

# EU border agency Frontex guilty of massive breach of human rights

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The European Union (EU) has responded to the refugee crisis in Lampedusa by hermetically sealing off its borders and expanding the police apparatus used to repel refugees.

On October 10, just a week after over 360 refugees were drowned off the Italian island of Lampedusa, the European Parliament adopted its so-called Eurosur Regulation, which provides for the use of drones, satellites and offshore sensors to detect refugees in the Mediterranean.

The EU commissioner responsible, Cecilia Malmström, tried to justify this response by cynically presenting the measures as being beneficial for refugees. However, the entire history and practice of the border protection agency Frontex, which is responsible for coordinating EU measures against refugees, proves the opposite. More than ever before, refugees coming to Europe will be harassed, repelled and forced to risk their lives.

This is underscored by the fact that the Mediterranean countries Italy, France, Spain, Greece and Malta still refuse to agree on an amendment to a Frontex Regulation, which the European Court ruled in 2010 was partially invalid. They do not want to accept a new amendment that would mandate the rescue of shipwrecked refugees.

Under the new amendment, refugees at sea must be rescued when a ship cannot reach its presumed destination on its own; the number of passengers is too large in relation to the capacity of the ship; passengers are lacking food or need medical help; and pregnant women and small children are on board. Although international maritime law requires urgent assistance be provided to ships and people in distress, the European Parliament has been unable to agree on an appropriate regulation.

A report on the German TV programme “Monitor” broadcast on October 17 accuses Frontex of massive human rights violations. The focus of the short report was so-called repulsion actions involving refugees intercepted on the high seas and returned to third countries.

An EU Council decision of April 2010 provides clear guidelines for such actions. According to the guidelines, vessels “where a reasonable suspicion exists of the transportation of persons trying to evade border controls” and “the persons on board” can be handed over to “the authorities of a third country”.

The brutality with which the EU border officials proceed in such repulsion measures was described on “Monitor” by Kibrom Andom Woldemichael, a refugee from Eritrea who now lives in Germany. He was trying to cross the Mediterranean on an inflatable dingy with 82 people and 3 children on board, when they were apprehended by EU border guards who forcibly dragged them aboard their ship and returned them to Libya.

The EU border guards beat him with electric batons when he tried to prevent them from tearing his son out of his hands, reported Andom Woldemichael. Because of the blows, he remains deaf in his right ear, but no official has been prosecuted.

The deportation of refugees on the high seas to their place of origin violates human rights and the Geneva Convention banning the deportation of persons without an individual review process. However, although the European Court of Human Rights declared repulsion operations to be illegal at the beginning of 2012, they have not stopped. Amnesty International lists more than 40 repulsion operations for the year 2012. Questioned by “Monitor”, Frontex director Ilkka Laitinen defended these actions.

The “Monitor” report ends with the words: “Whoever, for base motives, accepts the death of thousands, although obliged to protect these people, is a mass murderer in the eyes of the law. Only, here there is no prosecutor and no court to reach a judgement”.

The border agency Frontex is a consequence of the Schengen Agreement, which lifted some internal European borders in 1995 and regulated the asylum and immigration policies of the member countries. In 2005, Frontex began its work with 20 employees coordinating the EU’s operations against refugees. In the meantime, the agency now has 300 employees and an annual budget of almost €100 million.

Its advanced communications centre in Warsaw monitors refugee routes, organises measures to prevent refugees reaching the EU and charters flights for rejected asylum seekers. The largest part of the budget is spent on police actions at the EU’s external borders and the posting of liaison officers to third countries such as Libya, Tunisia, Ukraine and Turkey. From there, Frontex trains border guards and puts the respective governments under pressure to prevent migrants from leaving for the EU.

Border actions coordinated by Frontex have repeatedly led to the deaths of refugees. For example, inflatable dinghies with refugees on board on the river Evros at the Turkish-Greek border were shot at in order to force them to return. Border officials from the German police stationed there have also been involved in such actions.

In December 2012, a Spanish patrol boat travelling at great speed off Lanzarote deliberately overran a refugee boat with 25 people on board waiting to be picked up by the Coast Guard. Seven refugees were killed.

In May 2011, 63 refugees died of thirst after a 15-day odyssey in the Mediterranean, although both Frontex and NATO ships participating in the war against Libya were in proximity, but supposedly did not notice the refugee boat.

And the shelling of a refugee boat a few days ago by Libyan soldiers or militia must be considered a result of Frontex operations. According to the survivors, several refugees died in a hail of bullets and dozens drowned when the boat capsized because the refugees moved to take cover on one side of the ship.

In 2009, Italy signed a comprehensive cooperation

agreement with Libya, which was renewed in 2012. Under this agreement, massive repatriation operations were conducted, although it is well known that the Libyan authorities mistreat and torture refugees, and do not shrink from simply dumping them in the desert.

Since then, Libyan prime minister Ali Zeidan has expressed his support for “coordinated actions against migrants” and asked the EU for access to European satellite technology in order to better monitor Libya’s sea and land borders.

The intensified cooperation with third countries is now one of the most important areas of operations by Frontex. The agency operates its own foreign policy by sending liaison officers to North Africa, eastern Europe and the Middle East. In cooperation with local police and intelligence agencies, they are seeking to “shift” the EU’s external border into the Sahara, up to the Turkish-Iranian border or to the Urals.

The victims of this vile and undeclared war conducted by the EU against refugees number in the tens of thousands. They are drowned in the Mediterranean or off the Canary Islands; they are killed by mines on the Greek-Turkish border; they are dying of thirst in the desert or have died in the torture chambers of North Africa, where they were deported by European border guards. Their only crime was to seek asylum in the European Union to escape persecution, poverty and misery.

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