive use of force by the law enforcement of both countries that allegedly led to the deaths described above, and to serious injuries being sustained by several other individuals attempting to enter Spanish territory from Morocco. According to information received by Amnesty International, two of the five men killed were found on the Spanish side of the fence while the other three were found on the Moroccan side. Although all five men allegedly sustained bullet wounds, it is still not clear what kind of ammunition was used nor has it been ascertained whether the shots were fired by the Spanish or the Moroccan law-enforcement officials or by both.

Spanish and Moroccan authorities have announced a joint investigation into the recent incidents at Ceuta. Amnesty International urges both governments to also investigate the previous incidents in Melilla and to ensure that such investigations are prompt, comprehensive, independent and impartial, with the results made public.

Amnesty International is also calling on both governments to implement a thorough review of training and practices of law enforcement officials operating at their borders. Without specific, appropriate and regular training on crowd control measures and devices, officials may cause unnecessary and serious injury or even death. They also require more general training on international standards and their proper application to law enforcement, such as the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

Background

The five individuals who died on the night of 28 to 29 September 2005 were among several hundred individuals reportedly trying to enter Spain by climbing over two razor-wire fences separating Ceuta from Morocco.

Several other individuals of sub-Saharan origin have died in recent months in the vicinity of the border between the Spanish enclave of Melilla and Morocco, allegedly after ill-treatment or excessive use of force by the Spanish or Moroccan security forces.

On 28-29 August 2005, two Cameroonian nationals died after allegedly being shot by rubber bullets

at close distance by the Spanish *Guardia Civil*. They were among a group of several hundred individuals reportedly trying to climb over the first of two fences separating Melilla and Morocco. In April 2004, two Nigerian nationals died reportedly after being shot by Moroccan security forces in Moroccan territory near the same border.

Thousands of migrants and asylum-seekers, many of them from sub-Saharan Africa, try to cross into the Spanish enclaves of Ceuta and Melilla each year.