

# As Europe shuts out migrants, activists are pushing back

Europeans are uniting to defend migrants' rights at the grassroots, developing "translocal" campaigns.

In July, a nondescript blue vessel drifting along the Italian coast became the latest flashpoint in Europe's "migration crisis." For the people on board, mostly from African countries, the Sea-Watch 3 was their last hope for escaping desperate circumstances in their homelands. To many onshore, the humanitarian vessel was political contraband. The Italian authorities refused to let the boat dock, as the right-wing Interior Minister Matteo Salvini complained that other European nations were forcing Italy to take in migrants it did not want. A standoff ensued between the Italian government and the scrappy 31-year-old captain Carola Rackete. After two weeks adrift, during which conditions on board grew increasingly desperate — migrants were reportedly at risk of self-harm — Rackete drove into the port, clashing with a patrol boat. Eventually, France, Germany, Finland, Luxembourg and Portugal agreed to take in the 40 migrants on board, Rackete was arrested, and Salvini called the ordeal "an act of war."

Johannes Bayer, chairman of Sea-Watch, the humanitarian project that runs the boat, called Rackete's actions an act of necessity. "No European institution is willing to take responsibility and to uphold human dignity at Europe's border in the Mediterranean. This is why we have to take responsibility ourselves... The guarantee of human rights must not be conditional to a passport or to any EU negotiations, they have to be indivisible."

The standoff reflected a crisis of Europe's own creation: For years, EU leaders have watched Europe's southern waters morph into a mass grave for migrants. Most come from Africa, Afghanistan, and the Middle East, and many have endured unspeakable trauma — war, torture, rape, even enslavement. The problem is not so much that the continent "has no room" for them, as conservative politicians often argue. Rather, because the EU is so riven with nationalist and racial anxieties, it has repeatedly failed to develop any sort of coordinated scheme for supporting migrants in their arrival and resettlement — not just those who cross the Mediterranean, but also those who enter by land

through the Balkans. Meanwhile, border authorities cannot stop the smuggling boats from setting off for European shores, nor can they stop humanitarian groups from rescuing stranded people from the sea.

To avoid further border clashes, some EU member states have floated a disembarkation and relocation plan, which aims to move people from their arrival point, usually the coast of Italy, to other member states, and to more efficiently screen migrants to determine who might qualify for humanitarian protection. Relocation is just a temporary step — allowing people to stay while their legal cases are wending through the asylum process — but as a stopgap measure, the plan is part of an incremental effort to push more member states to share the “burden” of handling Europe’s so-called “migrant crisis.”

The new “Joint declaration of intent on a controlled emergency procedure” was drafted by the two frontline transit countries, Italy and Malta — and two major destination countries, Germany and France — along with Finland, which holds the rotating position of EU president. Presented at a mini-summit held in late September, the framework hinges on recruiting other member states to volunteer to serve as relocation sites by receiving a designated share of migrants. After an initial security and medical screening, migrants seeking asylum would be relocated and continue their legal processing, while those deemed ineligible for asylum would be returned, with “logistical and operational support” from the European Border and Coast Guard and International Organization for Migration. Relocation would overall take about four weeks.

In a statement to Truthout, an EU Commission spokesperson stated that the proposal had been presented to other member states for discussion, and the Commission “hope[s] that as many Member States as possible will join this collective effort.” So far, only Ireland, Luxembourg and Portugal have reportedly expressed willingness to participate in the scheme.

However, although the relocation proposal might save EU leaders some embarrassment when rescue boats arrive, it would not address the fundamental unfairness of Europe’s immigration regime. Although the plan makes overtures toward law enforcement actions — combating the high-profile crimes of “smuggling” and “human trafficking is vague on legal protections for migrants, and particularly vague on what recourse is available to those deemed ineligible for humanitarian protection. Human rights activists are concerned that the

framework leaves open the possibility of returning boats to their departure point: the chaotic, war-torn tip of Libya.

Human Rights Watch (HRW) and Amnesty International argue that the relocation plan should ensure that migrants would not be arbitrarily or unjustly turned back to dangerous circumstances. Philippe Dam, advocacy director of HRW's Europe and Central Asia Division, tells Truthout, "One thing which is really missing is a commitment to establish the necessary safeguards against unsafe or arbitrary return."

Sea-Watch, the NGO that runs the rescue vessel that clashed with Italian authorities last summer, is opposed to any forced return, advocating instead for the relocation of all migrants who disembark, not just those deemed to have a chance at asylum. "Relocation should be automatic/immediate" for all migrants, the group said in a statement, while also "taking into account individual needs and connections such as family, community and social links conceived in a broad sense."

MOAS, a humanitarian NGO that runs rescue ships along the Mediterranean, criticized the agreement for not incorporating the role of civil society-led rescue operations — suggesting that the proposal prioritizes official search-and-rescue vessels and excludes NGO ships: "Rather than looking for a framework through which to work with Search and Rescue NGOs, the approach is still to imply an incompatibility between state and non-state actors, which is something MOAS simply does not agree with."

Conservative EU officials, meanwhile, criticize the plan as an encroachment on sovereignty. The right-wing Hungarian government — which has been accused of numerous human rights abuses against migrants on its border, and recently tried to criminalize the act of aiding migrants — dismissed the relocation proposal as an attempt to unilaterally impose "quotas" on member states.

Past efforts at distributing Europe's "irregular" migrants have foundered, especially amid an increasingly right-wing, nationalistic political climate. In Central and Eastern Europe particularly, right-wing nationalist politicians argue most new arrivals are not genuine refugees, but "economic migrants" seeking work. (Rights advocates argue that drawing this sharp distinction between economic migrants and refugees is illogical, since asylum policies are

often extremely restrictive, and even people who come to seek work are often fleeing extremely desperate circumstances.)

“Refugee and asylum and migration issues have become very toxic in Europe,” Jeff Crisp, a research associate with Oxford’s Refugee Studies Centre, told Truthout. Right-wing politicians are exploiting the public’s fears, he added: “If they can say, well, we’re not allowing these people to set foot on our territory ... then that gives the impression of being more in control, and is more likely [to gain] popular support among the electorate.”

The rising death toll at sea, on the other hand, factors little into the electoral calculus of many European politicians. This year, about 1,078 migrants have died at sea as of late October, mostly in the central Mediterranean. There were even more deaths in previous years, peaking at 3,780 in 2016. Deaths typically occur when smuggling ships begin to cross over from a war-torn and chaotic region in Libya, get stranded at sea, and are not rescued in time by a passing vessel. But in 2019, with more than 77,900 arrivals by sea in Europe, the numbers of both attempted crossings and fatalities are down sharply from previous years— driven in large part by stricter patrols, led by the Libyan Coast Guard in collaboration with European authorities.

Beyond temporary relocation, the longer-term challenge is the establishment of a functional Common European Asylum System that can fairly and efficiently review asylum cases with standardized procedures. Previous attempts to develop a more consistent, stable EU-wide legal infrastructure have failed. Overall, since 2015, more than 34,700 individuals have been relocated from Italy and Greece, but mostly on an ad-hoc basis. They then enter a disjointed, heavily backlogged asylum system. While about 50,000 people have been granted asylum over the past few years, as of late 2018, some 878,600 requests for asylum were pending, and rejection rates are on the rise.

## **Hostile terrain**

Meanwhile, Italy’s coastline is becoming increasingly hostile territory for migrant aid organizations. Last March, the EU, under pressure from Italy, decided to suspend the patrol boats of the humanitarian rescue program Operation Sophia. Last December, the Aquarius, a rescue boat operated by the NGOs Médecins Sans Frontières (MSF) and SOS Méditerranée, was forced to end

operations, after coming under what it called “sustained attacks” by EU authorities — being forced to remain adrift off the Italian coast, stripped of its registration and even slapped with criminal charges, despite having saved more than 33,000 people over three years.

Aid groups want more than a disembarkation scheme. In a statement to Truthout, Sonal Marwah, MSF humanitarian affairs manager for Libya search and rescue, said that the recent discussions on disembarkation “were a promising first step,” but the lack of support from member states “has been disheartening.” In the immediate term, Marwah added, another MSF ship, the Ocean Viking, currently remains stranded offshore with 104 people aboard. “We can only hope in lieu of a permanent disembarkation mechanism, states will act humanely and allow these vulnerable people to disembark to safety,” she said.

EU officials insist that their crackdowns on humanitarian vessels are a form of “deterrence,” assuming that by making death at sea more likely, migrants — who have likely braved multiple forms of trauma already — will suddenly be frightened out of making the final boat journey to Europe.

Emmanuel, a Cameroonian refugee, described the brutal reality of “deterrence” in testimony to Amnesty International: A passing ship refused to rescue him and others trapped on two stranded dinghies. The crew said the refugees would have to be retrieved by the Libyan authorities. Meanwhile, Emmanuel recalled, “I could see people dying on the other boat, pieces of boat were floating and bodies too. [By the time] a small Libyan ship came to get us ... all the people on the other dinghy had died.”

In addition to “deterrence” strategies, some European officials also seek to “externalize” their migration problem by warehousing refugees abroad. To block the Western route through Greece, where many Syrians and others crossed in recent years, refugees have been pushed back to Turkey and housed in sprawling detention camps, even as they are seeking resettlement in Europe. (Grim conditions in Turkish refugee camps, however, are driving more migration to neighboring Greece, creating another pressure point on the EU.)

The EU has also collaborated with the notoriously brutal Libyan security forces to patrol the Mediterranean and turn back migrant smuggling vessels. The effort to push back migrants is unraveling, however, as civil conflict in Libya escalates and

leaves migrants trapped in squalid, violent detention centers.

Europe's main response to the Libyan crisis has been to shove migrants even farther away. Following the recent horrific bombing of a Libyan detention facility, EU and United Nations authorities have developed an ad-hoc relocation scheme that has landed about 500 evacuated migrants in Rwanda, where they will reportedly be granted asylum-seeker status. It is unclear what kind of opportunities they will have to seek resettlement in Europe.

Anneliese Baldaccini, Amnesty's executive officer for asylum and migration, says the Mediterranean crisis is not due to a lack of physical or economic capacity to admit more refugees. After all, countries in the Middle East have been sheltering millions of regional refugees, whereas Europe's migrant influx is proportionally vastly smaller.

"The problem is the lack of solidarity," Baldaccini says, "because if you consider the EU as a whole, there is certainly scope to put in place better policies of support and reception." Referring to the member states' collective inaction on border policy, Baldaccini adds, "It's always the case that they very well unite on more repressive and regressive measures than on progressive measures."

Europe has not always been so resistant to migrants, however. In the 1980s, some member states, including Italy, Spain and Germany, granted amnesty to unauthorized migrants within their borders. However, today, such measures have generally been discouraged by the European Pact on Immigration and Asylum; ironically, the EU-wide standards for controlling immigration have also impeded member states' ability to adopt more open policies than their neighbors.

Nonetheless, Europeans are uniting to defend migrants' rights at the grassroots, developing "translocal" campaigns and weaving together cities across Europe to demand humanitarian and legal protections for migrants. The rescue vessels at sea, refugee aid workers helping migrants navigate Hungarian borders, and ordinary citizens staging direct-action protests to stop deportations — the wave of humanitarian activism in recent months has shown that European citizens and EU ministers are diverging sharply on the question of borders.

So migrants keep coming, despite the obstacles, and people keep aiding them, despite the law. And together, it's the migrants and their allies in the EU, not the ministers, who are shaping the frontiers of Europe, demonstrating that the

borders themselves are the problem.

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