

**Human Rights  
on the  
SOUTHERN FRONTIER  
2009**

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## INTRODUCTION

The Human Rights Report of the Frontera Sur that we present this year shows a relative shift in format from previous years. We've intended to gather some perspective of the migratory phenomenon from the South, giving a voice to those whom, through great difficulty, have one. We considered it important to gather this viewpoint through the words of prominent leaders amongst the civil society in some of the African countries where the phenomenon of Immigration, both proper and transitory, has acquired relevance during the past years.

As to the usual analysis presented in these APDHA Reports, regarding the changes in migration flows and their consequences, we show the dramatic decline in detainees as nothing more than a reflection of reality as a whole. The cause of this decline isn't lacking versions. They range from the reason for the decline in migration flows is attributed to the global crisis we're suffering, until, to the contrary, is due to the increased efficiency of the border controls developed by Spain and the European Union.

We believe it requisite to collect the complexity and multiplicity of the factors that encourage emigration. Likewise, the factors that discourage, prevent, or impede it. Like we've mentioned in other occasions, migrations are anything but simple and warranted. However, we note that the procedure of externalization of border controls and the increase of mutual responsibility of the third countries (in origin and transit) are both having an impact on migration processes coming from the African continent.

In our humble opinion, the coastal surveillance and the implementation of strict controls at the borders surrounding the Sahel are, without a doubt, of greater importance than the controls established by Spain and the Frontex.

Nonetheless, it is essential to keep in mind that these procedures of externalization and growing militarization of the African borders are also generating great suffering and violation of rights. For the APDHA, the respect of human rights at any time and place, obviously this applies to borders, cannot be abandoned using the excuse of migration controls. Among these rights is, undoubtedly, the right to enter and return one's own country, as is stated in article 13.2 of the Universal Declaration.

It is also worth nothing that there is a significant drop in the number of people that have been killed or disappeared this year, according to the data that the APDHA has been able to document. In 2008 there were 581 cases reported, in 2009 there were 206 deaths or disappearances reported. But we don't rejoice. These are chilling figures that don't include all those people whose death or disappearance we haven't been able to ascertain, which should be intolerable for a rule of law.

A drama that can only be avoided with the strong support towards countries where so many of its people chose to emigrate because there are hardly any other alternatives. A support that will have to go beyond the cooperation towards development, for example, reaching debt cancellation and fairer trade agreements. Modern migration stems its roots from the immense inequality that exists in our planet, which is where attention must be focused and not in the increasing implementation of repressive politics. Also, of course, a management of migrations that upholds a scrupulous respect for human rights.

## MIGRATORY FLOWS TOWARDS SPAIN IN 2009: REGULATION OR REPRESSION

“The year ends with the lower number of boat immigrants arriving in Spain in a decade”, affirmed an article published in the Spanish newspaper *El País* on 31 December 2009. However, the following day, on 1 January 2010, the Colombian newspaper *El Tiempo* published an article entitled “71 African shipwrecked immigrants were rescued by the Navy in the Caribbean Coast”. There is no doubt that the number of immigrants intercepted while trying to reach Spain has fallen, but the migratory reality is much more complex than it seems, and an estimate of the migratory flows towards Spain in 2009 is only a part of the story.

In April 2009, the European Commissioner for Justice, Freedom and Security, Mr Jacques Barrot, recognized that migratory problems were getting worse and that the European States should be aware of this. Moreover, Mr Barrot pointed out that it is not only necessary to offer a humanitarian treatment to immigrants, but also to tackle migratory problems together with immigration-origin countries. With this aim, the Spanish government has intensified controls on Spanish maritime coasts in 2009. This policy, supported and financed by the European Union, is made possible thanks to the increasing cooperation of African countries and to the boost of the externalization of frontiers control.

### The Africa Plan and the Spanish cooperation with African countries

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Spain’s joint work with African countries to control migratory flows is carried out within the framework of the Africa Plan.

After the first Africa Plan in 2006-2008, a second Africa Plan for 2009-2012 is now up and running and it sets some transversal objectives. Unlike the first plan, the Africa Plan for 2009-2012 includes objectives related to the protection of human rights, the introduction of gender equality policies and the adoption of measures to guarantee environmental sustainability and adaptation to climate change. In addition, other objectives are to support democracy, to build up peace and security, to fight against poverty and to develop the economy. However, all these objectives are only tools to get to the main objective, which is to control migratory flows. The Africa Plan explicitly states the relationship between Spain and African countries according to economic interests –which are mainly linked to fishing and energy matters- and to the strategic relevance for immigration.

This year, general and specific cooperation has been reinforced in order to fulfil the Africa Plan objectives. On 1 April 2009, a summit between Spain and the 15 North African countries –most of which are origin or transit ***countries for the irregular immigrants who reach the Canary coasts***) ***was held in the Canary Islands with the aim of articulating and coordinating national policies to control irregular immigration in a more efficient way. In order to strengthen these countries national institutions, the Spanish Agency of International Development Cooperation (AECID), which is a public law entity under the Spanish Ministry of Foreign Affairs, provided them with a fund of 10 million Euro.***

**The countries of priority interest for the Spanish government objectives are Mauritania, Senegal, Cape Verde, Gambia and Niger. According to the Africa Plan, Spain delivered a C-212 maritime surveillance aircraft to Mauritanian authorities this year, but it has also donated other air and maritime means of transport to this country with aim of collaborating with the tasks of control of clandestine immigration and maritime lifesaving. These donations reinforce** patrol units made up by Mauritanian gendarmeries and Spanish police corps. Migratory cooperation with this country has been maintained even if it suffered a *coup d'état* on 6 August 2008.

The Spanish government has also donated an identical aircraft to Senegal and Cape Verde as part of its strategy to collaborate with those African countries from which there are more boats departures towards Spain. In the case of Niger, Spain is working on a project of frontiers surveillance and security and on the Spanish national action plan, focused on dealing with immigration in a comprehensive way. With regards to Gambia, the Africa Plan sets the “near opening” of a Spanish Embassy in Banjul as well as the continuation of programmes to train local staff in migratory issues.

As for Morocco, the strategic importance of this country was manifested again with the issue of Aminetu Haidar. On 14 November 2009, this Sahraoui activist was expelled by the Moroccan monarchy when she came back from the USA, where she had been given a prize for her activities in defence of human rights. Then, she was retained in the Spanish isle of Lanzarote for 32 days, during which she carried on a hunger strike. Finally, on 17 December 2009, she was allowed to return to Western Sahara in an aircraft provided by the Spanish government. This time, Morocco accepted Aminetu’s return without restrictions, so that she had neither to ask for the king’s pardon nor to publicly recognize the Moroccan nationality.

Given the circumstances, Spain was not able (or did not want) to press for the situation to be solved for fear that relations with such an important partner could be broken off. This shows the way Morocco, conscious of its important role in Spain’s migratory policy, uses its power in relation to several bilateral issues as a blackmail tool...

With the signature of those agreements related to migratory control, which involve the establishment of European security and control systems –such as FRONTEX or Spanish police corps- in African territories, the European South frontier continues to extend over the African North coast and some interior territories: Mauritania, Senegal, Gambia, Guinea Bissau or Mali.

### **Spanish migration policy in a European Policy Framework**

Spain is supported by the European Union, its countries and its agencies to stop the incoming of small boats. This year, in the European meetings, Zapatero reiterated the Spanish need for a European contribution to his borders control. It is already a reality, as between 2001 and 2010 Spain will receive €90 million to implement their policies on borders control and fighting illegal immigration, which represents 20% of the European budget for this field. In this way, operation Indalo, which was implemented in his third edition between the beginning of September and the end of October, is a symbol of the European stronghold, built up by the member countries. In this third edition, planes, helicopters, patrol boats and ships from Spain, France, Italy, Germany, Portugal and Belgium were used to control the water which links European and North African coasts for two

months. The Spanish State Immigration Department and the French Immigration Minister were glad to have arrested more than 526 people in the coastal waters of the southeastern Iberian Peninsula.

The control of internal and external borders is mainly implemented through the collaboration with Frontex agency. In 2009, this agency spent €88.8 millions, 35 from which were used for sea operations and 15 for operations in Spain. In fact, at the beginning of 2009 the executive director, Ilkka Laitinen, had announced that after the “success” and “good news” regarding the decrease in arrivals to Canary Islands, Frontex agents were going to continue with their job in the same way throughout the year. In this area, they work in the operation Hera framework, in which Mauritania and Senegal also participate. It seems that patrols are involved in an increase of actions since this operation is being extended until April 2010, instead of finishing it in December 2009. Furthermore, it is already planned to continue operating from April to December 2010.

In parallel to the huge control and externalization carried out by Frontex, the main weapon of Spain to block immigrants’ arrival to his coasts is the surveillance system SIVE (Integrated External Surveillance System). In 2009, this system was boosted again, together with a more recent system: the Sea Horse Network, which is a secure satellite communication network among Spain, Portugal, Mauritania, Senegal and Cape Verde. Morocco, Gambia and Guinea Bissau were incorporated in 2009. Sea Horse, which has a budget of €6 million to strengthen Frontex in the period 2006-2009, is leaded by Spain (Spanish police corps) and it is funded by the EU (Aeneas Project). In 2009 the SIVE, which was already set up in the autonomous regions of Andalusia, Canary Islands and Ceuta, was implemented in Murcia and Comunidad Valenciana. 15.4 millions were spent in the installation of cameras and the rest of the device. Its implementation is planned, even in the province of Pontevedra!

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In spite of this considerable expense, the system keeps failing and it does not detect some boats. Anyway, there is no doubt about the incapacity of the SIVE to stop the boats incoming since networks know when there is a failure or in which area they tend to occur and they take the opportunity to cross. In fact, the number of boats arriving in Murcia has increased in 2009. The worst and most dramatic thing is that the SIVE was not able to prevent 206 people from dying that year.

Finally, the development of these instruments and, generally speaking, the increase of the repressive migration policies provoke a higher alarm feeling and nourish the rejection of immigrants in the Spanish society, which is something totally different from the supposed and unreal “legal and ordered management of the migratory flows”. As when the SIVE was implemented in Murcia, Bartolomé Soler, Member of the Regional Parliament, said: “SIVE is a sea boat detection system and not an instrument that could prevent citizens from other countries, generally poor, from choosing to come to Spain to earn a living”.

### **The new reform of the Spanish immigration law and the migratory flows control**

On the 11th December 2009 the lower chamber of the Spanish Parliament approved the Organic Law 2/2009, which meant a new reform to the Organic Law on Rights and Liberties of Foreigners in Spain.

This was the fourth reform of the immigration legislation since it was approved in January 2000 and it is the first legislation implemented by the Government of the Socialist Party. Nevertheless, the reform, although it has revised lots of rules, does not change the main elements of the migration model set out up to now.

Despite the title, the reform does not take the opportunity to consider immigrants as human beings, and not only workers, by setting up the ways to integrate them. It is not an integration law, but an immigration one, in which foreigners are only regarded within his utility in the working market.

Therefore, the approach of the immigration legislation in Spain still distinguishes between legal and illegal immigration. At the same time this new legislation strengthens the fight against illegal immigration based on the exhaustive borders closing and the externalization of the migratory control, transferred to origin or transit countries.

In this way, article 2.bis.2 of the Immigration Law refers, as one of the principles of the migration policy in Spain, to “the promotion of dialogue and collaboration with immigration origin and transit countries, through framework agreements aimed to manage migratory flows in an effective way, as well as to promote and coordinate development and co-development cooperation initiatives”. It is the first time that the Spanish immigration legislation refers to the role of origin and transit countries in the “effective management of flows” without demanding to these countries the necessary respect to the human rights in this management.

That is not the only article on outsourcing of border control in the Spanish Immigration Law. The newly launched article 35 regulating immigration of unaccompanied minors opens with a call for cooperation with the countries of origin to 'prevent illegal immigration, [encourage] protection and return for unaccompanied minors". Along these lines, family reunification is not any more the only way of repatriation for unaccompanied minors. The aforementioned article 35 allows for unaccompanied children to be sent back to child protection services in their countries of origin. This rule seems to oversee that unaccompanied minors come from poor countries, where flaws in health care provision, education and social services are commonplace and whose child protection services are far from being in a position to warrant protection and respect for the fundamental rights of deported children.

Illegal immigrants are persecuted and border control is outsourced, however legal immigration is rather discouraged as an alternative.

As we denounced in the former report Informe Frontera Sur, the ways for accessing legal immigration are virtually blocked for African citizens. Under the new regulations, the contingent has been replaced by a flawed regulation of the so-called "Collective management of contracting events in the country of origin". We deem this regulation deficient. In the first place, fixing (or not) the amount of places that may be covered this way relies upon cabinet decisions. Furthermore, it is inadequate because a clear prevalence of countries in significantly poor economic and social conditions is not expressed. Acknowledging their priority is necessary to encourage young Africans to consider legal immigration as a real alternative to the risks and complications derived from illegal immigration.



The EU policy on immigration, which is captured in the Spanish legal reform we are analyzing, rather goes in the opposite direction. According to the legal reform implemented in December 2009, the only new way of getting a residence and work permit in Spain is related to highly skilled professionals. This is but one example of the fact that Europe is turning a blind eye to the reality of African immigration and is just showing a mercantilist and selfish view with regard to migration.

**On migration flows, *cayucos* and repression**

According to Frontex, the number of people who attempted to enter Europe illegally and the number of related arrests decreased by 22% in 2009. There is no doubt that the situation in the Spanish coast is similar: After the peak in the number of illegal immigrants reaching the Spanish coast in 2006, a dramatic fall has been registered – and figures keep on dropping slowly year after year.

		Immigrants arrested (Spanish Home Office)								
		2001	2002	2003	2004	2005	2006	2007	2008	2009
Canary Islands		4,112	9,875	9,382	8,426	4,715	31,678	12,478	9,181	2,264
Inland Spain and Balearic Islands		14,405	6,795	9,794	7,249	7,066	7,502	5,579	4,243	5,039
Ceuta and Melilla		n/d	n/d	n/d	n/d	n/d	2,000	1,553	1,210	1,108
Total		18,517	16,670	19,176	15,675	11,781	41,180	19,610	14,634	8,411

The Spanish Minister for Home Affairs, Alfredo Pérez Rubalcaba, talks about a 45.7% reduction – which becomes 42.5% if the data corresponding to arrests in Ceuta and Melilla are included in the estimate – and stresses the ‘success’ of the cooperation scheme with African countries, thanks to which the number of arrests in the Canary Islands dropped by 75.5%. According to the follow-up made by the APDHA, the total outcomes are similar to those calculated by the Home Office. It is worth mentioning that the data available to us on arrests in Ceuta and Melilla are not complete.

Figures - APDHA follow-up	Andalusia	Eastern Spain	Ceuta and Melilla	The Canary Islands	Total
2008	3,720	780	1,140	9,932	15,572
2009	4,412	880	1,108 <sup>(a)</sup>	2,328	8,728

<sup>(a)</sup> Given that the data corresponding to arrests in Ceuta and Melilla available to us are not complete, those published by the Home Office have been used in the APDHA follow-up.

However, the most significant figures are those showing the dramatic drop in the number of arrests undertaken in the Canary Islands. Similar figures could only have been reported ten years ago. Numerous analysis consider the current crisis is causing changes in migration flows: Canarias 24horas.com opened the 5th of December edition – as many other newspapers did – with the following piece of news: “The economic crisis has led to a decrease in the number of immigrants reaching the coast in *cayucos*”. In other words, the crisis has put an ended to the "magnet effect" of employment: the unemployment rate among immigrants who have lived in Europe for some years is increasing to a large extent – the unemployment rate reached 25% among immigrants – and they do not encourage their relatives to emigrate any more.

Nevertheless, a contradiction is shown if the outcomes of a survey carried out in the framework of the project Infomigra are considered<sup>1</sup>, since they revealed that 90% of Senegalese citizens still consider immigration as the solution to their problems. Furthermore, the economic crisis is also affecting African countries and has led to a rise in the costs of the trip. For instance, the engines required for *cayucos* are too expensive for some of the potential immigrants to acquire. Very often, those boats require engines that are manufactured in Asian countries specifically for Africa. They are shipped through the Canary Islands and may cost up to €27,000.

However, that is not the only reason. The social status of most immigrants makes it possible for them to save some money for the journey -although at times at the expense of needing to get into debt or lacking resources for themselves, their families and even their communities.

Meanwhile, politicians take advantage of these factors and take the credit for the decrease: although it is true that some months ago Alfredo Pérez Rubalcaba, the Spanish Home Minister, indicated that the crisis was the main deterrent for immigrants willing to enter Spain illegally, when the “report on the fight against illegal immigration” was presented, one of his spokesmen stressed the significance of cooperation with third countries and the huge efforts made by the Spanish Police and the Civil Guard, who he claimed "have not lowered their guard". “Despite fewer immigrants are entering the country, the number of forces in charge of border control has not been reduced. In addition, we have continued working closely with the authorities of several countries of Western Affrica”<sup>2</sup>. According to the 2009 report “The fight against illegal immigration” by the Spanish Home Affairs Ministry, the number of policemen increased by 55.1% between 2003 and 2009. However, the minister insists upon a more meaningful reason: cooperation with third countries. In other words: outsourcing of border management and control.

We do believe it necessary to consider a wide range of factors that have had an effect on the decrease in the number of *pateras* reaching our coasts.

Even Frontex admit the complexity of reasons why people emigrate and acknowledge that the effectiveness (sic) of their work is not the only factor to be considered. Indeed, they stress the five following factors: costs with regard to the distance and the expected profits in the country of destination; the views of their beloved ones that are already living in Europe; information or rumors

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<sup>1</sup> Report published by the Regional Government of Valencia (Generalitat Valenciana), Europa press, Valencia, 05/05/2009 “Las mafias de inmigrantes irregulares han ganado 2000 millones de euros” [Illegal immigrant mafias have earned €2000 million].

<sup>2</sup>[http://www.elpais.com/articulo/espana/crisis/economica/frena/seco/llegada/inmigrantes/irregulares/elpepiesp/20090427elpepinac\\_6/Tes](http://www.elpais.com/articulo/espana/crisis/economica/frena/seco/llegada/inmigrantes/irregulares/elpepiesp/20090427elpepinac_6/Tes), article published in the Spanish newspaper *El País* on 27/04/2009.

about job opportunities in Spain and Europe; extent of access to social facilities and chances of avoiding deportation when attempting to cross the border<sup>3</sup>.

Therefore, this situation cannot be analyzed from a reductionist viewpoint grounded on the either the crisis or border control. The report by the MPDLC –Spanish abbreviation of the Movement for the Peace, Disarmament and Freedom in the Canary Islands- on the decrease of immigration, which was carried out by a series of experts in this matter, describes the extent of complexity of this situation. They explain that the decreasing trend comes as a result of the reduction of job opportunities caused by the financial crisis, the reinforcement of restrictive immigration policies implemented by Spain, and control actions undertaken in borders. However, they stress the fact that this circumstantial situation won't stop migration, since migration is of structural origin. Manuel Ferrer, general manager and deputy manager of the European Centre for Migration Studies, indicates that the crisis does influence legal immigration. However, he stresses that Frontex policies do affect “illegal” immigration, since they set access areas further in order to manage to restrain migrations. However, they only manage to do it in the short-term. He explains that “immigration is not held back by means of ships and policemen”, but “when job opportunities are envisaged in the countries of origin”<sup>4</sup> In addition, the dramatic decrease in the number of *pateras* reaching the coast of the Canary Islands is not paralleled to a decrease in the number of *pateras* reaching the Andalusian coast in recent years (3,720 in 2008; 3,516 in 2009). Indeed, a higher number of *pateras* are reaching the coast of Eastern Spain (780 immigrants reached Murcia and Alicante in 2008; 880 in 2009).

However, the outsourcing of border control certainly explains why the number of arrivals has decreased this year. Numerous Africans are still trying to emigrate, but they are arrested even before heading to Spain in a boat, or just at the beach after they have managed to board. A headline by Sevimedia published in October 2009 read: « For the first time, the number of illegal immigrants arrested in the African coasts is higher than the number of arrivals recorded in the Canary Islands”<sup>5</sup>. Certainly, at that time in 2009, 2,282 immigrants had been arrested as they arrived in the Canary Islands as compared to 2,360 emigrants arrested before boarding their boats in the African coasts. Since then, not a single cayuco has reached the Canary Islands. Following Frontex, 4,000 immigrants are waiting for their turn at the Mauritanian coasts since the summer 2009. Some of the people who intended to immigrate are likely to have been arrested in the coasts of Africa between the summer months 2009 and the end of the year, despite no information has reached the media or the public opinion.

All the sources agree that the number of Algerians trying to reach the Spanish coasts increased. According to the follow-up carried out by the APDHA, 1,355 people were arrested by Spanish authorities in 2009. In addition, and despite having largely partial data on the events in the coast of North Africa and Western Africa, several thousands of people are likely to have been arrested in their attempt to migrate to Spain.

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<sup>3</sup> “The impact of the global economic crisis on illegal immigration to the EU” Frontex, August 2009

<sup>4</sup> <http://masalladelanoticiampdlc.blogspot.com/2009/07/blog-post.html> article released on 14/07/2009

<sup>5</sup> Servimedia, Madrid, 28/10/2009.

	Immigrants arrested <sup>6</sup>				Source 2009
	2006	2007	2008	2009	
Canary Islands	31,678	12,478	9,932	2,328	APDHA
Inland Spain and Balearic Islands	7,502	5,579	4,500	5,292	APDHA
Ceuta and Melilla	2,000	1,553	1,210	1,108	Mint
In the African coasts	7,000	12,000	20,000	11,000 <sup>(b)</sup>	Estimate
<b>Total</b>	<b>48,180</b>	<b>31,610</b>	<b>35,642</b>	<b>19,728</b>	

<sup>(b)</sup> These figures reflect only a rough estimate based on the scarce sources we have managed to access.

Due to the reinforcement of controls in the shorter routes, the candidates to immigration choose longer and more dangerous routes. Therefore, the boats going to the Canary Islands do not depart from Senegal anymore (only two did so in the present year). This country and Mauritania actively cooperate with Spain and FRONTEX, and this is the reason why the number of boats departing from Mauritania has also decreased, even though it momentarily became a main departure point after the *coup d'état* in August 2008 and the laxity of the coast surveillance by the Mauritanian forces.

To avoid controls, departures take place from Sahara or the north of Morocco again, while others choose new, southern routes like Gambia or even Guinea Bissau, which are much more dangerous. Gambia is not a member of FRONTEX and the Spanish police corps are not present in this country either. Moreover, transit immigrants are allowed to live in the territory, even without a proof of a job. This way, immigrants come out of the tributaries of river Gambia to the ocean, feigning fishing, to avoid the surveillance in the northern countries.

But, if the chosen routes change according to the surveillance methods, why does the number of arrivals to the South of Andalusia remain steady? Andalusia became the first point of arrival this summer. An explanation could be, according to the sociologist Manuel Vera, that the route of the Strait has been reactivated due to economical reasons. In fact the probability of being arrested in the Canary Islands or in the Strait is now similar, but the travel is less expensive in the second case.

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<sup>6</sup> Self estimation. These figures only refer to arrested people. It is not possible to calculate how many of them managed to reach the Spanish coasts and how many of them did not.

“Being the level of risk and control the same, it is cheaper for immigrant traders to use the route of the Strait again.”<sup>7</sup>

Nonetheless, it is true that the attempts to enter by Ceuta or Melilla are decreasing due to the increasingly active cooperation of Morocco. In Melilla, the improvement of the perimeter boundary, with the incorporation of a third obstacle, known as three-dimensional towrope, the reinforcement of police presence and the Moroccan cooperation are the three elements that brought an end to the large-scale attacks that continuously took place. Moreover, the Algerians aiming the Spanish coasts do not depart from Morocco anymore, but from their own coasts. This way, the Eastern route is becoming more and more frequent even though longer and more dangerous.

Data according to APDHA tracking	Sub Saharans	North Africans	Others and unknown
	3.642	2.100 Moroccan : 745 Algerian: 1.355	2.986

Regarding to their origin, sub Saharans continue to be the larger group of immigrants, even though the proportion by countries has changed: the number of Senegalese people departing has decreased, but, on the other hand, the number of Malians and Guineans has increased. But, above all, we have to point out the rising on Algerian arrivals this year: 36% more than in 2008, according to data by FRONTEX. It is the first time they exceed the number of Moroccan and they now represent, according to the same source, 65% of immigrants arriving to Andalusian coasts.

### On removal, exclusion and denial of entry

The figures on removals provided by the Ministry of Home Affairs on its Annual Balance for 2009 are as follows:

Legal concept	2009	2008	2007	2006 <sup>8</sup>
Denial of entry	12.226	17.358	24.355	19.332
Readmissions	5.099	6.281	6.248	4.616
Total removals	13.278	10.616	9.467	7.214
“Qualified” removals	7.591	5.564		
“Non-qualified” removals	5.687	5.052		
Exclusion	7.526	12.476	15.868	21.652

<sup>7</sup> <http://www.diariosur.es/20090708/campo-gibraltar/llegada-cuatro-pateras-reactiva-20090708.html> on 08/07/2009

<sup>8</sup> Excluding Rumanian and Bulgarian People, which are already European citizens

Total	38.129	46.731	55.938	52.814
Difference with previous year	-18,4 %	- 17 %	+ 6%	

Legal concepts defined on the Spanish Immigration Law (definition by the Ministry of Home Affairs)

**DENIAL OF ENTRY:** People denied entry by the legal ports of entry, such as ports or airports.

**EXCLUSION:** People denied entry after trying to cross the border by a place other than a legal port of entry.

**READMISSION:** The process in which a third-country national is removed into his or her country of origin.

**REMOVAL:** People staying illegally in Spain according to the Spanish Immigration Law are removed from the territory by means of administrative proceedings.

According to the Ministry of Home Affairs, the general drop with regards to 2008 is due to the decrease in the number immigrant arrivals. Similarly, the total increase on the number of removals is justified by the increase on “qualified” removals, i.e., those of people who have committed a criminal offence, namely, reoffenders.

The mention to reoffenders is pointed out, although it is not true. These removals take place, when ordered by the judge, as a substitute to a sentence of deprivation of liberty inferior to six years. This way, it does not only affect reoffenders, but also first time offenders.

The explanation to the increase on the number of people being removed as a result of committing a criminal offence must be found in the strengthening of Spanish laws, especially those regarding road safety. The classification as felony of what before was just considered as a misdemeanour, as for example, driving without a license, has led to numerous sanctions against irregular immigrants. We have to point out that as irregulars, they are not allowed to obtain a driving license; therefore, in most cases, when driving a vehicle, an irregular immigrant is committing a felony that can be sanctioned with three to six months of deprivation of liberty, which can be substituted by the removal from Spanish territory and a ten year prohibition to enter.

This increase must also be related to the problems of criminal removal compared to administrative (“qualified”) removal. Generally speaking, criminal lawyers do not have the desired knowledge in terms of immigration law. Therefore, they agree to substitute sanctions of three to six month deprivation of liberty by removal and ten year prohibition to enter. This, that could seem a reasonable agreement from the legal point of view, has very serious consequences for the immigrant. Moreover, as it is an agreement, the possibility of appeal is complicated, and personal, social and family circumstances which would justify the non substitution of the sanction are not always taken into account.

In 2009, our Association has reported several cases of substitution deprivation of liberty by removal of people with family roots in Spain, some even with children or a spouse of Spanish nationality.

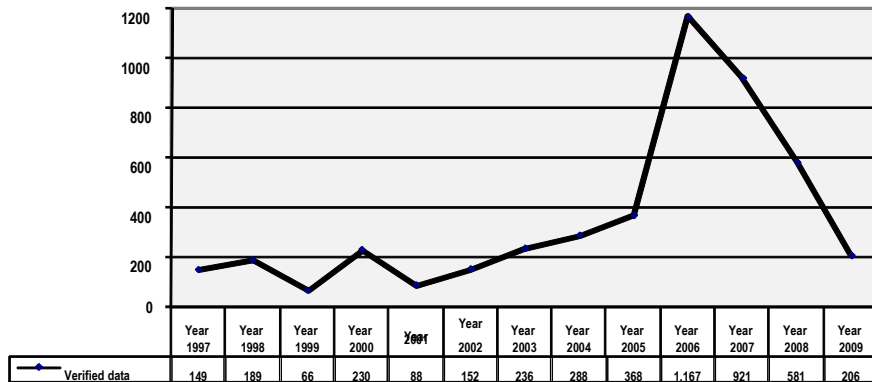
**Victims of clandestine immigration**

The number of deaths while trying to reach Spanish coasts (or at least what our association has recorded) has fortunately decreased since 2006. This year, the figures are similar to those from before 2003, i.e., slightly over half the deaths from last year. Although this drop is good news, we cannot be satisfied just by a “drop” if we are talking about human deaths in a society where human rights are supposed to be respected.

Moreover, we have to compare this drop with the arrest figures. The proportion of deaths with regards to the total number of crossings remains the same. We must take into account that this data are estimates. Many people die without ever being found and we cannot know the exact number of deaths in every shipwreck because very few corpses are rescued. This way, data provided by the Government Delegations and Maritime Lifesaving seem ridiculous: they account for 30 deaths in Andalusian water, whereas, if we add the missing people, we reach 109, according to APDHA.

Country / Area	Deaths/Missing
Algeria	44
Andalusia	109
Canary Islands	33
Ceuta	4
Melilla and Alborán	3
Morocco	1
Mauritania	1
Eastern Coast of Spain	7
Senegal	4
Total	206

It is nonetheless unfortunate that immigrants continue to die when they reach the coast, despite the expensive surveillance methods. For example, how can it be possible that 26 people died 30 metres away from the beach of Lanzarote, last 15<sup>th</sup> of February because nobody took notice of the echoes heard? How could a boat arrive the 29<sup>th</sup> of June to Trafalgar, leaving ten people dead and 30 missing, without being detected by the Integrated System of Exterior Surveillance?



We cannot tolerate the deaths of hundreds of people every year when they are trying to dignify their lives.

Route	Deaths/Missing 2009	Deaths/Missing 2008	Deaths/Missing 2007
Atlantic	38	239	800
Mediterranean	168	342	121
Total	206	581	921

In the last two years, the number of deaths in the Mediterranean is higher than on the Canary route. This year the difference is remarkable, and it can be related to what we said before as regards the general decrease and the change of routes.

Origin	Deaths/Missing 2009	Deaths/Missing 2008
From sub Saharan Africa	86	439
From the North of Africa	84	108
Others and unknown	36	34
Total	206	581

As regards their country of origin, unlike the previous years, the majority are not sub Saharans anymore, because the number of North Africans has increased to a similar proportion.



# STUDY AND ANALYSIS ABOUT MIGRATION IN CAMEROON

Daniel MOUNDZEGO

## I. Context

Cameroon is a democratic country, a decentralized unitary state in which the people express themselves by voting. The voting age is twenty years old or more.

The administrative organization is composed of four types of divisions:

- The district, led by a district chief;
- The sub-department, headed by a deputy;
- The department, directed by a prefect;
- The region, led by a governor.

Cameroon is made up of a total of 10 regions, 58 departments, and 180 sub-prefectures. The road network measures 64.000 km with 4.000 km of paved roads in 2004. In terms of the railway system, it connects the cities of Yaoundé, Gaoundéré, Douala, Nkongsamba and Kumba through Mbanga.

At the political level, Cameroon has been a multiparty democracy since 1990. There are more than 130 recognized parties of which 7 are represented in the National Assembly. In 1992 Cameroon voted and adopted a new constitution with a presidential regime that defines the executive, legislative, and judicial powers. The President of the Republic, elected by universal suffrage for renewable seven-year terms, elects a Prime Minister to be the Head of Government.

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Today Cameroon has a population of about 18 million habitants in an area of 475.000 km<sup>2</sup>, representing a population density of about 30 habitants per square kilometer.

The major characteristics of this population are:

- A high proportion of young people.
- A predominance of women in the population.
- A strong urbanization in recent years.

A remarkable fact that must be noted: over 78% of the population lives in 26 cities with populations of over 50.000 people. Of the ten regions, the Far North is the most populated.

At the religious level, Cameroon is a very diverse state with Christians, Muslims, and animists living together harmoniously.

Cameroon offers enormous potential in various sectors. As such, agriculture, livestock, fisheries, forests and tourism present numerous investment opportunities.

## **II. Analysis of Migration**

Cameroon, with its 475.000 km<sup>2</sup> in area, population of 18 million people, and described as Africa in miniature, is at geographic and geo-strategic levels simultaneously a country of reception, transit and destination for all categories of immigrants (refugees, professional immigrants and students). Cameroon's triangular shape in the center of the Gulf of Guinea makes it a land of convergence for Central African populations, from East to West. At the political and diplomatic level, its top leaders were able to implement a rather moderate foreign policy, thoughtful and tolerant, or even humanitarian, as evidenced by the fact that there were never expulsions of foreigners in Cameroon.

The political stability and peace that characterize this country have always made it an example and model in sub-Saharan Africa.

As such, since the beginning of independence Cameroon has welcomed refugees from the sub-region and even beyond (Nigerians of Biafran origin, Equatorial Guineans, Chadian people, Central Africans, Burundians, Rwandans, Congolese, etc.), due to wars in these countries.

Internally, two periods characterize major migratory flows of Cameroonians abroad (Central African sub-regions, sub-Saharan Africa, Europe, Asia and North America). Before the economic crisis of the eighties broke out, Cameroonian workers tended to be sedentary: so a global policy of "Cameroonization" of executives was applied. The migrations of this period are mostly caused by studies, giving them an elitist character. However, after the years of economic crisis, it is observed that more and more workers left to go abroad. Moreover, it is noted since the beginning of the twenty-first century that it is more women and young people who leave for Western countries and other destinations. In the second period, the people who emigrate come from every social category.

This emigration uses all possible methods to reach Europe and the West, without taking into account the risks of the journey and completely ignoring the context and social, political and economic environments of the dream countries which are France, Spain, Germany, Belgium, the United States, etc. The existence of a true network of illegal immigration that uses Mafia sectors to reach strategic points like Senegal, Morocco, Libya, Algeria... where, before having to face crossing to the supposed Eldorado, border passes provide, at very high costs to candidates, false passports, visas, crossing sites, hiding places, etc.

## **III. Diagnosis. Reasons for Emigration and the Positioning of Civil Society Organizations**

In the Central African sub-regions, and from the West various Cameroonians are going to Gabon, in order to meet the demand for labor in the great railway projects for example. They then go towards Equatorial Guinea because this neighboring country has experienced an oil "boom" for the past five years, and there they can find work in the construction of other major projects. It is considered that about 66.000 Cameroonian immigrant workers live in these two countries, while 50.000 are found in Gabon.

Due to the scarcity of some formations in Cameroon, in particular in the areas of pharmacy, medicine, and aeronautics... numerous Cameroonian students immigrated to Western African countries where they sometimes settled down.

Moreover, under the 1963 agreement of free movement of persons and goods between Cameroon and the Federal Republic of Nigeria, more than 4 million Nigerians living in Cameroon and about 2 million Cameroonians living in Nigeria were registered in 2008.

There is also the convention of the establishment of free movement between Cameroon and Mali signed in 1964, which explains the strong community of people from Mali in Cameroon.

Under bilateral agreements, the governments of Cameroon, Chad and the Congo abolished visa requirements for travel between these countries. An identification card is sufficient in these countries for the movement of nationals.

However, these legal devices present application problems at the operational level. The porous borders between these countries make it difficult to provide exact statistics of professional immigrants of different nationalities. This situation causes a lack of reliability when it comes to dealing with identification documents and the marital status of these people.

The professional migrations of Cameroonians are also directed towards European, Asian and American countries. About 40.000 Cameroonians are registered in France, 7.000 in Germany, and 5.000 in the Netherlands. There are close to 700.000 in the United States, including 250.000 naturalizations. There are at least 5.000 Cameroonian doctors abroad and 123 professors of Cameroonian origin work in German universities.

Focusing on these figures, we realize that one of the characteristics of these official emigrants is that the majority of them are highly qualified. This is official data, but it is undoubtedly partial. However, these figures are indicators of the "mass" of Cameroonians who live outside of their country. The Cameroonian government is developing a more comprehensive data collection in order to carry out a better analysis of the situation.

The economic crisis led to the weakening of legal arrangements regarding the management of employees and contractors. In fact, following the liberalization of the Cameroon Labour Code in 1992, the clause on free negotiation between employer and employee permitted abuses such as more insecure employment and the establishment of indecent jobs.

Added to this situation is the non-rigorous application of legislation regarding the quota of exiled workers. On the other hand, refugees recognized in Cameroon have the right to work with the same status as nationals. However, the non-application of the law enacted in 2005 by the President of the Republic does not allow for them to effectively enjoy this right.

In short, if the principal causes of the first wave of migrations were essentially academic, then those of the second period were more economic.

One must add that poor governance and the development of societal plagues such as corruption and the embezzlement of public funds year after year have plunged the country into extreme poverty. The school system focused on employment outputs offered by the welfare state ended in failure.

Young people leaving universities and professional schools can no longer be employed in civil service, and there is an increasing number of graduates among the ranks of the unemployed.

Under these conditions, the only way out for young people and even families is road to Europe and the West. They manage to obtain sufficient funds to enter themselves in the various cross-border networks that survive off illegal immigration. Those who are able to find scholarships for higher education and who obtain a diploma at the end of their studies, despite the difficulties of doing so, do not dare return to a country that has nothing to guarantee them a minimum living.

Therefore, the reasons to emigrate are multiple and we can say that Cameroonians between the ages of 16 and 45, or even older, immigrate to Europe in particular and abroad in general primarily for economic motives and secondarily to find happiness. Globalization with the access to information facilitated by the Internet and television make young people realize the enormous possibilities cruelly lacking in Cameroon, especially given the existence of the great economic potentials and wealth in their country.

Although this is a matter that provokes animated and passionate debate in Cameroonian society, migration is still not an issue discussed in the public arena. The mobilization of civil society on migration issues is very timid or nearly nonexistent. The signing of agreements on control of migration flows between the French and Cameroonian governments did not provoke civil demonstrations. The commitment of civil society actors to the defense of fundamental rights and freedom of movement regarding the issue of migration remains moderate and controversial.

The CSOs that have means of action relieve the migration policies based on security imposed by Europe in general and France in particular. They also support the elections of the Cameroonian government and import the theses of the European extreme right: "Europe for Europeans and Africa for Africans." While they stand up against these migration policies and the border closures carried out by European States, they cannot look to donors (inevitably from the North) or to the State of Cameroon, which just formalized the acceptance of these policies by signing agreements on migration flows on the 21<sup>st</sup> of May in 2009.

The momentum created in Rabat in the non-governmental conference of NGOS from the North and South unfortunately did not come accompanied by strong actions in the south to reinforce the Cameroonian Society Organizations present at this meeting and who also signed the Euro-African Manifesto about migration, fundamental rights and free movement. The spread of the Manifesto in awareness campaigns of public opinion would have been able to raise membership in the CSOs, in order to clarify the discourse, position and ambiguities of the organizations involved in the issue of Migration in Cameroon.

In Douala, 18 January 2010.

# **MIGRATION AND THE DEMOCRATIC REPUBLIC OF THE CONGO (DRC)**

**Victor NZUZI MBEMBE**

Migration has always been, and still remains, a very relevant topic among us in DRC due to our customs and history, to the war and the lack of safety, to trading and mining, and to the geographical location of this country.

Before tackling this problem, let us consider two remarks:

1 – Nowadays, migration is a current topic within the context of the expulsion of Congolese from Europe, and especially from Angola (as well as the expulsion of Angolans from DRC on last October). We also should consider the fact that a mass escape of Congolese into the neighbouring countries leads to a war.

2 – The presence of Chinese, Indians, Pakistanis and Lebanese adds a different approach of migration – that of foreigners involved in corruption, foreigners who evade the payment of taxes, foreigners protected by the political leaders, and that of foreign looters. Therefore, it is difficult to speak about migrants' rights in our country, since those foreigners who are not protected by high-power dignitaries are often exposed to exactions. Even foreigners who seek refuge in small towns are often bothered by the government services – and still, in DRC even nationals are bothered. The government has implemented a programme against nationals being bothered. But, what about foreigners being bothered?

## **1- Migration according to customs and history**

According to our customs and history, each group of people (or tribe) in Congo has followed a different pattern of migration. For instance:

a) The Kongo people moved to KONGO DYA NTOTILA, the ancient capital of the Kingdom of KONGO. Nowadays, this city is located in Angola, under the name of MBANZA KONGO. The Kingdom of Kongo covered the area surrounding the mouth of the Congo River, and was bordered by Angola, Congo-Brazzaville and DRC.

b) The Banyarwanda are located on the eastern region of DRC, in Kivu; this group of people comes from current Rwanda.

c) The TÉKÉ (or BATÉKÉ) are currently located in DRC, Congo-Brazzaville and also live in Gabon.

d) The LUNDA are present nowadays in Angola, DRC and Zambia; there is still migration from LUNDA people, mainly because the figure of the Lunda king exists up to now, and his kingdom is located in the three countries mentioned above.

You may notice that migration is a normal phenomenon in our customs and history. In addition, those who travel to another country in order to meet their brothers and sisters will never feel like foreigners, despite the remaining colonial divisions. The traditional links have been kept, so in this case, referring to these people as ILLEGAL or IRREGULAR MIGRANTS is an outrage created by the European Modernism or by colonization. Unfortunately, in 2009 we witnessed SAVAGE and ATROCIOUS expulsions between countries such as Angola, DRC and Congo-Brazzaville.

## **2- Migration according to war and the lack of safety**

Migration was, and still remains, a current issue in DRC. On the one hand, because war has left more than 5 million casualties, and more than 3 million Congolese have sought refuge in the neighbouring countries, such as Rwanda, Burundi, Tanzania, Congo-Brazzaville, CAR, Uganda, Zambia or Sudan. On the other hand, because of the use of weapons by some Congolese and foreign rebel groups (such as the Rwandan FDLR or the Ugandan LRA).

A characteristic of this war that encourages people to escape is the violation of women and children – an unbearable scene.

### **WARS IN THE NEIGHBOURING COUNTRIES OF THE DRC :**

Many refugees escape to the neighbouring country of the DRC due to the difficult situation that their countries are facing. This is the case of Angolans and Rwandans during the colonial war and during the UNITA and FLEK rebellions in Angola. In addition to that, we find other causes: Rwanda and Burundi's genocide, Uganda's war with Joseph Kony, Sudan's war, central Africa and the Congo-Brazzaville's war. Therefore, the DRC is also a country where refugees from the neighbouring countries flee into.

## **3- Migration and trade, mineral exploitation and geografic situation**

Traditionally, the DRC was an important trade region (even before the Colonization) thanks to the Congo River that flows into the Atlantic Ocean and to lakes like TANGANYIKA and KIVU. The Congo River's tributaries like the OUBANGI are also very important.

After the Colonization, the DRC borders 9 countries: the Republic of the Congo, the Central African Republic, Sudan, Uganda, Rwanda, Burundi, Tanzania, Zambia and Angola.

Once again, it is necessary to underline that the borders led by the Colonization blocked usual and traditional connections so that, sometimes the divided populations have nothing to do with these borders and the resulting migration. As far as TRADE is concerned, the river that crosses the land and its navigable lakes, gave the land the perfect conditions to succeed and create new relationships. However, the division of Africa and the current migration flows have ruined that.

In the past, those engaged in trade were the residents of the bordering villages, followed by Arabs (slaveries) and later, settlers. Nowadays, a wave of immigrants from Lebanon, Pakistan, India and China dominates trade in Congo. There, the Chinese are the largest of all the immigrant groups. They have reached the villages and are now living there.

MINERAL EXPLOITATION is a phenomenon which was firstly linked to trade. Until the 70s it was dominated by countries in western African (Senegal, Mali, Guinea, Nigeria and afterwards Cameroon). Due to marriages, numerous peoples were on the point of becoming Congolese. The peoples from Angola were already integrated into the society (and into trade).

The mineral trade was led by all the peoples BUT the greater exploitations come with the Lebanese, Indians and currently with the Chinese. They are found in mineral areas: in Kasai for diamonds; in Kivu and Uturi for gold, coltan, cassiterite; in Katanga for copper, cobalt, coltan...

The nationals show their contempt for the presence of immigrants in mineral and timber exploitation. The immigrants have the protection of the political and military authorities of the country, often they don't pay their taxes and they exploit the country's natural resources leaving the residents in a miserable situation.

We cannot end this chapter without mentioning the Chinese recruited by the government in the framework of its development policy. The residents think that there is a constant increase in the number of Chinese immigrants who have taken control of the small trade which was reserved for the nationals.

Belgians, French and others are investors, technicians, experts... nobody knows if they are in a legal situation.

#### **4- Migration and development**

Among the peoples from the DRC it is thought that the migration plays an important role in the country. For example, the Angolans took the jobs that the Congolese didn't want like cutting the sugar cane or livestock farming. The Angolans are very good at trade as well as the Portuguese and Pakistanis.

THE CONGOLESE ABROAD contribute to the country's economy. Without them, there would not be public transport within the DRC. It is also necessary to talk about the transfers which solve some social problems.

The consequent DEPENDENCY is serious; currently all young people want to leave the DRC. Poverty, social imbalances and unfairness made them feel hopeless. Therefore, a campaign is necessary to change their minds, to assure their confidence and moreover, to change this corrupt world.

#### **5- What do the population think about the EU agreements?**

Undoubtedly these agreements are rejected by the population. Firstly, due to the fact that at present, Europe is responsible for the poverty in Congo and even for the war. The EU supported Mobutu's dictatorship which ruined the country. Furthermore, European enterprises give economic support to the war and even encourage it in order to obtain minerals. When Europe closes its borders, the population is shocked and there are rebellions. For example, the agreements signed with Belgium, Great Britain and Switzerland about the expulsion were highly criticized.

Thanks to European support, many Congolese people are being expelled from Angola, South Africa, Zambia and Congo Brazzaville, although many of them have a safe-conduct. However, the Congolese people do not consider themselves as foreigners because of the historic and traditional links that they share with these countries. The expelled are often cruelly treated.

In neighbouring countries the Congolese people are also expelled and they are very badly treated. The ECONOMIC CRISIS will not change their desire of leaving their country to look for freedom and a better future.

#### **EXPULSIONS IN ANGOLA ARE A VIOLATION OF FUNDAMENTAL RIGHTS**

At the beginning of October 2009, the DRC decided to expel the Angolans that were in an illegal situation. They do this as a response to Angola's decision to expel the Congolese people. It is also important to highlight that for two years Angola's government has been constantly expelling Congolese people because they worked in the diamonds mines. Others were accused of not having official documents or of trafficking.

After two years of population cleansing, 2009 was a difficult year for the Congolese people. More than 70,000 were expelled during August and September of the same year. Women were raped and the expelled tortured. The DRC decided to order for the expulsion of the Angolans, giving them the chance to leave the country within 72 hours. However, the Angolans have a refugee certificate signed

by ACNUR. Moreover, some of them had work permits and have worked in the DRC for 10, 20 or 30 years with Congolese companies.

TO SUM UP, they were brought to the borders in trucks and sometimes they were asked to leave the country by their own means in order to save time. The CHILDREN of the Angolans married to Congolese people were abandoned. This is an unbelievable story. There was no compensation for those who had a job contract.

I had a debate with the Minister of Home Affairs, Land Administration and Current Topics and I have proved to him that he has violated the traditions of Kongo, the human rights and even the RDA's Constitution. The refugee's certificate renewed in August 2009 and signed by ACNUR was a valid document. Therefore, the RDA violated all the national and international provisions. I also told the Minister that the RDA has a great responsibility as we have the presidency of the SADC, the Southern African Development Community.

I told him that the government is making a fool of its electorates. He is in power because the people voted for him. He is the Minister of its people and not of those who have died. I reminded him that there are Angolan children suffering because their parents have been expelled due to their nationality. I reminded him that many expelled women were pregnant and were not able to walk more than 50km. Some of them had to give birth on the way to Angola. This is a clear violation of fundamental rights. I urged the government to compensate the victims be they Angolans or Congolese people. It is also necessary to conduct a campaign to mitigate the hatred and the racism.

The minister argued that the XV or XVI centuries are over. At present, all migrants must be in a legal situation. Therefore, the RDA is not obliged to follow the statements and agreements made before. He added that it is not fair for the RDA to suffer constantly, they were forced to act promptly. Moreover, when Congolese people are expelled from Angola, no information about the partnership of both countries appears in the media and nobody talks about the SADC. The Minister also stated that he saw many Congolese women with their twin babies that were expelled from Angola, he saw raped women too. He even knew some 27 Congolese who may have died in an accident. (He did not verify the number of deaths). He finished by saying that any unfair situation must be reported to the government and that they must respond the attacks of Angola.

- It was thanks to my relationship with the media that I could broadcast this information on TV and radio –

CONCLUSION: During 2009 there were many violations of the migrants' fundamental rights in the RDA and the agreements with the EU betrayed the people. The story about SADC, CAEC, CDEO is the same as that of the European organisations but it has nothing to do with the real Africa. It is high time for African people to understand reality.

What can we say about Europe? Our dictators, who ruined our countries, were supported by Europe. As well as the large companies that start wars. Weapons were sold to our countries by Europe and our mines are exploited by them too. Migration is the consequence of these facts. What can we say about the weather? Thousands of African people die because of floods, droughts, hunger and migration.

It is time for the world to know about the real situation in Africa.

VICTOR NZUZI MBEMBE , FARMER

Member of: EuroAfrican Manifesto, CADTM, JUBILEE SUD.

Co-ordinator of GRAP/NAP, RDA



## **2009: A YEAR OF MIGRATION AS SEEN FROM MOROCCO**

**Mehdi LAHLOU**

The migration situation in Morocco, and from Morocco, has for some time been largely defined by the reports that it keeps with the European Union (EU), as well as by the “friendly” economic and diplomatic pressure that the EU exerts on Morocco to orient its migration policy such that it is in keeping with Europe’s current interests.

Indeed, such are relations between Morocco and the EU in all aspects of migration that any decision made in Brussels has important direct and indirect consequences on Morocco’s policies in this respect, as well as on its economic, financial and political relations with the EU member states, some of which, due to their importance in the EU, determine the direction of the community as a whole, such as France, Spain, Italy and Germany.

From this perspective, two important events that took place in 2008 have marked 2009 in Morocco. These involve Morocco’s reports to the EU and its migration policy, mainly concerning migrants who transit through its territory.

The first event is the EU’s approval of the European Pact on Immigration and Asylum (EPIA), and the second is the EU member countries’ recognition of an “Advanced Status” for Morocco in its relations with the EU.

The EPIA – a general, restrictive text that lacks any obvious coherence, ratified as a kind of guarantee to the French Presidency<sup>9</sup> – does not recognise any uniqueness or particular role for any country of origin, given that they were all implicated (including Morocco)<sup>10</sup> without distinction in Europe’s crusade against irregular migration<sup>11</sup>. Furthermore, the advanced status conceded to Morocco submits the country, among other things, to greater obligations concerning controls on irregular migration across its territory, without “giving” it anything more than that which had already been agreed to in the texts of the free trade zone agreement that Morocco signed with the EU in February... 1995<sup>12</sup>.

In this short text, we briefly present the main part of the EPIA objectives as well as the real foundation – in the migratory context, as well as the economic and financial context, of Europe in 2008 – of the text which grants advanced status to Morocco in its relations with the EU. In addition we explore the consequences of the approval of these two documents on the migratory reality in this Maghreb country, considered in Brussels to be an outer border of Europe, and on the movements of migrants towards European countries.

### **I. The European pact on Immigration and Asylum**

The EPIA, the initial draft of which was ratified in Cannes, Southern France, at the beginning of July 2008 – as a result of the EU’s transition to the French Presidency (from July 1<sup>st</sup> to December 31<sup>st</sup> 2008) – was adopted on the 13<sup>th</sup> of October of the same year in Brussels.

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<sup>9</sup> Secured between the 1<sup>st</sup> of July and the 31<sup>st</sup> of December 2008 by Nicolas Sarkozy.

<sup>10</sup> A country of emigration as well as of immigration and transit.

<sup>11</sup> Progressively becoming illegal in all parts of EU territory.

<sup>12</sup> And which came into effect from the month of March 2000.

In this document, which has 5 somewhat precise objectives – ranging from legal migration and the organisation of employment development in Europe, to asylum and the relationship between migration and development in countries of origin – two points are especially noteworthy.

The first objective chosen by the Pact emphasises, through nothing more than diplomatic hypocrisy, “selective immigration” of highly qualified people, as well as the principle of “community preference” in the management of European labour markets.

The pact requests that the 27 EU Member States develop professional immigration and reinforce the EU’s ability to attract highly qualified workers. Where employment is concerned, community preference should be respected. Finally, before accepting immigrants, the Member States should guarantee that they have sufficient income to settle in the host country and sufficient language skills to integrate.

Regarding the “fight against illegal immigration”, the EPIA commits EU Member States to guarantee that foreigners in irregular situations will be returned to their home countries or to a transit country (Morocco, among others). EU countries should thus coordinate their actions and reject “general regularisations”. In addition, and to achieve the same objective, there will be some readmission agreements “with those countries for which it is necessary”.

In the last objective, the most imprecise and shortest of all, the pact emphasises codevelopment: in this respect the Council of Europe promises to commit itself to support the development of the countries in question and to build with them a narrow partnership to favour “migration synergies and harmonious development of the countries of origin”.

Below we expand on two points that show not only this text’s essentially security-orientated character, but also its incoherence given that, despite its insistence on community preference – which widely limits the possibilities for legal migration – and its rejection of irregular immigration, it continues to make the link between emigration and development in countries of origin. Thus,

1/ This pact very clearly carries the stamp of the former Ministry of the Interior and current French President; it is in this sense very much infused with a security-oriented ideology, and its focus is very one-dimensional. For example, the negative effects on migrants’ home countries of globalisation and/or Association Agreements signed by the EU with different Southern countries are not taken into account at all, or even mentioned. Thus the pact has “imperial” connotations, whereby Europe dictates to the migrants’ countries of origin what they should do to protect Europe from irregular migrants, with – as a “carrot” – the hope of seeing their most highly qualified human resources leave to the EU member countries, in the context of European requests to receive legal migrants.

2/ In the same sense this document is extremely unbalanced. The objective of advanced codevelopment as a means of directly reabsorbing irregular migration in the regions of origin only figures in a few lines in a 7-page document. Furthermore, this same objective carries a central contradiction given that, while the Pact aims to reduce migration flows of Southern men to the North, it paradoxically makes migration an instrument of development. Therefore, at the same time as it explicitly asks countries of the South – in this case, African countries – to do everything possible

to reduce the emigration of its citizens, it advises them to found their development policies on the resources transferred by these same migrants.

## II. The “advanced status” granted to Morocco and Moroccan migration policy

Signed by the EU and Morocco on the 17<sup>th</sup> of October 2008 in Brussels, the document granting “advanced status” to Morocco appeared to be an essentially political declaration in which the 27 EU Member States seemed at first to thank “Morocco” for committing to follow their preferred path with respect to its migration policies, as compared with the Maghreb region and the countries of sub-Saharan Africa.

In this sense, the preparation and joint organisation of the 1<sup>st</sup> Euro-African governmental meeting on migration<sup>13</sup> by Morocco, Spain and France constituted a solemn guarantee from Morocco that it would move its migration policy in the direction desired by Europe.

Furthermore, this came some months after a frank declaration from the King of Morocco saying, essentially, how much Moroccan and Spanish interests (and therefore European interests) converge where the migration “problem” is concerned.

Indeed, an interview given by King Mohamed VI to Spanish newspaper *El País*<sup>14</sup> on the eve of the King and Queen of Spain’s visit to Morocco from the 17<sup>th</sup> and 19<sup>th</sup> of January 2005, is a good indication of the range and extent of Morocco’s “promises” with respect to migration. The Moroccan head of State thus maintained *“there is always a will to face this problem (of irregular migration). The focus, however, has evolved over the past few months. We are conscious of the fact that this immigration is dangerous for Spain. The same thing happens with Morocco as half of the Sub-Saharan candidates for illegal immigration end up staying in Morocco, something that the Spanish general public should know. Various Spanish governments have always asked Morocco to give this matter the attention it requires. We have always done that. We try, however, to act in the most effective way possible. We have passed through different stages. The first involved increasing the personnel available for this task by adding more forces. The second involved examining the different devices deployed in order to improve coordination. For this, we proceeded with the creation of a new directorship in the Ministry of the Interior with exclusive responsibility for the fight against illegal emigration and the trafficking of human beings and drugs which derives from this, etc...”*

The same interview included an explicit appeal to Spain, which in exchange was invited<sup>15</sup> to defend Moroccan interests relative to the EU. The King then continued *“We have always asked Spain and the European Union as a whole to provide us with the necessary means to combat this plague. This is still lacking. I am certain that Spain is a good advocate for our cause in Europe. After all, it is the country which is best placed to make the gravity of this question known.”*<sup>16</sup>

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<sup>13</sup> The conference took place in Rabat in July 2006.

<sup>14</sup> *El País*, Madrid, 16<sup>th</sup> January 2005. The choice of a Spanish newspaper, in this case *El País*, is in itself a strong signal of Morocco’s intentions, practically the same week that the European Pact on Immigration and Asylum was adopted. This is the same topic addressed in the interview in question.

<sup>15</sup> Which it would not fail to do, in agreement with France, to get the other EU member states to agree to grant Morocco special status in its relations with the European Community.

<sup>16</sup> This appeal was made as a result of the clarification of measures that Morocco had already taken “it is true that we began taking measures in the Strait of Gibraltar, which until recently was Spain’s main concern. Now, migratory pressure is increasing towards the South, towards the Canary Islands. A few weeks ago, I gave instructions that operations in the South should be as intense as in the North. We must work together (Spain/Morocco). For years, before the creation of mixed patrols was announced in 2004, the Spanish *Guardia*

The document, also sought by the Europeans as a sign sent to Morocco to demonstrate its “liberalisation and its relative achievements (in the region) with regards to respect for human rights”, and which introduces the clauses of Morocco’s advanced status, contained a series of promises directed at the Moroccan authorities, including, specifically:

The prospect of moving beyond existing relations towards a significant level of integration, including the opportunity for Morocco to access the internal market and the possibility of participating progressively in key aspects of European policies and programmes

The possibility of moving towards a higher level in the intensification of political cooperation between the EU and Morocco through the strengthening of political dialogue between the two parties

The offer of supplementary financial assistance to guarantee the necessary support for the implementation of different components of the Association Agreement (signed between the two parties in 1996) and for the operations defined in the Action Plan<sup>17</sup>.

Overall, for the Europeans, “the reinforcement of Euro-Moroccan relations, which should help to define new means of cooperation and to reinforce political ties between the two parties, represents a practical answer which would allow Morocco to progress towards an advanced partnership with Europe. That is, a situation/position which would no longer be just an Association but which could never become Membership”.

Nevertheless, this prospect is first framed by a set of conditions. The most important of these involves the Moroccan authorities strengthening the controls of passage of people entering and exiting Moroccan territory, with the aim of reducing irregular emigration flows to Europe.

Therefore, in the text that grants advanced status to Morocco no fewer than 6 sections – sections 46 to 51– are devoted to migration policies that should be adopted and implemented by Morocco. This ranges from the development of (Moroccan) legislation in accordance with international principles on asylum and refugee rights (section 46 of the text) to the strengthening of Moroccan institutional and organisational capacity in the control and surveillance of migrant entry and exit points (section 51).

In reality, what is being explicitly asked of Morocco is even stronger management of migratory flows from its territory, which includes the signing of a “Readmission Agreement” with the European Community, as also agreed on in the EPIA as a key part of Europe’s policy of fighting irregular immigration.

However, as a final attempt to assert its sovereignty and avoid being permanently labelled as Europe's "gendarme" and "rubbish collector", and after 15 rounds of negotiations on the subject, Morocco still does not want to sign the agreement.

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*Civil* (national police force), the Moroccan Gendarmerie and the Spanish Royal Navy were already pooling their energy. This collaboration was not made public but did achieve sufficiently encouraging results.”

<sup>17</sup> The Action Plan identifies the key actions/projects which should be carried out in the framework of the new advanced status obtained by Morocco in its relations with the European Union.

### III. Consequences of this process on migration in Morocco and from Morocco (in 2009)

In spite of this, the results of the political and institutional process established in the last trimester of 2008 seem to follow what has been recorded in Morocco, regarding the reduction of movement of migrants since the end of 2005, and what has been observed in Spain since 2007, after a peak in the Canary Islands in the summer of (and the whole year of) 2006.

Therefore, the observations made in 2008, and again in 2009, on both sides of the Strait of Gibraltar (as in the Canary Islands) indicate a clear tendency towards the lowering of migratory pressure from Morocco (and from Africa as a whole) on Spain (and on other countries of the European Union who are targets of African migration). The following data clearly show this. Indeed, all the figures paint the same picture, both in the reduction in the last few years of the number of attempts to migrate to Spain from Morocco, and in the reduction of the number of refugees recognized by the UNHCR's Moroccan office – which indirectly corroborates the fall in the number of migrants arriving in Morocco – or in the reduction of the number of migrants imprisoned on arrival in Spain between 2008 and 2009.

Table 1: Statistical assessment of irregular emigration attempts from Morocco, from 2000 until the end of 2008

Year	Moroccans	Foreigners	Total
2000	9,353	15,056	24,409
2001	13,327	13,100	26,427
2002	16,034	15,363	31,397
2003	12,493	23,851	36,344
2004	9,353	17,252	26,605
2005	7,914	21,894	29,808
2006	7,091	9,469	16,560
2007	6,619	7,830	14,449
2008	4,651	8,735	13,386

Source: Ministry of the Interior, Rabat, 2009

From this table, which contains the latest complete official statistics published by the Moroccan Ministry of the Interior, we can observe above all:

a/ that the number of migration attempts from Morocco reduced almost by a factor of three between 2003 and 2008;

b/ that despite a slight rise between 2007 and 2008, the estimated number of migration attempts by foreigners (mostly citizens of Sub-Saharan countries) was in 2008 little more than a third (36.6%) of what it was in 2008, while for Moroccans, the number went from 12,493 in 2003 to 4,651 in 2008, a fall of 63%.

Regarding the data on refugees recognized by the UN High Commission on Refugees (UNHCR) in Morocco, they show, as indicated below, a large reduction from 2006:

2006: 2,129 persons

2007: 1,578 persons

2008: 769 persons

2009: 757 persons (*estimate*)

Source: HCR, Rabat, Morocco

Furthermore, in 2009, 20% of all migrants who were recognized as refugees were Iraqi, which does not totally correspond to the Euro-African migratory configuration.

As far as irregular migration attempts to Spain are concerned, they have fallen in 2009 compared to 2008, thus confirming the trend recorded in 2007. This is detailed in the following table:

Table 2: Number of migrants detained upon arrival in Spain (Southern borders) 2008-2009

Data source APDHA	Andalucía	Levante (Eastern coast)	Ceuta and Melilla	Canary Islands	Total
<b>2008</b>	3,720	780	1,140	9,932	<b>15,572</b>
<b>2009</b>	4,412	880	1,108	2,328	<b>8,728</b>

These figures, assembled by APDHA, which show a fall of more than 55% between 2008 and 2009 in the number of irregular immigrants arriving at Spain’s Southern borders, match the information provided in September 2009 by the Assistant Executive Director of Frontex (Manuel Gil Arias).

According to this information “Illegal arrivals at Spain’s land and sea borders fell by more than half in 2009, with 7,000 clandestine entries aborted during the current year (2009) against 17,000 entries in 2008”.

Furthermore, they indicate that Morocco is no longer the migration route of preference, as 65% of the irregular immigrants who were intercepted in 2009 in Spain came from Algeria and most of them were intercepted on the Eastern Coast of Spain, according to Frontex’s own source. This source also indicated that the Canary Islands have returned to the situation they were in at the end of the

nineties and beginning of the 2000s with respect to the arrival of migrants to their shores. The number of migrants illegally disembarking in the Canary archipelago went from 7,600 in 2007 to 2,300 in 2008, which represents a fall of more than 69.7%.

In conclusion, the series of figures above, which it seems will be repeated during the next few years, could be proof that the – utterly security-oriented – policy followed until now across the two shores of the Mediterranean, was in some sense the right one. The enlistment of Maghreb countries, from Morocco to Libya, in Europe’s “fight” against irregular immigration was also good. However, this is no less true today for the essential reason that it takes into account the following two key facts:

The first is linked to the indirect effects on migration (regular and irregular) of the world crisis which has prevailed since 2008 and which has strongly affected (after the United States of America) the European economy. The crisis has had a particularly strong effect on the Spanish economy, which, with more than 4 million unemployed people and an unemployment rate of about 20% of the active population, stopped being considered – for a while? – an attractive option for migrants who are mainly looking for jobs that they cannot not find in their own countries.

The second key fact, the most important from the point of view of human rights, and thus from the point of view of politics when speaking about migration, concerns the number of incidents that have occurred during the last few years, given that the security policy has not gone in hand-in-hand – as was announced for example in Rabat in 2006 at the Euro-African Ministerial Conference – with effective programmes to reduce the deeper driving forces behind migration in the countries of departure.

Hence the following list – which is by no means exhaustive – shows as false the idea that the African “migration problem” is on its way to being solved by simple agreements between States and/or by stronger border controls.

On the other hand, it shows that where the migrants’ fundamental human right to life is concerned, the situation in 2009 is as dramatic, if not more so, than it was at the beginning of the decade.

#### *Registered irregular migration incidents between North Africa and Europe, 2008-2009*

*13 May 2008: 50 clandestine migrants were declared missing after their vessel drifted from along the coast of Tunisia.*

*16 June 2008: 40 people died and 100 were declared missing after a ship transporting clandestine immigrants from Libya to Italy was wrecked.*

*Late March 2009: At least 21 people died and more than 200 were declared missing in a shipwreck off the coast of Libya involving a vessel that was on its way to Italy.*

*19 September 2009: At least eight African immigrants died in a shipwreck off the coast of Morocco involving a vessel carrying about 40 illegal immigrants.*

Source: <http://www.lematin.ch>

Rabat, January 2010.

# **QUESTIONS ON MIGRATION FROM MOROCCO**

**Khadija RYADI**

## **1. The traffic of sub Saharan nationals on north Mediterranean countries and the Moroccan case in particular**

As in the previous years, in 2009 the violation of the most basic rights of sub Saharan nationals arriving to Morocco is a constant feature. They are everyday victims of arbitrary arrest and police persecution in their neighbourhoods, the difficulties to access health care services, the increase of xenophobia and white slave trade. These situations have been recurrent over the last year.

Every area of every big city is full of people from different nationalities (Malian, Nigerian, etc.) forced to mendicancy. Many women, single mothers as a result of violation, depend on people's mercy to cover their children's basic needs. These children, in turn, are refused in schools or even nurseries for not having a proof of identity.

In the forests, especially in the Oujda border, thousands of people are abandoned to the hands of all kind of mafias. The aid is not enough, either due to fear or because some get the aids and distribute them on their own whim, taking advantage of the people's vulnerability to subject them to all kind of servilities, especially in the case of women and children. More than three thousand people are estimated to be hiding in the forests.

Finally, all these situations of vulnerability increasingly favour the illegal businessmen in the agricultural and building sectors, who benefit from this new workforce whose rights are neglected and whose salaries are derisory low.

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## **2. The Mediterranean odyssey for sub Saharans: a fear that never ends**

In the year 2009, new attempts to cross to the other side of the Mediterranean ended up with several deaths, both in Al Hociema as in Tangier, as well as in the Southern borders (Layoun, Dakhla). Among the victims were pregnant women and children.

Furthermore, those who are currently arrested at the Spanish borders are deported directly to Morocco, where they are sent to the Algerian, Saharan or Mauritanian border, or to their country.

## **3. The situation of basic rights**

Up to now, no rights have been recognized to migrants but those of "arrest and deportation". In 2009 we heard of several cases of people who were refused access to healthcare (in hospitals in Rabat and Casablanca), children who were refused their right to education (except for some programs in schools under church organizations). The right to housing is also neglected: emigrants live exclusively in marginalized areas, resulting in xenophobia and speculation.



As for the right to a fair trial, not all the people arrested are judged before being deported, except for the cases detected by migrants' associations.

The right to work is not even granted for those who are in a regular situation. People hired in some specific sectors or as temporary workers have no work permit, minimum wage nor healthcare assistance.

#### **4. The situation of unaccompanied minors**

Since the agreements signed by Morocco with Spain and Italy regarding the readmission of unaccompanied minors, deportation became increasingly frequent; "centres" funded by the EU have been established in several regions (Tangier, Beni Mellal) under the responsibility of National Mutual Aid, a sort of orphanages, or rather, detention centres. Minors do not follow any kind of monitoring or education programme.

Another issue has arisen in France in the last few years and has become more frequent in 2009, and that is the deportation of young people who have followed their families within the framework of family reunification and are suddenly sent back, in some cases after three to seven years in the country, due to the lack of definitive papers.

#### **5. The issue of refugees**

The year 2009 became a turning point regarding violence against asylum seekers. After waiting for several years (the United Nations High Commissioner for Refugees has officially taken part in the investigation of the files of Moroccan refugees in 2003), no refugee is in a legal situation in this country, and more than 500 people lack any protection or aid, except for the right to stay in Moroccan territory. This situation has led to refugees demonstrations in front of the HCR. Their protest has been violently repressed and some have been taken to court in Sale.

To this day, the situation has not changed: They are not allowed to have a work permit or to benefit from any aid.

#### **6. The issue of women and strawberries in Spain**

Since 2004, when Morocco signed an agreement to send female workers to the strawberry harvest in Huelva, the monitoring of this issue reveals that none of the current regulations are being followed, either in Morocco or in Spain. The selection of people is made under arbitrary criteria. There are cases of corruption of the local authorities, that determine which regions are women selected from (i.e. the case of the Gharb region), corruption of the staff of the National Agency for the Promotion of Employment and Competences (ANAPEC) of Morocco, which selects the workers, bargaining over the elaboration of contracts... The real odyssey begins after the selection, because the ANAPEC staff "advises" women not to discuss their work conditions with their employer at destination, and what is worse, some workers' passports are taken when they arrive at the workplace.

## **7. The issue of migrants' social rights**

As regards this new female temporary workers policy, several cases show the lack of social rights for female workers (They lack health insurance, the right to maternity leave, they work more hours than agreed, etc.)

## **8. The issue of human trade**

I would like to throw light on what is happening in the south, in the Sahara, which is becoming part of the itinerary for all trades in which migrants are involved: arms, drugs and organs trade, as well as prostitution and paedophilia networks.

## **9. The challenge of creating migration policies based on the respect for the human rights of migrants: law 02/03 and the minors readmission agreements and others**

In 2009, the Moroccan Government issued the regulations to develop the law 02/03 regarding the entry and residence of foreigners in the Kingdom of Morocco and irregular emigration and immigration. The first of these two regulations reserves the right to stay in Morocco to people holding a contract of employment or to students.

Rabat, January 2010.

## NEOLIBERALISM, CRISIS AND CLANDESTINE MIGRATION

Aminata TRAORE

In January 2009, the French Ministry of Migrations, Integration and Co-development tried for the third time, but in vain, to oblige to the Mali authorities to sign an agreement of readmission, which it has imposed to different origin of migrations' countries. It involves, for the signed countries, the compromise to apply the strong laws of the Nicolas Sarkozy's government in relation to the identification and expulsion of their national people obliged to live and work clandestinely, because they are not allowed to get the demanded "papers".

In contrast, France guarantees Mali the access to its labour market to the Mali national people, who have the requirements demanded by the jobs negotiated by the countries. This is French "development of solidarity".

Negotiations are always long. The contribution of Mali people to the economy and the social cohesion in France, calculated in 250 millions euros approximately in 2006, is clearly more important than the aid given by the French State, which is between 50 and 100 millions euros per year.

There are few cases where the old colonial country gives some economical, social and politic consequences to the expulsions, including the psychological consequences to the humiliated migrants. They are just one of the violence expressions which characterize the North/South relations and, specifically, Euro-French-African ones.

The Forum for Other Mali (FORAM) and the Center Amadou Hampate Ba are supporting the historical and macroeconomical approaches, enabling to demonstrate that Mali and African migrants rejected by Europe would not arrive by milliards to the European Southern border, in front of the wire fence of Ceuta and Melilla, if the bilateral and multilateral cooperation for development would not consist on sacking the wealth of the origin countries of migrants.

The Europe of finances and trading just can carry out violence in relation to the management of the migratory flows, due to it is impossible for the European countries to respect economical, social and political rights with the African people without questioning its economical model.

The proof is, in parallel to the readmission agreements, the Europe of 27 imposes to the ACP countries some economical cooperation agreements which oblige to these last countries to carry out a harder liberalism. The crisis of this system is an unprecedented opportunity to ease the relations between the suffered globalization and the forced migration.

The Conference of Rabat (Morocco) about migrations and development (hold in June 2006) did not examined these relations applying the objectivity and rigor demanded by the seriousness of the situation of the African migrations. Europe got from the passing countries, as well as from the origin countries, some guarantees in relation to a better protection of the South border.

The fourth edition of Migrations was developed between the 10<sup>th</sup> to the 18<sup>th</sup> December 2009 according to an ambulant process which went from Bamako to Kayes. It highlighted the need to see the African Migrations from the point of view of the food, economical, social, ecological, political and moral crisis. It was reminded that France and the rest of the countries of the European Union will go

wrong in the cooperation and responses to the forced migration of the African people, while they are closing their minds to the disasters of the neoliberal system in the origin countries.

A view of Mali and the integration mechanisms in the market economy proof that chosen migration and the readmission agreement are some of the tools included in the political and institutional violence.

With a surface of 1,241,238 km<sup>2</sup>, Mali belongs to the Sahel area of Western Africa, whose national people must face, a part from the climatic risks, the consequences to the economical politics imposed by the powerful countries and the international financial institutions. Almost a third of the Mali population, calculated around 13 millions people in 2004, lives out from the country. Migrants profile shows the structure of this population as rural in 72% and young: 46.1% of Mali people are under 15 years-old.

Short time ago, Mali migrants in France, mainly coming from the Kayes region, where adult men, who, in the frame of the circular migration, gave their place from a determined age to younger workers. These last ones relieved them sending founds to people whom families needed them.

At the end of the glorious 30s of the 20<sup>th</sup> century, France and the toughening of the migratory politics were included in a context where Mali also faced consequences of the neoliberal politics: work elimination, State abandonment, privatization of services...

From the 80s, a new group of migrants was created, which was composed by unemployed young people with university degrees, by government employees, by people with an university degree from privatized public companies and by other workers with a very small salary. While the country needs more people with university degrees, the budgetary difficulties do not enable it neither to guarantee reasonable salaries to workers nor works for young people.

Formal, public and private labour markets cover less than 2% of the working population is not usually able to create new jobs to people with university degrees who arrive every year to the market. Agriculture gives job to 75% of the population, it contributes with near 44% to the gross domestic product and it depends on climatic risks and on politics about the raw material prices. Industry is in an embryonic level and it suffers the technological underdevelopment, the electricity cost and the Mali market inundation by imported goods and services in favour to the IMF and the World Bank. Private sector became the engine of the Mali economy due to the increment of the liberalization, the State abandonment of productive sectors and the costs' amortization.

Under the pressure of the found providers, Mali gave a priority to the cotton production, which, after a good period where rain and devaluation help it, was driven under due to the American and European subventions and to the dollar value.

From that time, the Mali economical growth changes (7% in 2003, 2% in 2004). However, the illusion of having a growth of more than 5% during the following years is maintained by the dominant discourse which makes Mali to dream in being among the emergent countries.

Crisis in Côte d'Ivoire contributes a lot to the increment of the Mali migration flows and of the Western African people to the North hemisphere. This takes place because the colonial politic for agricultural development produced this country became the privileged destination for workers to cover the needs of the coffee and cacao plantations.

Subjugated to the same horse medicine than their neighbours (Mali, Burkina Faso, Guinea...) and a fratricide war to succeed the president Felix Houphouet Boigny, Côte d'Ivoire, where a capitalizing of the ethnic group took place, was not able to receive Mali workers neither to assure an employment to its national people.

The group of African countries, which have been facing for decades the crisis to the capitalist development, is now required to fight against poverty by the same big countries and international institutions which imposed the neoliberal system. Funding of the international community is under this price. The Strategy for fighting poverty evolved to the Strategic framework for fighting against poverty, which constitutes the sole framework of every participant.

Summarizing, secrecy is not an election, but one of the logical consequences of the economical and social convulsions induced by the origin countries by the globalization. Migratory politics of the rich and industrialized countries oscillates between arbitrary actions and violence from the moment these last countries forbid to get conclusions from the last decades.

Bamako, January 2010.



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