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Spain: Refugees' rights must not be made invisible

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Both the Spanish authorities and the Spanish media are turning a blind eye to the human rights concerns of refugees, rendering them invisible. As long as they refer to the influx of "illegal" immigrants, they conceal the reality of those who are fleeing persecution and grave abuses in their country of origin.

Amnesty International recognises the right of the Spanish government to control immigration and to regulate the entry of foreign nationals onto its soil, but stresses that this right must not be at the expense of the rights of all persons to enjoy their fundamental human rights.

However, Spain has adopted migration policies and practices that are preventing persons fleeing grave human rights violations reaching Spain, seeking asylum and obtaining protection.

Spain's expulsion processes – which have included unlawful expulsions via the border with Morocco – do not guarantee that people will not be returned to countries where their human rights would risk being violated (a principle referred to as *non-refoulement*).

Case study

S.L from Liberia was only 16 years old when he entered Spain, climbing over the fence of Ceuta. He was arrested by officers of the Guardia Civil, and then he was expelled to Morocco, without being provided with the chance to apply for asylum. He was handed over to Moroccan police officers whom, according to his testimony, beat him up and took him to Oujda at the border with Algeria. S.L returned to the frontier with Spain and once again entered without authorization via Ceuta. He is currently seeking asylum in Ceuta.

More information

Read the full report at: [\[link to be added\]](#)

For more information on Amnesty International's work on the human rights of refugees and other displaced persons please go to www.amnesty.org/refugees

Call to action

Please write to the Spanish government to ensure the protection of the rights of all foreign nationals, including refugees.,

You can base your appeal on the letter below.

Sample letter

Dear Prime Minister/ Minister,

I am writing to express my concern about the immigration policies and practices adopted by Spain. The Spanish government is failing to provide sufficient guarantees about the rights of foreign-nationals to adequate information, legal and interpreting assistance and access to fair and satisfactory asylum procedures.

I am also concerned about procedures for, expulsion which do not always comply with the principle of *non-refoulement*, which prohibits the forcible return of individuals to countries where they may be at risk of serious human rights violations, including torture and other ill-treatment.

I would therefore request you to ensure that:

- immigration control measures comply with international human rights and refugee law and standards ;
- adequate rescue-at-sea systems and reception facilities are provided
- access to asylum procedures are fair, transparent and ensure the identification of those in need of international protection;
- expulsion procedures include the necessary procedural safeguards so that no-one is sent back to a state where they may be at risk of serious human rights violations; and decisions on the expulsion of children are based on the best interests of the child;
- the fundamental human rights of refugees are protected, especially in the case of women and unaccompanied children.

Yours sincerely,

Target contact details

Sr. D. José Luis Rodríguez Zapatero
Presidente del Gobierno
Complejo de la Moncloa
28071 Madrid
Spain
Salutation: Dear Prime Minister

Don José Antonio Alonso Suárez
Ministero del Interior
Paseo de la Castellana 5
28046 Madrid
Spain

Salutation: Dear Minister

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The Civil Guard intercepts 20 migrants on a small boat 200 meters off the coast in Fuerteventura. Canary Islands, 2000.

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