

REPORT ON THE SITUATION AT THE BORDER OF SPAIN

THE CANARY ISLANDS

BY ANGÉLICA CÁRDENAS PIÑERO



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The deathly route

The Canary Islands became in 2020 the main entrance of people on the move in Spain. The number of people arriving by sea throughout the country amounted to 40,106 people (only 1,755 people arrived by land), 53.6% more than in the same period of 2019, according to data provided by the Ministry of Interior in its "Annual Balance of Irregular Immigration". Of this figure, 23,023 people entered through the Canary Islands in a total of 745 boats, with an accelerated and increasing pace during the second half of the year. Specifically, on the Canary Islands route, according to UNHCR's Operational Data Portal (ODP), the main nationalities arriving were Moroccan, Malian, Guinean, Ivorian and Senegalese. Several organizations criticize that the collection of data regarding mortality on the 'Canary route' by the Spanish, Moroccan or West African administrations is very limited or almost non-existent. The official numbers of arrivals rescued and intercepted persons, as well as deceased persons and survivors' testimonies are not properly cross-referenced and recorded. In this way, and to draw the most accurate analysis possible, we must stick to the data collected by social

organizations and human rights groups that carry out rigorous and constant work in the field. According to the data collected by the organization [Caminando Fronteras](#). 2020 was one of the worst and most tragic years in the migratory routes of access to Spain as a whole, because of the high mortality rate of the Canary route. According to the monitoring report "Right to Life 2020", the total number of fatalities of migrants who have tried to reach the Spanish coasts has risen to 2,170 people[1]. The 'Canary route' has been confirmed as the deadliest of all. This route has a mortality rate of 32.1%, that is, three out of every ten people who cross the Atlantic route die. There is no effective protocol for the identification of dead or missing persons, neither adequate channels for informing the families of the deceased. When the deceased persons arrive in small boats, cayucos or are transferred by Salvamento Marítimo (which is a public entity in charge of maritime safety in Spanish waters. It reports directly to the Ministry of Transport, Mobility and Urban Agenda through the Directorate General of the Merchant Navy. Their main task is to carry out search and rescue operations

[1] According to statements made by the same organization, "the data presented are the result of exhaustive monitoring carried out 365 days a year by our collective [Caminando Fronteras]. Migrant communities, rescue services, family networks and human rights defenders in the field collect, contrast and systematize necessary information".

in the areas of responsibility assigned to Spain, which cover more than 1,500,000 km²) the information is brought to the attention of a Judge, which must take charge of the identification of the deceased person, as well as determine the cause of death. Despite the difficulty in correctly identifying a person who does not have personal documentation with them, there are no effective procedures in place by the courts or law enforcement agencies to identify these victims. Neither are there mechanisms for communicating with the victims' relatives for the eventual repatriation of the body. In addition to the lack of adequate and proactive mechanisms on the part of the administration, there is also a lack of channels through which the relatives could effectively find out about the disappearance or death of the person. An important amount of people who die on the migration route end up being buried in cemeteries close to the localities near the ports of arrival of the migration without their names even appearing on the tombstones. The work of accompanying the search and recognition of the bodies is mainly carried out by social organizations with little resources.

Arguineguín

When people arrive at the Spanish coasts, it is most of the time after having been rescued by Salvamento Marítimo that ends with the disembarkation of the rescued people in the nearest available and safe port. In the case of Gran Canaria, such disembarkation usually takes place in the port of Arguineguín. From the moment the persons disembark, they are detained by members of the National Police Corps (CNP) for identification, health checks and initiation of the return procedure. Even though during the first moment of arrival, socio-health actors such as the Red Cross intervene, this process takes place within a framework of deprivation of freedom of movement. Any activity carried out by disembarked persons must be authorized by the custodial officers. For approximately 4 months in the second half of 2020, people remained detained for days at the Arguineguín dock. It should be noted that after overcoming a potentially traumatic crossing of between four and eight days, without safety conditions and in which life is put at risk (on several occasions there are deaths of people on the same boat or passengers may have faced a breakdown or shipwreck), police action is prioritized over humanitarian care.

It is necessary to articulate a response to mental health needs in the context of such arrivals. The after-effects of the crossing can be dehydration, wounds, and pressure ulcers in the buttocks, hips, and knees, due to spending a long time in the same position. After their passage through the camps, the worst pathologies can appear because of a lack of hygiene. People can die from infections and dehydration, and there is also an emphasis on the strong impact on the mental health of going through the obstacles both outside and inside Spanish borders, which can lead to trauma and states of shock. An example of this situation can be found, for example, in the case of a minor who, after spending nine days on the dock, had difficulty walking, communicating with the translator, and even establishing visual contact. The first reception camp for immigrants who arrive in “pateras” at the Arguineguín dock, in the south of Gran Canaria, in which some 2,600 people were crammed together, was left empty three months and nine days after it was set up, according to the Government Delegation.

The conditions in the Arguineguín camp deteriorated to the point that both Ministries (Interior and Migration) undertook to dismantle it as soon as Barranco Seco, a temporary reception center ceded by The Army, which entered service on October 18 with a capacity for 800 people, was available. Human Rights Watch was one of the few independent observers to visit the Arguineguín pier, as the government blocked access to journalists, photographers, and television cameras. They reported finding overcrowded and unsanitary conditions. The tents lacked beds and mattresses, and unaccompanied children were not accommodated separately. In addition, they raised serious concerns about access to information and respect for the right to seek asylum, with many people receiving a removal order regardless of their personal circumstances and often without clear information in a language they could understand or access to a lawyer[1].

[1] In Spain, a law forbids documenting through images, videos the interventions of security force and provides a fine of up to 600,000 €. This law restricts the leeway of journalists to document violence and abuses committed by security forces against migrants.

Government Actions

Since November 2020, hotels became also temporary shelters. The Spanish government payed 45 euros per day to hotel owners for each of the about 6000 migrants that were hosted in hotels, a solution that seemed reasonable at first. With foreign tourists confined to their countries, and local authorities unable to come up with a proper plan, the reception program offered income to hoteliers and solved a humanitarian crisis. The Minister of Inclusion, Migration and Social Security, José Luis Escrivá, confirmed in Congress at the end of December 2020, that the International Organization for Migration (IOM) would be in charge of the management of an important part of the camps that are now being built really quick in the Canary Islands to accommodate migrants who have arrived at the islands. This is the first time that the IOM is going to intervene fully in the migration management of Spain, where until now it has had a small presence, mainly in programs of "voluntary return" of migrants to their countries of origin. However, it is still unclear exactly what role the agency will play in the current reception crisis on the islands. The Government, for the moment, remains silent on this matter.

The government assures that it cannot yet provide information because it is working on the design of the camps. The IOM recognizes that its participation "is on the table", but it is still being discussed with the government. They did not confirm the permanent presence of a technician in the Canary Islands from January to gather information and the advice of technicians with experience in Greece to set up the camps but avoids talking about deportations or voluntary returns. The question that no Ministry or organization answers for the moment is what is going to happen to these thousands of people once they are accommodated in the camps, above all, for those that do not meet the requirements to apply for asylum or international protection in Spain. No one knows what the word "temporary" implies or what the next scenario is. There is no open talk of future deportations, although they are on the table in the declarations of several Ministries, in their official visits to countries of origin and in the European migratory agenda.

On the other hand, the Spanish government is in talks with Frontex to relaunch another joint operation and reformulate Operation Hera from 2006. The aim is to try to stop the arrival of cayucos and “pateras” (small boats) to the islands, to repatriate the arrivals and to control the northwest African coast. Negotiations are at a preliminary stage and have yet to define the means to be used, in which regions and the level of participation of countries such as Senegal and Mauritania. It is also important to note that the extent to which Frontex resources will patrol has not yet been defined. However, this practice is facilitated by Spain's bilateral cooperation agreements with Senegal and Mauritania, which allow interference, action and joint surveillance by Spanish patrols and those of other EU member states in the exclusive economic zones. Currently, Frontex has reinforced its presence in the Canary Islands. The number of agents has been multiplied to support the National Police in their identification tasks (profile of the migrants and how, when and by how much they have traveled, as well as to verify that the fingerprints are uploaded to the Eurodac

database), as well as to conduct interviews and investigate the routes of migration. The Ministry of Inclusion, Migration and Social Security has designed and is implementing the Canary Islands Plan, which consists of the creation of 7,000 stable reception places to prolong the containment of the newly arrived people. The supposedly stable nature of the reception places is surprising when nearly 50% of the newly created places are planned for outdoor tents. The location of tents in these spaces is a temporary infrastructure and, therefore, one wonders how long they will be used and how long people will be kept in these spaces while waiting for access to a decent reception place. Anticipating additional arrivals by boat in 2021, the Spanish government has begun expanding reception facilities on the Canary Islands - most of which seem to consist of outdoor tents in unused military facilities where people can enter and leave freely. The Spanish central government has also repeated that it will not be transferring migrants to the mainland - a move intended to discourage others from risking the perilous journey.

The day by day situation

Only 17% of the migrants arriving in the Canary Islands that have requested asylum are able to remain in the country while their request is being studied. The rest will remain indefinitely trapped in the new camps. The government has insisted several times that most of the people who have arrived in the Canary Islands "are expellable". Some migrants have expressed doubts in relation to the document of the return agreement, and that they do not understand exactly what it entails. Some of them assume this document is a safe-conduct to access the peninsula. Others stated that this document would allow them to obtain a residence permit in the future after 3 years in Spanish territory. These descriptions show clear limitations in the communication of information by the CNP and some lawyers, affecting the right to legal defense. As it happens on Lesbos, migrants arriving at the Canary Islands could expect deportation, after staying in this confinement center. The Spanish government said that 50% of them are from Morocco, where the government hopes to deport them to as soon as possible to that country, thanks to the migration control agreements maintained by both governments. The shelters in the archipelago have an open-door policy, meaning migrants are free to enter and

leave at will. But in Las Palmas de Gran Canaria the situation has been different. In fact, one school sheltering migrants has turned more into a prison, with many fearing attacks from locals if they go outside. This place is one of two in the city that has sparked fierce opposition from residents in the area. Police have been patrolling the center for more than a week after migrants complained that locals had threatened them with guns and large knives. Cruz Blanca, the religious non-profit Organization that runs the shelter, says that the migrants have been threatened and attacked by organized groups. Residents, meanwhile, say they are fed up with seeing the migrants wandering about the streets and allegedly getting into squabbles at night, which they record on their cellphones. In fact, on the first week of February 450 Moroccans at the León school also decided they had had enough and announced a 24-hour hunger strike. Throughout the day, the people waved signs with messages such as "death is better than deportation." The group called on the Moroccan consulate to speed up the processing of their documents, to be allowed to go to the mainland and for

protection against violence. The protest followed an earlier hunger strike by migrants at a military compound in Las Palmas de Gran Canaria on February 2nd. In this case, the migrants at the facility, which does not have enough hot water for everyone, asked to be transferred to the mainland. A few days later, the compound was flooded by the rain due to a plumbing problem. The situation clearly has had a strong impact on the mental health of migrants who face undignified conditions and high levels of uncertainty. In addition, these spaces of containment facilitate the proliferation of racist and xenophobic discourses. The pandemic situation produced by the COVID-19 has intensified and legitimized the most repressive border control mechanisms and has favored the improvisation of measures which affects the fundamental rights of individuals. Between ends of February and beginnings of march, the government announced that the tents at the Barranco Seco camp in Gran Canaria will be replaced by barracks in April. But an increasing number of people arriving in the Canary Islands end up sleeping in the streets after refusing to enter the camps for fear of being forcibly returned.

According to EuroMed Rights (regional NGO that promotes human rights and democracy for all on both sides of the Mediterranean Sea) a sharp fall in arrivals to the Canary Islands was registered in the first half of February 2021, with 155 people compared to 1,008 in the second half of January and 1,069 in the first half of January 2021.

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