



**VICTIMS** OF THE  
**NECROFRONTIER**  
**2018-2022**  
FOR MEMORY AND JUSTICE

Report of the Human Rights Observatory of Ca-minando Fronteras

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# GLOSSARY

# GLOSSARY

**ALBORAN SEA ROUTE:** this route links the Rif coastline in Morocco (between Alhucemas and Saïdia) to the eastern Andalusia region in the Spanish State, as well as Spain's military enclaves in Africa (Chafarinas, Isla de Mar, Isla de Tierra, Perejil, Peñón de Alhucemas). It also includes the land border with Melilla.

**ALGERIAN ROUTE:** this route connects the area extending along much of Algeria's western and central coastline (Ain Temouchent, Oran, Mostaganem, Chlef, Cherchell, Tipaza, Algiers, Dellys, Bejaia, Jijel) to the eastern end of Andalusia, the Murcia region, Alicante and the Balearic Islands.

**CANARY ISLANDS (ATLANTIC) ROUTE:** this route encompasses a large area running from Guelmim in Morocco to Ziguinchor in the south of Senegal, including cities such as Tan-Tan, Akhfennir, Tarfaya, Laâyoune, Cabo Bojador, Dakhla, Nouadhibou, Nouakchott, Dakar and Banjul. People depart from these locations with the aim of reaching the Canary Islands, embarking on a journey covering hundreds of kilometres.

**DETERRENCE POLICIES:** a series of strategies implemented by states with the aim of preventing an agent or institution from committing an act that is unwanted by the state. The expression originated in the military and geopolitical context of the Cold War, but it is equally relevant in describing the practices of repression and migration control used by the Spanish State on the western Euro-African border.

**ENFORCED DISAPPEARANCE:** a crime recognised under international law, whereby state agents (or agents acting with the state's consent or on the state's orders) arrest, detain, torture or even kill an individual before denying these acts and hiding all information about the victim's whereabouts or condition from their loved ones. It constitutes a human rights violation, and, in some circumstances, a crime against humanity.

**FAILURE TO RENDER ASSISTANCE:** a crime regulated in Article 195 of the Spanish Criminal Code, which is committed by any person, agent or institution that, despite being aware that another person or group of people is in serious danger or distress, does not offer assistance, or, in cases where they cannot offer assistance directly, does not inform a third party who is in a position to provide such assistance.

**GENOCIDE:** any act or crime committed with the aim of totally or partially destroying a national, ethnic, racial or religious group.

**IMO:** the International Maritime Organisation, a specialised agency of the United Nations whose stated aim is to ensure safe and secure navigation of ships at sea and prevent marine pollution by ships. Its competencies include designating search and rescue regions of responsibility (SRR) for each state.

**MIGRATION ROUTE:** a term used by communities on the move to refer to their migration journeys overland and by sea, covering countries of origin, transit and destination.

**MRCC:** Maritime Rescue Co-ordination Centres. These state-controlled institutional facilities are responsible for search and rescue operations in geographical areas known as search and rescue regions of responsibility (SRR), which are designated by the International Maritime Organisation (IMO).

**NECROPOLITICS:** a term coined by Cameroonian philosopher Achille Mbembe, which refers to the use of political and social power to dictate how certain people are allowed to live and how others must die. It comprises a series of practices that are normalised in border regions and strip migrants of their fundamental rights, including the right to life and the right to freedom of movement.

**OVERLAND ROUTE:** this route leads to the border fences at Ceuta and Melilla.

**PARALLEL 35°50':** an imaginary line of latitude that acts as a de facto maritime

border between the Spanish State and Morocco in the Strait of Gibraltar region. In recent years, the Spanish maritime rescue services (Salvamento Marítimo) have been failing to render assistance south of this line, violating the fundamental right to life of people in distress in these waters.

**SENTI-THINKING KNOWLEDGE:** a term referring to forms of knowledge production that acknowledge the human condition as a holistic combination of rationality and emotionality, forming a whole from which no part may be detached.

**SHOCK DOCTRINE:** an economic theory developed by Canadian researcher and journalist Naomi Klein, which argues that the forces of big business take advantage of periods of tragedy and social crisis to impose economic policies to their benefit.

**SITUATED KNOWLEDGE:** an epistemological approach developed by American philosopher and biologist Donna Haraway, who argues that the perspectives and positions of knowledge-producing individuals or social groups should be specifically explained and evaluated. This approach is based on the belief that ‘neutral’ or ‘objective’ scientific research is a fallacy and that no form of knowledge production, regardless of the methodology used, can be detached from the subjectivity of the person producing the knowledge.

**STRAIT OF GIBRALTAR ROUTE:** as well as the Strait of Gibraltar itself, this route also covers part of the Moroccan Atlantic coast as far as Rabat and Mohammedia, as well as a series of locations on the coast of Cádiz in Andalusia. It also includes the land border with Ceuta.

**TOY:** a rowing boat used to cross the Strait of Gibraltar. They are small inflatable boats intended for recreational purposes and the oars are made from wood by migrants themselves.

**WESTERN EURO-AFRICAN BORDER:** a border region comprising the land and sea located between the Spanish State and the African coastline running from southern

Senegal to Jijel province in Algeria. It covers four main sea routes – the Canary Islands route, the Strait of Gibraltar route, the Alboran Sea route and the Algerian route – and the land borders between Morocco and the Spanish autonomous cities of Ceuta and Melilla.

**WHITE SAVIOUR:** a term used critically and sarcastically to describe the actions and social dynamics displayed by white people who proclaim themselves liberators, protectors and leaders of racialised people from a position of superiority, condescension and paternalism, subordinating them and taking away their agency.

# I. PROLOGUE

**Who are we?**

**Why are we counting victims at the borders?**

# I. PROLOGUE

## Who are we?

Ca-minando Fronteras is an organisation that works to defend the rights of people and communities on the move at the western Euro-African border, with 20 years' experience in research and transnational social intervention.

We aim to promote access to rights and ensure that life is protected in this border region, which is governed by necropolitics.

We build networks with migrant communities to seek truth, justice and reparation for victims of violence and their families. Our trust-based relationships and collaborative work allow us to publish detailed reports containing data and contextual analysis based on situated knowledge.

## Why are we counting victims at the borders?

*“Name them so that we know how many there are, because there are lots, too many”*, A. S., mother of a man who disappeared in the Strait of Gibraltar in 2014.

On the western Euro-African border, governments have focused their attentions on the numbers of people leaving Africa's coasts and/or arriving on Spanish soil after crossing the border. Their actions are framed within a paradigm of migration control, whereby data is presented to the public to convey the state's ability to control its territory. For several decades, these figures have served to fuel narratives of fear and hatred and to justify economic investment in border militarisation.<sup>1</sup>

1. See the report '*Expanding the Fortress*', Transnational Institute and Stop Wapenhandel, Amsterdam, 2018. Available at [https://www.tni.org/files/publication-downloads/expanding\\_the\\_fortress\\_-\\_16\\_may\\_11.pdf](https://www.tni.org/files/publication-downloads/expanding_the_fortress_-_16_may_11.pdf)

Treated as an absolute truth based on an exact science, empirical data has also been instrumentalised to legitimise the border regime and allow necropolitical acts to continue at the border.

With the exception of accounts from migrants' family members and communities on the move, public discourse overlooks the failure to protect life in these border regions entirely. It is no trivial matter that victims are not counted; there is an inherent bias in what is investigated at the border that is used to justify lethal policies.

**Which statistics perpetuate death at the border and which serve to defend life? Observing the situation at the western Euro-African border is far from a neutral process and those who approach it with the aim of defending life are immediately struck by violations of the rights of victims and their families.**

In doing so, we realised that the scale of the tragedy affecting people crossing borders in an attempt to reach the Spanish State was beyond anything we could ever have imagined.

As the years went by, the situation deteriorated and incidents of violence and death grew in number. A widespread failure to render assistance resulted in large numbers of deaths.

We continue to count the victims with help from the family members searching for their missing loved ones.

Throughout this time, we have pondered the questions that have arisen in our day-to-day work:

**What happened? Why? Who is responsible? Where are the victims? Whose bodies have been found? How were they buried?**

2. Since 2007, our organisation has run a telephone hotline to defend the right to life of people in danger at sea. For an in-depth review of the lessons learned from building networks with communities on the move and defending the right to life in border regions, see *Mujer de Frontera* (Maleno, 2020, Ed. Peninsula).

Unfortunately, the business of death, impunity and paramilitary and police relations has continued its terrible operations, causing even greater pain amid widespread indifference from much of society.

## How do we work?

This data collection work forms part of our Human Rights Observatory project on the western Euro-African border.

We founded the observatory in 2014 after seven years of receiving warnings from vessels in distress on different migration routes from Africa to the Spanish State. It began to operate in 2015. The aim of the project is to protect the right to life at the borders and we have thought long and hard about who we are collecting this data for and why. In our case, we have focused our efforts on ensuring that the knowledge we generate is useful within migrant communities and on building a project to defend life at the border alongside people on the move and victims' families.

Our priority is to produce situated, senti-thinking knowledge with involvement from the people with whom we work, who contribute to establishing new epistemological frameworks. To some degree, this knowledge has become an alternative to necropolitics and it paves the way for different accounts of what is happening in border regions.

The methodological tools used for our quantitative research on the victims of border control are a database of distress warnings and a database of dead and missing people. Both monitoring tools are constantly compared and fed back into one another.

Our observatory supplements these quantitative methods with qualitative research using a participatory action research methodology. Participant observation, case

studies, interviews and life histories provide valuable information that complements the statistical analysis.

This report updates statistics on the number of victims on the western Euro-African border <sup>3</sup> from 2018 to 2022 and presents a diachronic analysis that offers insight into the impact of necropolitics over a longer period of time.<sup>4</sup>

The numbers and stories presented in this report play an essential role as we work towards greater respect for human rights. The memory of the victims must remain with us, lighting the way to truth, justice and reparation and ensuring that these deaths do not continue. <sup>5</sup>

3. Updated as of 30th November 2022.

4. Diachronic analyses are used to study a specific phenomenon over a considerable time period in order to detect and confirm any changes that have taken place. This type of methodology is very useful in highly complex, unpredictable border settings shaped by the geopolitical interests of states, systematic violence and human rights violations, and collective resistance strategies from communities.

5. For more information on the importance of these principles and on the difficulties faced by border victims and their families in achieving them, see the report '**Sin Reparación no hay Justicia**'. GIRE, Mexico City, 2021. Available at <https://www.fundacionjusticia.org/sin-reparacion-no-hay-justicia-obstaculos-para-la-reparacion-integral-por-violaciones-a-derechos-humanos-en-mexico/> Although the report focuses on Mexico, it contains common themes observed at many other borders.

# **II. HOW MANY VICTIMS ARE THERE?**

**Women and children**

## II. HOW MANY VICTIMS ARE THERE?

In the last five years, 11,522 people have lost their lives on migration routes leading to the Spanish State. This corresponds to a total of six deaths per day.

Our analysis of the data we have collected shows that this tragedy has been enabled by a series of policies. People crossing the borders of the Spanish State face structural vulnerability, which begins when they are forced to leave their countries of origin and continues throughout their migration journeys, resulting in loss of life along the way.

Over the last five years, the Spanish State has worked with countries such as Morocco, Algeria, Mauritania and Senegal to establish bilateral migration policies. The arbitrary nature of these policies has significantly diminished protection for the rights of people on the move. The right to life is not recognised at the shared borders with these countries, allowing them to apply migration control policies that seek to defend the territory in ways that cause harm and even death to migrants. These policies are implemented via global rulings on territorial control in the European context. Victims are left defenceless and highly vulnerable by the lack of mechanisms for protection.

The data presented in this report shows that the loss of the lives of these 11,522 people is due not to chance but to a structured necropolitics that is sustained over time and underpins the construction of global migration systems in the 21st century. In the context of European migration control, especially in the Spanish State, most victims are missing as corpses are rarely found on sea routes. Against this backdrop, this deadly system deliberately denies victims' existence.

Helplessness is another feature of the migration system in this region and violence continues to occur with few protective mechanisms in place. Despite the existence of thousands of victims, there have been almost no processes of reparation and justice for them and their families during this period.

Worse still, calling for justice and condemning rights violations and deaths at the border is a dangerous activity in itself. Migrant rights defenders are being persecuted, criminalised and imprisoned for seeking to ensure that victims are remembered and for working to tackle migrants' vulnerability.<sup>6</sup>

Our research has given rise to a series of questions at the epistemological level, which could be considered key in analysing the status of current migration control systems.

**Are we witnessing the annihilation of groups of people with specific characteristics? Could these systems of persecution be compared to genocide, even though the common characteristics shared by the victims do not correspond to those highlighted in traditional definitions of the crime?**

**Are cases of enforced disappearance occurring on the western Euro-African border? Is causing and allowing death on sea routes a systematic, sustained violation of the rights of people on the move and their families?<sup>7</sup>**

**Do migration control systems act as regimes that implement transnational torture structures?<sup>8</sup>**

6. See the report **'Europe: Open Season on Solidarity'**. OMCT, Brussels, 2021. Available at [https://www.omct.org/site-resources/legacy/Europe-Open-Season-on-Solidarity\\_2021-11-15-150546\\_kuut.pdf](https://www.omct.org/site-resources/legacy/Europe-Open-Season-on-Solidarity_2021-11-15-150546_kuut.pdf)

7. "Multiple, constant violations of numerous human rights, including the right to liberty and security of person, the right to integrity of the person, the right to humane treatment, the right to freedom from torture, the right to due process and the right to life" (OHCHR, 2009, *International Convention for the Protection of All Persons from Enforced Disappearance*); in addition, international conventions stipulate that enforced disappearance "is a crime not subject to statutory limitation, which means that the offence and the criminal proceedings resulting from it do not disappear with the passing of time" (ibidem).

8. Torture is defined as any act by which physical or psychological pain or suffering is inflicted on a person by an authority or someone acting on its behalf. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was drafted by the Office of the United Nations High Commissioner for Human Rights and came into force in 1987. Among other clauses, it obliges all signatory states to prevent the commission of acts of torture within their jurisdiction and to promptly investigate all complaints received in this regard. The convention has been signed and ratified by all states on the western Euro-African border. For more information on torture on migration routes, see the report: **'Laberintos de Tortura'**, GAC and Sir[a], Madrid, 2022. Available at <https://www.psicosocial.net/investigacion/2022/10/04/publicaciones-laberintos-de-tortura-africa-espana/>



**11.522**

**VICTIMS**

of the Western Euro-African border

CA **MINANDO**  
**FRONTERAS**

**#RightToLife2018-2022**



# 6 PEOPLE A DAY

have died during the last 5 years  
crossing the border to the Spanish state

CA MINANDO  
FRONTERAS

#RightToLife2018-2022



# 250 BOATS

have completely disappeared with all their members on board during the last 5 years

CA **MINANDO**  
**FRONTERAS**

#RightToLife2018-2022

## Women and children

The feminisation of migration is a global phenomenon and some female thinkers view it as a form of strategic resistance by women to global change and social injustice, understood in both quantitative and qualitative terms.<sup>9</sup>

Women are subjected to different forms of torture during their migration projects, many of which occur in contexts of gender-based violence. This type of violence is employed in migration control systems as a way of punishing women's migration.<sup>10</sup> One of the most widespread forms of violence reported in our research was sexual violence, which is systematically used by the security forces in migration control systems.

***“The three of us arrived in Morocco together; we lived in the same room and in the end that makes you like sisters. Sarah<sup>11</sup> got sick the first year and had to take medication but she'd lose it in every raid and have to go back home to go to the hospital. What's the point of raising awareness about AIDS if we get raped all the time, then deported so we can't take our medication? We thought we'd manage to cross to Europe and that she'd be alright there and get cured, but she didn't make it and she died in hospital in Morocco. It was all very quick. Then we set off to sea, the waves were huge, I was terrified but what I was leaving behind was even more terrifying. The rubber dinghy couldn't withstand the sea's fury, we spent hours waiting to be rescued and Khady was lost to the sea. I'm the only one left. In the middle of the night, my nightmares wake me. I dream that I'm running in the midst of a raid, I check to see if I've been raped again but I'm alive”, M.C., community leader.***

Women tend to be overlooked in accounts of what is happening at the border; if they are mentioned, it is usually from a victimising perspective rooted in the politics of compassion.<sup>12</sup> In many cases, they are instrumentalised by migration control systems

9. See the report '**Alzando voces: análisis de discursos y resistencias de las mujeres migrantes subsaharianas en Marruecos**'. Alianza por la Solidaridad, Tangier, 2018. Available at <https://www.alianzaporlasolidaridad.org/axs2020/wp-content/uploads/Informa-Helena-Maleno-2018-Alzando-voces-Espa%C3%B1ol.pdf>.

The report shows that focusing on the migrant women who have contributed to the feminisation of social and economic aspects of migration can enable us to reformulate our analysis of migration and respond from a feminist, human rights-based perspective. We know that the discrimination and inequality suffered by women throughout history are reproduced on migration routes, giving rise to exceptional circumstances in the spaces of non-rights that are created in international migration.

10. This issue has been addressed in a series of publications in recent years. These include the reports '**Sexual violence and migration: the hidden reality of Sub-Saharan women trapped in Morocco en route to Europe**', Médecins Sans Frontières, Rabat, 2010 (available at [https://doctorswithoutborders.org/sites/default/files/2018-08/MSF-sexual-violence.pdf?\\_ga=2138070192:1469052145:1670538488-538931485:1670538488](https://doctorswithoutborders.org/sites/default/files/2018-08/MSF-sexual-violence.pdf?_ga=2138070192:1469052145:1670538488-538931485:1670538488)), and '**Mujeres y migración: vivencias desde Mesoamérica**', ECAP, Guatemala City, 2019 (available at <https://cdhfraymatias.org/wp-content/uploads/2019/11/Mujeres-y-migracion-Vivencias-desde-Mesoamerica.pdf>).

11. All names used in this report are fictitious to protect the individuals' identities.

12. "The politics of compassion (Uehling 2014) is another way of controlling mobility and another component in the process of border externalisation. This humanitarianism fosters a victimising vision of the 'beneficiaries', who are constructed as passive subjects worthy of compassion". (Jiménez-Álvarez, M., 2015, '**Externalización fronteriza en el Mediterráneo Occidental: movilizaciones, violencias y políticas de compasión**', in Revista de Dialectología y Tradiciones Populares, 70(2): 307-314).

to clean up the image of the institutions implementing necropolitics. They are the migrant group most commonly used to justify the propaganda of the ‘white saviour’.

The women leaders who participated in this research reported processes of femicide at the border and widespread racism, which affected them all but was particularly acute for black women in transit through North Africa.

They also practice different types of motherhood during their migration projects and one of their worst fears is losing their child(ren) while on the move.<sup>13</sup>

***“I’ve seen her now, yes, it’s my daughter. Thank you for finding her. She’s all swollen, they said it’s because of the sea. But it’s her, I knew as soon as I saw her, she’s wearing the clothes I dressed her in and her hair in the braids I did for her. The police officer told me they’d do a blood test, but I know it’s her. They asked me if I want to take her with me or bury her here. I told them that we’re Muslims so I just want her to be buried as quickly as possible, to be washed and to be prayed for as the Koran stipulates. I have no strength left to go on, she was my only daughter. I feel guilty for not protecting her but I wasn’t able to get onto the dinghy. If only I’d died along with her”***, A.T., mother of a girl who died at the border.

Like men and children, women at the borders are deprived of the express recognition of their rights. Within society, there is a reluctance to talk about women on migration routes. During our work, we have been challenged when we report the number of women and children who have fallen victim at the borders.<sup>14</sup>

Child migrants are subjected to the same harsh border violence as adults, violating the best interests of children and adolescents recognised in international frameworks<sup>15</sup> and in national legislation in the countries<sup>16</sup> that share the western Euro-African border.

13. During the years we have spent working at the border, our organisation has been able to follow several cases where children have become separated from their mothers, fathers or closest relatives. Many of these cases are still unsolved to this day and the families remain separated, while in other cases, they have been reunited after a lengthy wait. The case of Oumo Totopa, who received assistance from Women’s Link in 2017, is one such example (available at <https://www.womenslinkworldwide.org/files/2999/resumen-caso-oumo.pdf>). In other cases, we have been able to support families in seeking reparation for the harm they have suffered. After young Yamila died in July 2021, shortly after the wooden boat she was travelling on was rescued, we were able to support her mother, who was living in France at the time, to attend her daughter’s funeral in the Canary Islands seven months later (EFE, 2022. *‘La reparación de Cadi tras siete meses de espera para poder viajar a Canarias a despedirse de su hija Yamila’*. Available at [https://www.eldiario.es/canarias-sahora/migraciones/reparacion-cadi-siete-meses-espera-viajar-canarias-despedirse-hija-yamila\\_1\\_8741877.html](https://www.eldiario.es/canarias-sahora/migraciones/reparacion-cadi-siete-meses-espera-viajar-canarias-despedirse-hija-yamila_1_8741877.html)).

14. See some of the attacks that we have received in response to our publications stating the number of women and children affected by violence at the border (for example, <https://twitter.com/HelenaMaleno/status/1553441716098711552>).

15. Protection of the best interests of the child is enshrined in Article 3 of the Convention on the Rights of the Child from UNICEF, which stipulates that “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.” (UNICEF, Madrid, 2006: Convention on the Rights of the Child. Available at <https://www.un.org/es/events/childrenday/pdf/derechos.pdf>).

16. The protection of children’s best interests is also guaranteed under Spanish legislation (‘Ley Orgánica 8/2015, de 22 de julio, de modificación del sistema de protección a la infancia y a la adolescencia’, available at <https://www.boe.es/buscar/pdf/2015/BOE-A-2015-8222-consolidado.pdf>), Moroccan legislation (El Mrahi, *‘Les droits de l’enfant au Maroc’*, Ahjucaf, available at <http://v1.ahjucaf.org/Les-droits-de-l-enfant-au-Maroc.html>) and Algerian legislation (‘Loi n° 15-12 du 28 Ramadhan 1436 correspondant au 15 juillet 2015 relative à la protection de l’enfant’, available at <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/99843/119311/F177738812/DZA-99843.pdf>).

The tools of violence used against child migrants travelling with family members differ from those used against child migrants travelling alone.

Numbers of adolescent migrants tend to be far higher than official statistics suggest and they are often overlooked in research and reports, either because they are deemed to be adults due to their decision to migrate alone or because they are criminalised<sup>17</sup> within the border regime and their presence is not acknowledged. Adolescent girls are more invisible still, especially when they are destined for sexual exploitation as a result of demand in European countries.<sup>18</sup>

In the border control system, specific terms have been coined to categorise child migrants, which have been transformed into instruments for denying rights.<sup>19</sup>

***“We arrived at the ghetto in Beni Mellal after a long journey. As soon as we came out of the station, we saw more than 400 people outside. Many of them were children. There were kids aged 12, 13, or even 9 and 10, they were very little. We saw a lot of wounded people, people who had broken both legs. We set to work immediately and began to take them to hospital. But when we came back to give them something to eat, we realised that the main problem facing many children was that they didn’t have their brother, sister or mother with them. ‘Where are your siblings?’, we would ask them. And they would say: ‘I left them behind in Nador. They’re no longer alive. They’re dead’. That’s the situation we’re facing. Even as I speak to you now, I can feel the pain in my heart. I’m still very moved by it. I’d never seen anything like it. I’m beside myself when I think about it, it’s done away with any hope I had in human beings, it makes me emotional... It was truly awful. Completely horrifying”, V.C., community leader on a humanitarian mission following the Melilla-Nador slaughter.<sup>20</sup>***

17. For more on this issue, see: Jiménez Álvarez, M. (2003). *‘Buscar la vida. Análisis transnacional de los procesos migratorios de los menores marroquíes no acompañados en Andalucía’*. Cuadernos Fundación Santa María, 3. Madrid; and Jiménez Álvarez, Madrid, 2011, *Intrusos en la fortaleza: menores marroquíes migrantes en la frontera Sur de Europa*.

18. For more information, see the report: *‘Mothers in Human Trafficking Networks: Robbed of Their Rights’*, especially chapter 3.2. *‘Deficiencies in the System for the Identification and Protection of Minor Trafficking Victims’*. Women’s Link Worldwide, Madrid, 2017. Available at: <https://www.womenslinkworldwide.org/en/files/3028/mothers-in-the-trafficking-networks.pdf>

19. One illustrative example is the emergence and popularisation of terms such as ‘MENA’ (Menor Extranjero No Acompañado) to refer to child migrants who migrate without their families. The frequent use of this term perfectly illustrates the discrimination and dehumanisation to which communities on the move are subjected by public opinion and the media in the Spanish State, stripping children of the special rights and protections that they need and deserve. For more information on this issue, see: Jiménez Álvarez, Madrid, 2011, *Intrusos en la fortaleza: menores marroquíes migrantes en la frontera Sur de Europa*.

20. Violence continued to be committed against the migrant population in the days following the tragedy at the border, when several media outlets reported on the forced displacement of many people to cities in inland Morocco and the presence of numerous people who had been wounded by the police and military forces and had received no medical care of any kind (France 24, 2022, *‘Drame de Melilla: des voix au Maroc réclament une enquête approfondie, Madrid accuse “les mafias”’*, available at <https://www.france24.com/fr/afrique/20220626-drame-de-melilla-des-voix-au-maroc-r%C3%A9clament-une-enqu%C3%Aate-approfondie-madrid-accuse-les-mafias>).



**1.273**  
of the victims  
of the border were **WOMEN**

**383** **VICTIMS**  
among the migrant children

**CA MINANDO FRONTERAS**

**#RightToLife2018-2022**



**III. WHERE DID  
THE VICTIMS  
COME FROM?**

### III. WHERE DID THE VICTIMS COME FROM?

The origin of the victims and the reasons for their migration were also explored in our research and demonstrate the arbitrariness at play when it comes to recognising and guaranteeing the human rights of people on the move. In 2022, Europe applied a rather different approach to the border for people fleeing the war in Ukraine, who were quickly offered protection under the law<sup>21</sup> despite these rights being denied to people fleeing other conflicts for decades.

This points to the importance of analysing power as a defining element in the recognition of human rights and as the basis of the migration control system. It also shows how colonialism and racism<sup>22</sup> have an ideological influence on current migration systems.

As an organisation, we have been analysing the reasons that prompted victims to leave their countries of origin. There is no single reason for departure; on many occasions, people are affected by several reasons at a time as part of a complex social process that is also influenced by individual and structural decision-making.

- Armed conflict.
- Neocolonial extractivist policies.
- Poverty exacerbated by climate change.
- Poverty exacerbated by rising prices and shortages of basic foodstuffs such as cereals.
- Poverty exacerbated by lack of work and absence of the necessary material conditions to make a living; lack of appealing or desirable future prospects.
- Gender-based violence, forced marriage, female genital mutilation, femicide.

21. Only 15 days had passed since the war in Ukraine began when Order PCM/169/2022 was published in the Boletín Oficial del Estado on 9 March 2022, establishing the procedure for granting temporary protection to people affected by the conflict in the country (available at [https://www.boe.es/diario\\_boe/txt.php?id=BOE-A-2022-3715](https://www.boe.es/diario_boe/txt.php?id=BOE-A-2022-3715)). The system was described as "streamlined and simple" by government sources (La Moncloa, Madrid, 2022: 'El Gobierno pone en marcha un sistema ágil y sencillo para que los desplazados de Ucrania puedan acceder a la protección temporal'. Available at <https://www.lamoncloa.gob.es/serviciosdeprensa/notasprensa/interior/Paginas/2022/090322-desplazadosucrania.aspx>

22. Racism and colonialism, destructive forces produced by European modernity, have underpinned Europe's relationships with the rest of the world for more than five centuries, including migration systems. However, the complete disregard for human life and dignity conveyed by these systems – which is needed for them to function – is particularly obvious during so-called 'migration crises' or 'refugee crises', which are moments when the capitalist colonialism that has impoverished and plundered regions and communities in the Global South is overwhelmed (Santos & Meneses, 2014, *Introducción a las Epistemologías del Sur*, ed. Akal).

- Violence against LGBTBI+ groups.
- Persecution for reasons of race, religion, gender, political opinion, etc.
- Human rights activists fleeing after fighting for access to social rights and greater democracy and/or against corruption.

The people who have lost their lives over the last five years came from 31 different countries and had taken very different migration routes. According to accounts from their next of kin, many of them had already experienced violence to a greater or lesser degree while they were en route.<sup>23</sup> Each of the victims has a uniquely valuable life story, which we respect. Some had travelled up to 10,000 kilometres, while others had just left their homes to catch a boat and were never seen again.

***“He’d arranged to meet my cousin but he didn’t come home that night. They’d gone to spend the night with some friends in one of the cabins by the sea here. The next day, they told us he’d set off in a wooden boat like those ones over there (she gestures towards a small fishing port where some wooden boats are moored). He wasn’t planning to become a ‘harraga’<sup>24</sup>, but his friends were going and so was my cousin, so he went too. Since then, we haven’t heard from them. People have said a lot of things. They’ve said that they’re in prison, that they’ve arrived in Spain and they can’t call. We’ve looked for him, we’ve reported it to the police in Algeria and Spain and we can only hope they’ll find them, him and my cousin”,*** A., sister of a victim at the border.

***“They told us they’ve found the bodies of several Sri Lankans and we want to know if our brother was among them. We know he was travelling on a boat that sank near a city in Morocco. My family need the body to***

23. For a detailed study of migration systems and border regimes as places where violence and rights violations are produced, see: Mezzadra & Neilson, 2017, **La frontera como método**, ed. Traficantes de Sueños. Available at [https://traficantes.net/sites/default/files/pdfs/PCI5\\_frontera\\_como\\_metodo.pdf](https://traficantes.net/sites/default/files/pdfs/PCI5_frontera_como_metodo.pdf)

24. A term used to refer to North African people from Algeria, Morocco and Tunisia who migrate clandestinely to Europe.

***be identified and laid to rest in peace. We want to know how much it costs to send the body to Sri Lanka and whether he can have a decent burial there”***, M. S., brother of a victim at the border.

All the victims had been driven to cross an externalised, militarised border managed by bilateral agreements,<sup>25</sup> which are the central pillars underpinning the control systems that have operated on the western Euro-African border in recent decades.

25. These bilateral agreements are characterised by their secrecy, lack of transparency and absence of accountability mechanisms governing their approval and implementation. For more information, see the documents published by CEAR on the processes of border externalisation taking place at the western Euro-African border (CEAR, 2020, '¿En qué consiste la externalización de fronteras?', available at <https://www.cear.es/externalizacion-de-fronteras/>).



Algeria, Angola, Bangladesh, Burkina Faso, Cameroon, Chad, Comoros, Democratic Republic of the Congo, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guinea Bissau, Guinea Conakry, Ivory Coast, Mali, Mauritania, Morocco, Myanmar, Nigeria, Pakistan, Palestine, Senegal, Sierra Leone, Sri Lanka, Syria, South Sudan, Sudan, Yemen.

PEOPLE FROM  
**31**  
COUNTRIES

have died on the  
Western Euro-African border

CA MINANDO  
FRONTERAS

#RightToLife2018-2022



In this way, migrants become a bargaining chip in relations between countries, which include both economic and geostrategic exchanges. We analysed how the changing relationships between the Spanish State and its neighbours Morocco and Algeria from 2018-2022 affected respect for migrants' human rights.

### Consequences of 'friendly relations' between the Spanish State and Morocco:

- Increase in raids on migrants by military forces in Morocco, which are indiscriminate and based on racial profiling. These raids take place on the streets and in informal settlements, as well as in the houses where migrants are living. Many of the raids have targeted people living legally in Morocco, refugees, sick migrants, child migrants and pregnant women.<sup>26</sup>
- Increase in violence against the migrant population in transit through Morocco.<sup>27</sup>
- Acceptance by the Spanish State of proposals to annex disputed territories in the region by land and by sea.
- Acceptance by the Spanish State of a Moroccan military presence on Spanish territory: Isla de Perejil, Isla de Mar, Isla de Tierra, Chafarinas and Melilla.<sup>28</sup>
- Moroccan military presence in Spanish territorial waters to intercept vessels carrying migrants.

### Consequences of the crisis in relations between the Spanish State and Morocco:

- Voluntarily and/or coercively moving migrants to the borders in order to trigger departures with minimal guarantees of protection.<sup>29</sup>

26. On many occasions, the Moroccan press has reported these events. One example is the news of the murder of Jean Bihina from Cameroon on a road dozens of kilometres from where he was living (La Depeche 24, 2021, 'Un jeune Camerounais refoulé, tué sur la route d'Asilah: Qui a tué Jean Bihina?'; available at <https://ladepeche24.com/un-jeune-camerounais-refoule-tue-sur-la-route-dasilah-qui-a-tue-jean-bihina/>). Other media outlets, such as ENASS, frequently publish journalistic reports and investigations concerning the raids and attacks perpetrated by the Moroccan police forces against migrant communities (<https://enass.ma/category/special-refugies/>).

27. In the slaughter at the border between Nador and Melilla on 24 June 2022, 40 migrants are confirmed to have died, dozens went missing and hundreds were wounded and displaced. The incident represents an unprecedented use of institutional cruelty and violence. For more information, see our analysis of the slaughter in 'Monitoring the Right to Life: January-June 2022' (available at <https://caminandofronteras.org/wp-content/uploads/2022/07/MONITORE-DALVEN.pdf>).

28. The acceptance of a Moroccan military presence on Spanish territory was apparent at the slaughter in Nador and Melilla on 24 July 2022 (EFE, 2022, 'La visita a Melilla no resuelve las dudas de los diputados sobre la tragedia en la frontera', available at <https://efe.com/espana/melilla-tragedia-visita-diputados-dudas/>; EFE, 2022, 'Maraska avala la respuesta policial al salto a la valla de Melilla', available at <https://efe.com/espana/maraska-avala-melilla/>), but it had also occurred previously on the island territories (EFE, 2021, 'Caminando Fronteras muestra en Melilla su preocupación por los 41 inmigrantes llegados a Isla de Tierra', available at <https://www.europapress.es/ceuta-y-melilla/noticia-caminando-fronteras-muestra-melilla-preocupacion-41-inmigrantes-llegados-isla-tierra-20210822152533.html>); elDiario.es, 2014, 'El Gobierno excusa con un pacto verbal la entrada de marroquíes a Perejil para devolver inmigrantes', available at [https://www.eldiario.es/desalambre/gobierno-justifica-marroques-perejil-inmigrantes\\_1\\_4839147.html](https://www.eldiario.es/desalambre/gobierno-justifica-marroques-perejil-inmigrantes_1_4839147.html))

29. Examples of these practices include the arrival of thousands of people in Ceuta, including many children, in May 2021 (elDiario.es, 2021, '8.000 personas, al menos un cuarto de ellas menores, entran a nado en Ceuta en plena crisis con Marruecos', available at [https://www.eldiario.es/desalambre/personas-entran-ceuta-nado-marruecos\\_1\\_7941768.html](https://www.eldiario.es/desalambre/personas-entran-ceuta-nado-marruecos_1_7941768.html)) and the disappearance of entire boatloads of people on migration routes at sea, which have been documented in our 'Monitoring the Right to Life' reports in recent years.



## Consequences of 'friendly relations' between the Spanish State and Algeria:

- Systematic acceptance of accelerated removals by Algeria.
- Refusal to grant asylum status to Algerians.<sup>30</sup>
- Increase in raids on migrants by military forces in Algeria, which are indiscriminate and based on racial profiling. These raids take place on the streets and in informal settlements, as well as in the houses where migrants are living. Many of the raids have targeted people living legally in Algeria, refugees, sick migrants, child migrants and pregnant women.<sup>31</sup>

## Consequences of the crisis in relations between the Spanish State and Algeria:

- Failure to document Algerian children in juvenile facilities in the Spanish State.
- Difficulties experienced by victims' families when reporting missing people to the Spanish Embassy and requesting DNA testing to identify corpses found. There are also difficulties when it comes to sharing information about corpses found with family members in an official manner between the two countries.<sup>32</sup>
- Voluntarily and/or coercively moving migrants to the borders in order to trigger departures with minimal guarantees of protection.

30. This occurred, for example, with the deportation of anti-corruption activist Mohamed Benhalima to Algeria despite evidence that his life would be in danger if he were to be returned (elDiario.es, 2022, 'España, denunciada ante el Comité contra la Tortura de la ONU por la expulsión del activista Mohamed Benhalima a Argelia', available at [https://www.eldiario.es/comunitat-valenciana/espana-denunciada-comite-tortura-onu-expulsion-activista-mohamed-benhalima-argelia\\_1\\_9246808.html](https://www.eldiario.es/comunitat-valenciana/espana-denunciada-comite-tortura-onu-expulsion-activista-mohamed-benhalima-argelia_1_9246808.html)) and the mass deportations of Algerian citizens to their country of origin in 2018 by detaining them in CIEs (migrant detention centres) (InfoLibre, 2019, 'Los jesuitas denuncian "discriminación" en los CIE: dos de cada tres internos son de Marruecos y Argelia', available at [https://www.infolibre.es/politica/jesuitas-denuncian-discriminacion-cie-tres-internos-son-marruecos-argelia\\_1\\_1171304.html](https://www.infolibre.es/politica/jesuitas-denuncian-discriminacion-cie-tres-internos-son-marruecos-argelia_1_1171304.html)).

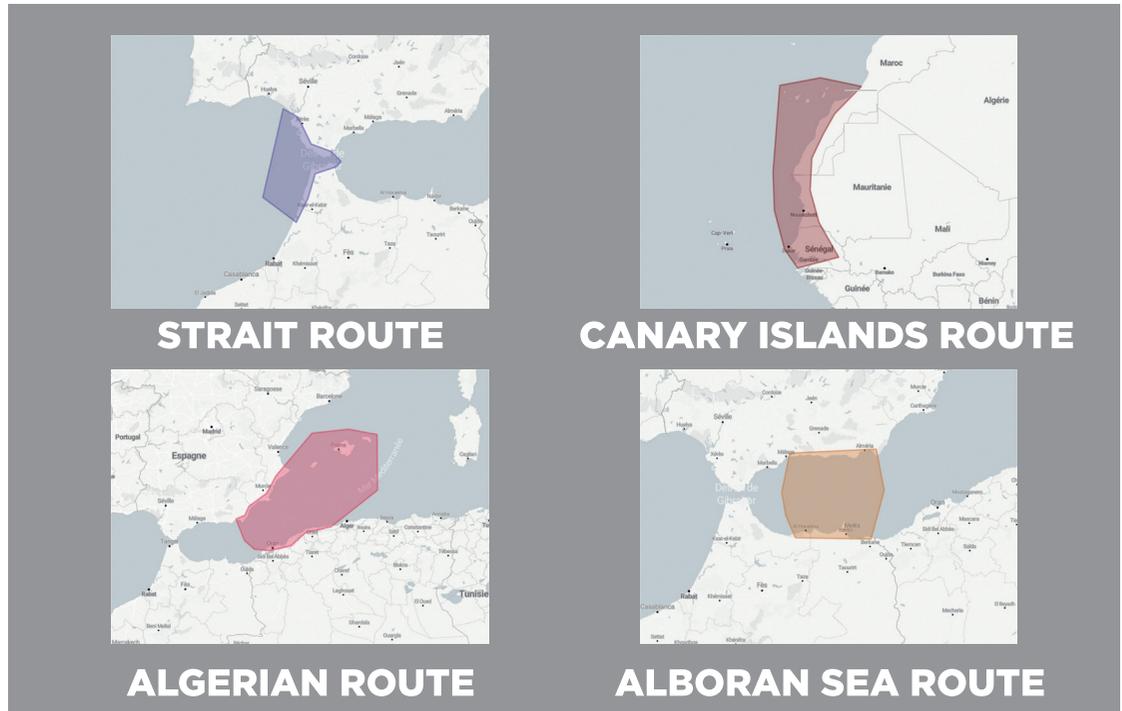
31. Mass deportations by the Algerian authorities on the border with Niger in the Sahara Desert (MSF, 2021, 'Las inhumanas deportaciones de Argelia a Níger ponen en peligro la vida de las personas migrantes') and on the border with Morocco, a country characterised by impunity and an absence of rights (H24, 2022, 'L'Algérie remet au Maroc une quarantaine de migrants'), have been repeatedly documented.

32. See, for example, the interview with Riadh Lichani, the brother of a young man who went missing on the Algerian sea route in August 2021, in the programme 'Diario de ausencias' on RNE's Radio5 (<https://www.rtve.es/play/audios/diario-de-ausencias/diario-ausencias-askander-lichani/6735524/>).

**IV. WHAT ROUTES DID  
THEY TAKE?**

## IV. WHAT ROUTES DID THEY TAKE?

In the research for this report, we counted the victims on six migration (4 sea routes and 2 land routes in Ceuta and Melilla) routes leading to the Spanish State.



The period covered by the report is highly relevant as it saw a shift towards more dangerous migration routes and new border control dynamics that have led to rising numbers of victims.

In 2018, the Alboran Sea was the busiest route and was travelled primarily by people from West and Central Africa in transit through Morocco. This period saw the breakdown of the migration policy introduced by the Alawite kingdom in 2014, which established the SNIA<sup>33</sup> and signed the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families<sup>34</sup> with the aim of regularising migrants and allowing them to integrate. Migration control policies are apparent all over the country and exert pressure on migrants in regions near the northern border with the Spanish State.

Meanwhile, unrest<sup>35</sup> among residents of the Rif, who were calling for improved social rights and greater development in the region, and subsequent repression by Moroccan government forces meant that Moroccans also sought to migrate to the Spanish State by sea during this period to escape violence and a lack of access to social rights and guarantees.

Between 2018 and 2022, we continued to receive alerts from vessels in the Strait of Gibraltar, most of which were ‘toys’ with oars that set off from the Tangier region towards Cádiz and Ceuta.

However, inflatable speed boats are also seen in the region. These are mostly used by Moroccans, who travel longer distances from Larache or even Moulay Bouselham in an attempt to reach the coastline between Algeciras and Barbate.

The numbers of boats travelling the Algerian route began to rise in 2018, as evidenced by the mass detentions and deportations of Algerian citizens at that time.<sup>36</sup>

In August 2018, a single command for migration control was established in Málaga and the rescue services received clear orders to limit their activities south of parallel 35°50'.<sup>37</sup>

Morocco tightened control in the north of the country, which was accelerated by the militarisation occurring in response to the protests in the Rif region. In 2019, the

33. The French acronym for 'National Immigration and Asylum Strategy'. The key aspects of this policy may be consulted at <https://marocainsdumonde.gov.ma/strategie-nationale-dimmigration-et-dasile/>

34. The signing of the Convention was approved in a bill from the Moroccan government on 14 January 2016 ([https://www.mites.gob.es/ficheros/ministerio/mundo/revista\\_ais/198/158.pdf](https://www.mites.gob.es/ficheros/ministerio/mundo/revista_ais/198/158.pdf)).

35. For more information, see Jamai, A., 2017, 'El Rif desafia al rey de Marruecos. Una revuelta que revela los estancamientos políticos', *Le Monde Diplomatique* en español, 161: 10; and El Salto Diario, 2020, "'Hirak' rifeño: una revuelta descabezada pero no derrotada', available at <https://www.elsaltdiario.com/marruecos/hirak-rifeno-una-revuelta-descabezada-pero-no-derrotada>.

36. infoLibre, 2019, 'Los jesuitas denuncian "discriminación" en los CIE: dos de cada tres internos son de Marruecos y Argelia', available at [https://www.infolibre.es/politica/jesuitas-denuncian-discriminacion-cie-tres-interos-son-marruecos-argelia\\_1\\_171304.html](https://www.infolibre.es/politica/jesuitas-denuncian-discriminacion-cie-tres-interos-son-marruecos-argelia_1_171304.html).

37. The feature film 'Paralelo 35°50' investigates the complicity between Spanish and Moroccan authorities in creating this invisible border: <https://paralelo3550.entrefronteras.com/>

Atlantic route towards the Canary Islands opened up, although the Alboran Sea route remained active. The rise in deaths in the Strait of Gibraltar following the application of parallel 35°50' and the ineffectiveness of the collaboration between Moroccan and Spanish rescue services is particularly representative of this period.

The number of victims rose significantly in 2020, which is the worst year since our organisation began to keep records. As a result of the prioritisation of migration control policies over the right to life, public rescue services have been dismantled and there has been a lack of coordination with Morocco and Algeria.

We have detected growing levels of racism within the authorities responsible for safeguarding life when they are informed of people in danger at the border by our organisation and/or by family members.<sup>38</sup>

Paradoxically, a growing number of vessels do not receive assistance from rescue services despite providing their position and calling for help, or rescue arrives too late. Rising numbers of deaths are caused by failure to render assistance and reductions to the forces deployed to save migrants' lives. During 2020, the pandemic<sup>39</sup> led to impoverishment and drove people to migrate. We witnessed a rise in the numbers of Moroccans arriving in the Canary Islands by boat, many with their families, and in the numbers of wooden boats coming from Senegal. In addition, the Algerian route became significantly busier even during the strictest lockdown.

The COVID-19 pandemic and the repression following the 2019 Hirak<sup>40</sup> protest movement prompted more and more young people and families to leave Algeria. Almería is the closest destination, but many boats take far longer, more dangerous routes to Murcia, Cartagena, Alicante and the Balearic Islands.

In 2021, 12 people died each day at the borders of the Spanish State, representing twice as many victims as the previous year. The shock doctrine made its presence felt in 2021 as the deterrence policies implemented by states, which serve to enrich arms companies<sup>41</sup> investing in controlling human mobility, led to the emergence of more

38. These episodes have been condemned by our organisation on social media (see <https://twitter.com/HelenaMaleno/status/1322855986630197248>).

39. The COVID-19 pandemic has been hugely destabilising all over the world, causing levels of inequality and poverty to rise dramatically in some countries in the Global South and driving many communities in impoverished regions that were severely affected by the virus to leave. For more information, see the report: 'The inequality virus', Oxfam International, Oxford, 2021. Available at <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/621149/bp-the-inequality-virus-250121-en.pdf>.

40. A political and social movement based on peaceful protest that began in Algeria on 16 February 2019, first locally and then nationally, to call for the resignation of President Abdelaziz Bouteflika, who had been in power since 1999 and had just run for a fifth term. The protests continued even after Bouteflika had resigned and were driven largely by political repression, police violence, violation of fundamental freedoms, deteriorating living conditions and purchasing power, high youth unemployment rates and declining public services across the country.

41. The Centre Delàs d'Estudis per la Pau has produced an interactive resource showing the names of these companies and other relevant information, such as the equipment they manufacture, their revenues and the numbers of people they employ. See: <https://centredelas.org/mapes-interactiu-industria-militar-espanyola/?lang=es>

dangerous routes with higher mortality rates, such as the Canary Islands route and the Algerian route. Amid the tragedy of 4,639 victims in 2021 alone, pain and death are transformed into a major business opportunity for the companies operating border control systems.

Increasing numbers of boats are going missing on longer sea routes to the Canary Islands from Mauritania, Senegal and Gambia, as well as from Algeria to Alicante and the Balearic Islands. Volatile relations between Morocco and the Spanish State, where migration is used as a source of blackmail, triggered a major peak in mortality in late May 2021.

Inflatable boats, which had never been used before in the ocean and are far more fragile, began to appear in the Atlantic. Thirty percent of the tragedies that took place on the Canary Islands route in 2021 involved this type of vessel.<sup>42</sup>

The number of women travelling with their children on the Canary Islands migration route also rose. Many women travelled this route during the first half of 2021, most of whom were mothers from West African countries.

Due to the militarisation of the Mediterranean border and the disputed land and sea territories in the Atlantic, there are fewer and fewer attempts to cross from northern Morocco to the Spanish State by sea. Despite the decline of this route, deaths continue to occur due to the failure to dispatch rescue services.

The Spanish Salvamento Marítimo service does not intervene south of parallel 35°50' even if people's lives are in danger and Morocco is known not to have mobilised its rescue services. In this way, the use of passive search methods is becoming systematically established.

The arrival area for vessels from Algeria is very broad, spanning Almería, Murcia and the east coast up to the Balearic Islands. Searches are not mobilised even when warnings have been received and the rescue services direct organisations and family

42. See 'Monitoring the Right to Life 2021'. Caminando Fronteras, 2022. Available at [https://caminandofronteras.org/wp-content/uploads/2022/01/MONITORE-DALVEN\\_v01.pdf](https://caminandofronteras.org/wp-content/uploads/2022/01/MONITORE-DALVEN_v01.pdf)

members to other agencies with no power to protect life at sea in a clear attempt to evade their responsibilities.

This brings us to 2022, when the war in Ukraine triggered a discourse of belligerence that took hold across Europe. The continuing arrival of refugees from other conflicts gave rise to widespread hate speech and was used to justify further militarisation at the western Euro-African border.

The slaughter in Melilla on 24 June 2022 occurred against this backdrop, showing the whole world the consequences of migration control policies and the lengths to which states are prepared to go to implement them.<sup>43</sup> The incident came in the context of the renewed security cooperation agreement between the Spanish State and Morocco.

The number of victims at sea fell, returning to the shameful levels that had become established in 2020. This was due in part to the international scandal triggered by the tragic figures from 2021,<sup>44</sup> which prompted several measures to be taken to bring down mortality rates, such as diverting ships to the positions given by boats in distress in response to the failure to mobilise rescue services. Migrant communities also reacted to the appalling rise in deaths, reflecting on how to organise to obtain greater protection from the main perpetrators on the most dangerous migration routes: states and criminal networks.

43. See the BBC documentary: 'Death on the Border - BBC Africa Eye', released on 31 October 2022. Available at <https://www.youtube.com/watch?v=MJoL7E4uvuU>

44. The Guardian, 2022, 'Death toll of refugees attempting to reach Spain doubles in 2021' (available at <https://www.theguardian.com/world/2022/jan/03/death-toll-of-refugees-attempting-to-reach-spain-doubles-in-2021>); The Times, 2022, '4,400 migrants were lost at sea trying to reach Spain in 2021' (available at <https://www.thetimes.co.uk/article/4-400-migrants-were-lost-at-sea-trying-to-reach-spain-in-2021-vcc0rcc15>); Tagesschau, 2022, '4400 Migranten starben auf Spanien-Routen' (available at <https://www.tagesschau.de/ausland/europa/migranten-spanien-105.html>); TF1, 2022, 'Plus de 4400 migrants morts ou disparus en tentant de rejoindre l'Espagne en 2021, selon une ONG' (available at <https://www.tf1info.fr/international/plus-de-4400-migrants-morts-ou-disparus-en-tentant-de-rejoindre-l-espagne-en-2021-selon-une-ong-espagnole-caminando-fronteras-2206203.html>).

# Victims BY ROUTES

CANARY ISLANDS  
ROUTE  
**7.865**  
victims

STRAIT ROUTE  
**532**  
victims

OVERLAND ROUTE:  
CEUTA AND MELILLA FENCES  
**47**  
victims

ALBORAN SEA ROUTE  
**1.494**  
victims

ALGERIAN ROUTE  
**1.583**  
victims

CA MINANDO  
FRONTERAS

#RightToLife2018-2022



# **V. HOW AND WHY DID THEY DIE?**

**Recurring practices causing loss of life**

**Structural factors affecting the right to life**

# HOW AND WHY DID THEY DIE?

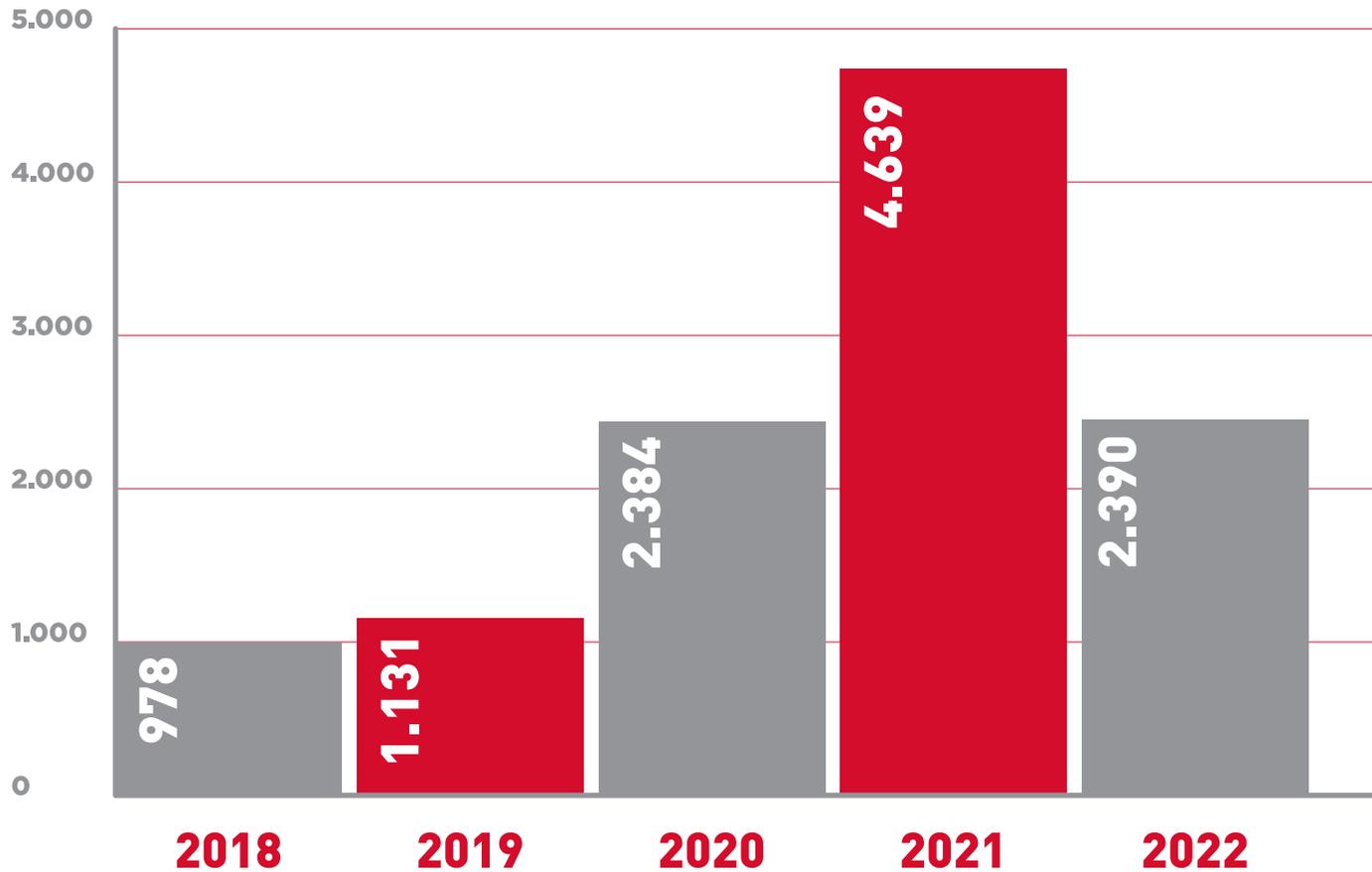
In our analysis of the data on victims of the western Euro-African border between 2018 and 2022, we asked the following questions:

**Are there any repetitive patterns that can be identified as factors causing deaths at the western Euro-African border?**

**If so, can we analyse the degree to which these factors recur? Can we identify systematic structures and policies that undermine the right to life?**

**Does the exercise of power at the border through discrimination based on ethnic origin, class, race, gender and religion establish patterns for deciding who will live and who will die when crossing the border?**

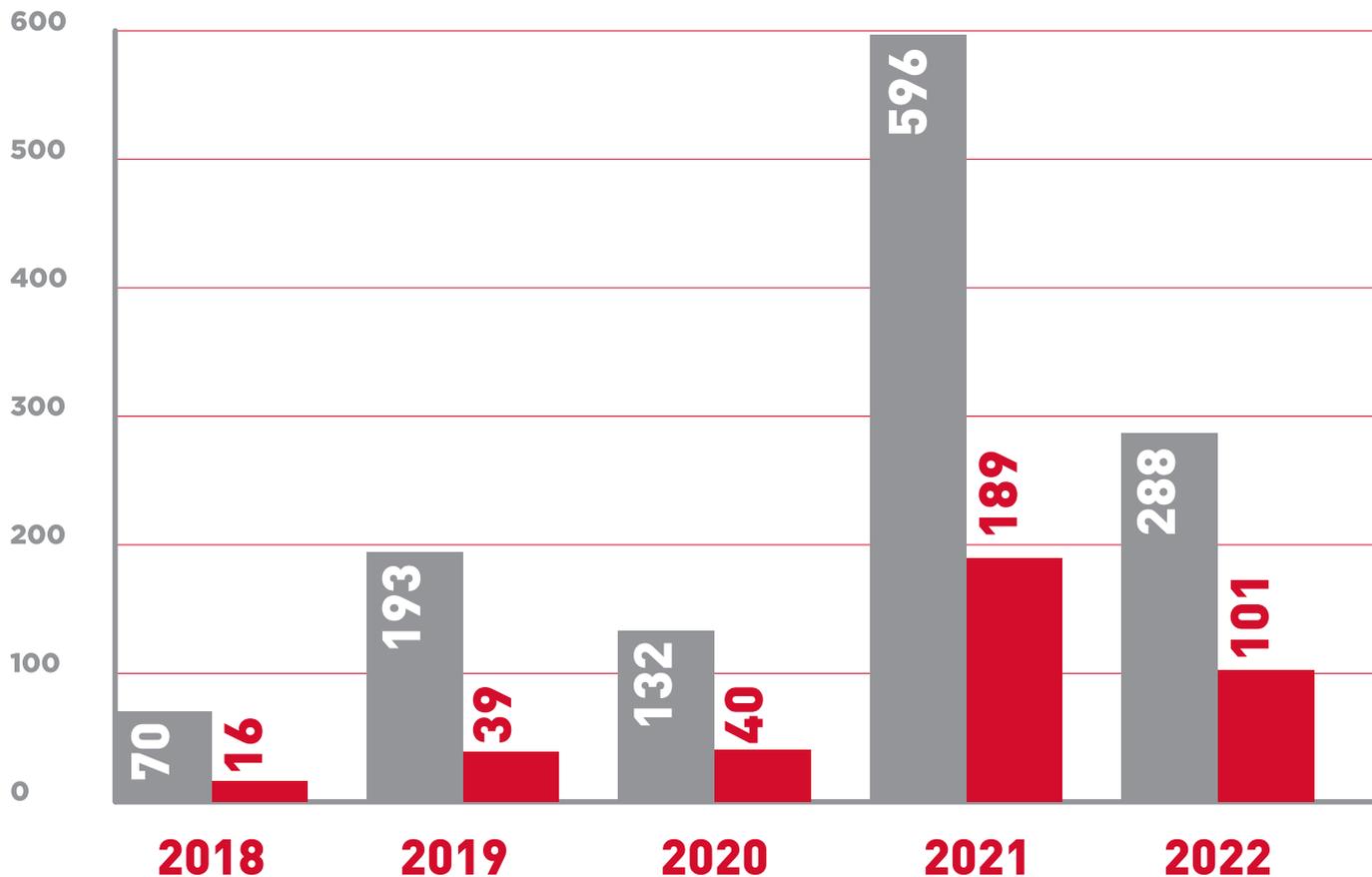
## TOTAL VICTIMS



Source: Walking Borders Observatory (2022). Own elaboration.

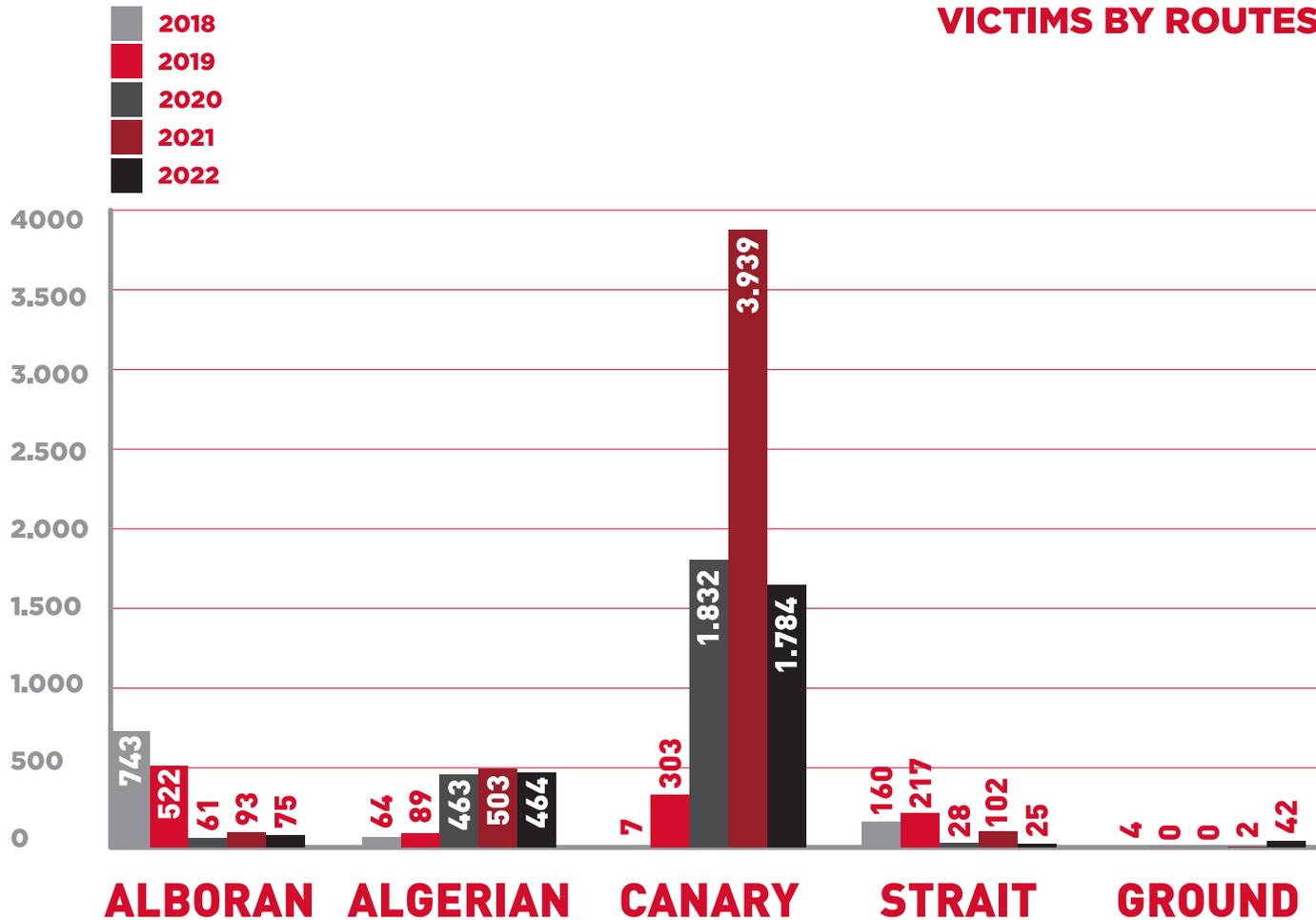


## WOMEN AND CHILDREN VICTIMS



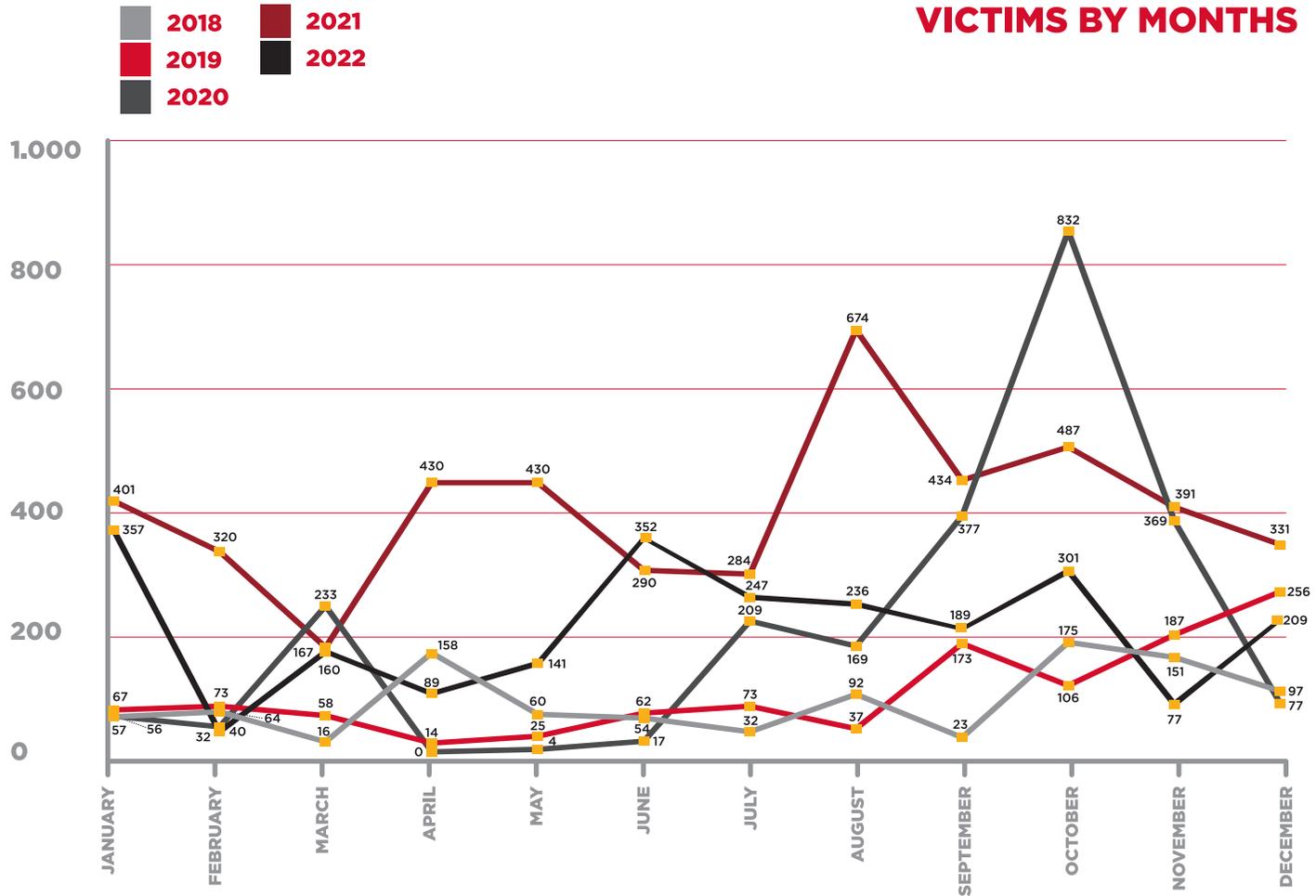
Source: Walking Borders Observatory (2022). Own elaboration.

## VICTIMS BY ROUTES



Source: Walking Borders Observatory (2022). Own elaboration.

## VICTIMS BY MONTHS



Source: Walking Borders Observatory (2022). Own elaboration.

## Recurring practices causing loss of life

During the last five years, we analysed 625 tragedies at the western Euro-African border, which were monitored by our organisation. In 241 of these incidents, the boats disappeared completely. This leaves victims and their families even more vulnerable, as there is no way to establish an account to explain what happened.

In some of the incidents, we were able to identify practices that seriously undermined the victims' right to life. These include structural practices linked to migration control and the border regime, which are repeated over and over again.

- Search and rescue operations were not launched despite the precise location of the unfolding tragedy being known.
- Search and rescue operations were not launched quickly enough.
- Inadequate search and rescue resources were mobilised: insufficient sea resources and lack of air resources.
- Delays in mobilising search and rescue operations due to negotiations between countries focusing on migration rather than on defending the right to life.
- Poor coordination between countries to mobilise search and rescue operations.
- Limited presence of Spanish search and rescue resources in areas of shared responsibility and extensive presence of Moroccan resources in Spanish SAR waters or in areas of disputed territory.
- Lack of coordination between countries to defend the right to life, prioritising the interception of vessels over their rescue.<sup>45</sup>
- Lack of information and transparency due to the presence of military manoeuvres.
- Increase in ineffective passive search methods<sup>46</sup> at the expense of active search methods, which are reserved for tragedies that do not affect the migrant population.

45. In the case of migrants, the term 'interception' tends to be used more often than 'rescue', which shows that control and repression prevail over approaches based on human rights.

46. Passive search methods involve transferring information to other vessels and services transiting the area rather than mobilising specific search and rescue operations to look for people in danger. These passive practices are used indiscriminately with boats carrying migrants.

- Arbitrary decision-making with regard to mobilising rescue services and selecting the resources to be used to save the lives of people on the move.
- Difficulties among social organisations and/or family members in ensuring that their warnings are received by the search and rescue authorities.
- Failure to render assistance by civilian vessels at sea that witness people in danger. This refusal to help is strongly influenced by the criminalisation of solidarity at the border.

These practices are illustrated by several accounts that were collected by our organisation, which are reproduced below:

On 3 August 2021, a rubber dinghy set off from Blaya. On 17 August 2021, seven survivors were found in Nouadhibou, including one woman. The engine had died and they had been drifting.

When we spoke to the survivors, they told us that they had come across two fishing boats and asked them for help, but they had only been given bottles of water. The people on the boat began to die of thirst, hunger and cold. They kept the bodies on board for some time until they realised that they were dead and pushed them into the sea to relieve the pressure on the rubber dinghy, which was beginning to suffer after so many days at sea.

When we made contact with them, they had been detained by the Mauritanian authorities and were waiting to be deported to the desert. They had asked to be treated as shipwreck victims and to be assisted with decency and respect for their rights. This was not the case and they were deported and tortured after the tragedy.

On 24 December 2018, a 'toy' set off from Tangier with 13 people on board, including a pregnant woman. The boat's occupants called their family members to ask for help and contacted the rescue services. No rescue operation was mobilised. To this day, they are still missing. The pregnant woman's family say that Christmas has taken on a new meaning for them since that day.

On 5 August 2022, we received a distress call from a rubber dinghy with 56 people on board, including 16 women and two babies. After drifting since 1:00<sup>47</sup> that morning, they sent their position and we forwarded it to the Spanish and Moroccan rescue authorities. The Moroccan authorities asked for the information to be sent by email and at 14:30 they asked for the details of the boat and its position again.

Two hours later, at 16:10, a relative informed us that the Moroccan navy had rescued a boat with 12 survivors and seven corpses. We investigated the tragedy and were told by survivors and family members that the victims had alerted the rescue authorities two hours after they had started to drift off course. In their statements, they described how they had sought help from three vessels in the area but received none. In this case, the boat was already in a very vulnerable situation and this was exacerbated by the delay in mobilising rescue services and the failure to render assistance by nearby boats. The victims died despite sending the precise location where the tragedy was unfolding.

On 26 April 2022, 52 people set off from Tarfaya in a rubber dinghy. They started drifting off course at 10:00 that morning and made their first call for help at that time. They provided their position by telephone. At 21:30, the weather conditions had worsened and the boat was destabilised by

47. All the times listed in the report are in UTC (Coordinated Universal Time), which is the time zone used by sea rescue services.

the wind and waves. The people on board had no life jackets. They kept the rescue services updated on their position but the telephone stopped working at 02:00 the next day. In their last call, they said that six people had already died. At 14:35 on 27 April, the marine rescue services in Rabat informed us that the Moroccan navy had just arrived in the area but that they could not see any ships. In that area, the current flows south so the boat was presumed to have been carried to the coast. At 20:10, we received a call from a family member, who confirmed that nobody had rescued them and that they had been washed up on the coast by the current. Six people were missing. The rest of the people on board were detained after being attacked by the Moroccan police using dogs. The survivors were covered in bites and bruises.

On 8 January 2022, 28 people, including seven women and two teenage girls, set off towards Motril from Kbdani in a blue rubber dinghy. We received notification of the boat's departure at 14:10 that day and we informed Salvamento Marítimo, providing the telephone numbers of those on board and all the other necessary information. Despite this, no search operation was mobilised. At 22:15, a relative told us that they had spoken to those on the rubber dinghy and that they were struggling because it had a puncture. We conveyed this information to the rescue services. At 04:20, Salvamento Marítimo called us again asking for the information about the boat that we had provided hours earlier. They were finally about to mobilise the sea rescue service because someone on the boat had called the 112 emergency number. At 11:14 on 9 January, Salvamento Marítimo asked us again for information about the boat because they had not seen anything. After the sea rescue operation, they claimed to have mobilised air resources. Salvamento Marítimo said that they could not keep us informed as they only transferred information to the police. Between 16 and 23 January, five corpses, including three women, washed

up on the Málaga coast. With help from family members, our organisation established that they had been on the boat that had set out on 8 January.

On 28 January 2021, a boat set sail from Oran with 12 people on board. They called a relative on 29 January to say that they were stuck 20 kilometres from the coast of San José in Almería. The relative immediately called the emergency services in France (where they were living) and Morocco. He asked the French emergency services to inform the Spanish authorities because he could not speak Spanish. Since that day, there has been no news of the boat. The families reported the incident and their missing family members to the Algerian and Spanish authorities, but they feel completely helpless because they have not been told whether or not a search and rescue operation was mobilised.

On the night of 30 November 2021, five Moroccan teenagers, A.A., A.M., B.A, T.R. and Y.L., set off on a rowing boat from Ceuta to the Spanish mainland. On 2 December, our colleagues at No Name Kitchen found out about the boat through some friends of the five teenagers and reported them missing to the Spanish Civil Guard and the Moroccan authorities. When the Spanish rescue services were informed, they argued that the teenagers may not have set off to sea because there had been a storm that night. They also said that they might still be in Morocco and that they had to check that they had not yet reached the Spanish mainland. These arguments were used to delay mobilising search and rescue resources. On 6 December, there was still no news and it was unclear whether an operation had been mobilised to search for the five teenagers. On 14 December, their whereabouts were still unknown. The authorities had still not provided information about the action that had been taken. It is unclear whether active search operations were mobilised by Salvamento

Marítimo or whether only passive search methods were employed. Meanwhile, the organisation No Name Kitchen supported the families as they reported the matter to the police in the hope that this would trigger a search operation. To this day, A.A., A.M., B.A, T.R. and Y.L. are still missing.

On 16 July 2019, an empty kayak containing a young man's ID documents and car keys appeared in the port at Alicante. A port worker raised the alarm at around 11:00, fearing that a tragedy had occurred. Boats were immediately mobilised by Salvamento Marítimo, the Civil Guard's Maritime Service, the Local Police and the search and rescue service for Alicante's beaches. An air resource was also mobilised in the search operation. On 16 July 2019, just over an hour after the alarm was raised, two divers who were completely unaware of the search operation taking place were found. They had been underwater fishing when their kayak drifted away. On 16 July 2019, the two young men were transported to the port of Alicante by the vessel Salvamar Mirfak in perfect health.

The discovery of an empty kayak containing a young Spanish man's ID was considered enough of a risk factor to immediately mobilise an active search operation using all available resources, including air resources. The call for help from social organisations and relatives of five teenagers who set off from Ceuta for the Spanish mainland was met with passive indifference from the authorities, who questioned whether they were really in danger.

We have also documented proactive practices that have led to tragedy::

- Approaching the vessel in an erroneous manner, causing it to capsize and its occupants to fall into the sea. Failure to mobilise resources to search for possible survivors and/or corpses.
- Approaching the vessel with the aim of intercepting it, causing it to capsize and its occupants to die.

Deaths at the land borders are caused by violent actions associated with border necropolitics.<sup>48</sup> The following border control methods contribute to these deaths:

- Shots fired by security forces.
- Use of riot gear.
- Torture denial of aid and medical assistance.
- Forced displacement of seriously injured people

On 12 September 2022, a woman died after being shot in the chest when trying to board a rubber dinghy between Akhfennir and Tarfaya. Witness statements explained that the Moroccan police had opened fire to prevent the boat from launching. The young woman was part of a group of 35 people. Three others were wounded and were taken to hospital in a serious condition. Others were hit by a police car as they tried to flee the site of the attack.

On 24 June 2022, a group of young people travelled to the Melilla border fence. One of them described how they ran towards the fence trying to protect themselves. The Moroccan soldiers reached the gate that they were climbing over and they fell to the ground as the soldiers struck them with their truncheons and boots. The young man pointed at the wounds all over his face and explained that they had targeted his head and tried to break his legs. He saw his friends die before his eyes and played dead next to their corpses so that the soldiers would stop hitting him.

Other causes of these tragedies are linked to the vulnerability faced by people on the move due to discrimination in the social contexts that they transit.

48. For more information, see our analysis of the Slaughter at the Nador-Melilla border, 24 June 2022 published as part of our report Monitoring the Right to Life: January-June 2022 (available from page 23 at: <https://caminandofronteras.org/wp-content/uploads/2022/07/CaminandoFronteras-MasacreMelilla24.J.pdf>).

- Use of routes with more difficult geographic characteristics. In the case of the western Euro-African border, the opening of the Canary Islands route in the Atlantic Ocean is also linked to interests surrounding the territorial disputes in the region. People on the move in these disputed territories serve as bargaining chips in negotiations between states.
- Vessels that are unfit for safe navigation. Equipment in poor condition, faulty engines, overloaded vessels.
- Vessels with no experienced sailors on board. Poor weather conditions.
- Vessels that set off amid difficult terrain and were shipwrecked upon departure.
- Vessels that capsize during rescue operations because the occupants become agitated. On some occasions, the rescue services do not search for bodies; on others, they leave the site with those they have rescued and do not continue to search for more survivors.
- Vulnerability among people on the move due to: violence on transit routes; long waits at border crossing points with poor access to food and environmental exposure; distress, panic and fear; previous illness.
- Long journeys where boats get lost or drift off course. Some migrants throw themselves into the water out of desperation, while others die of dehydration, hypothermia and starvation.

On 3 January 2019, a boat set off from Bouyafar. Air rescue resources were mobilised once the alarm had been raised. Two people needed to be transported by helicopter, one of whom was a six-year-old boy in cardiac arrest. He was travelling with his mother, who was pregnant. The little boy

had been unable to withstand the conditions on the boat and the rescue came too late for him.

On 4 December 2019, a wooden boat that had set off from Gambia carrying 150 people was shipwrecked. The tragedy occurred off the coast of Nouadhibou. The boat was trying to reach land because it had run out of fuel and broke when it hit a reef, throwing all the occupants into the water. Dozens of people died that day; 58 corpses were salvaged.

On 31 May 2021, a boat carrying 45 people was located by a Spanish air resource and the search and rescue services sent a cargo ship to monitor the boat until Morocco mobilised a rescue operation. After the rescue, the navy confirmed that only 28 people had survived. We followed up with the survivors, who explained that a navy ship had approached the boat and caused it to capsize. They described the rescue operation as a disaster, with people falling into the water and dying. Some of the survivors were saved by their own travel companions, who went back into the water to help them reach the Moroccan navy vessel.

On 2 August 2020, a boat set off from Tarfaya (Morocco) in very poor weather conditions. The boat was near the coast and continued to send its position. No rescue operation was mobilised and the survivors were carried towards the coast by the current, along with seven bodies. Twenty people died in the tragedy; 13 of them were never found.

On 20 April 2021, a wooden boat was found drifting with only three survivors; a woman, a man and a teenage boy. They were taken to the

Canary Islands after being rescued by an air force plane. The survivors explained that they had lost their way and drifted off course. Many of their companions had died of hunger and thirst. Some were vomiting after drinking sea water, while others gradually faded away. They threw the bodies into the sea. When the survivors were found, they were no longer able to move. They said that if rescue had come a few hours later, they would all be dead.

## **Structural factors affecting the right to life**

The practices described above, which constitute the findings of our analysis, were used repeatedly throughout the 2018-2022 period.

This allows us to categorise them as structural factors affecting the right to life of people migrating at the western Euro-African border. These structural factors are listed below:

- Tightening of border control mechanisms in favour of militarisation and geostrategic interests, which have a serious impact on the right to life.
- Application of deterrence policies, influenced in this case by territorial disputes, which have shifted the western Euro-African border towards more dangerous routes.
- Normalisation of the mobilisation of fewer resources to defend life when the lives in question are those of migrants crossing borders.
- Increase in passive search methods among sea rescue services, which are influenced by institutional racism and colonial thinking.

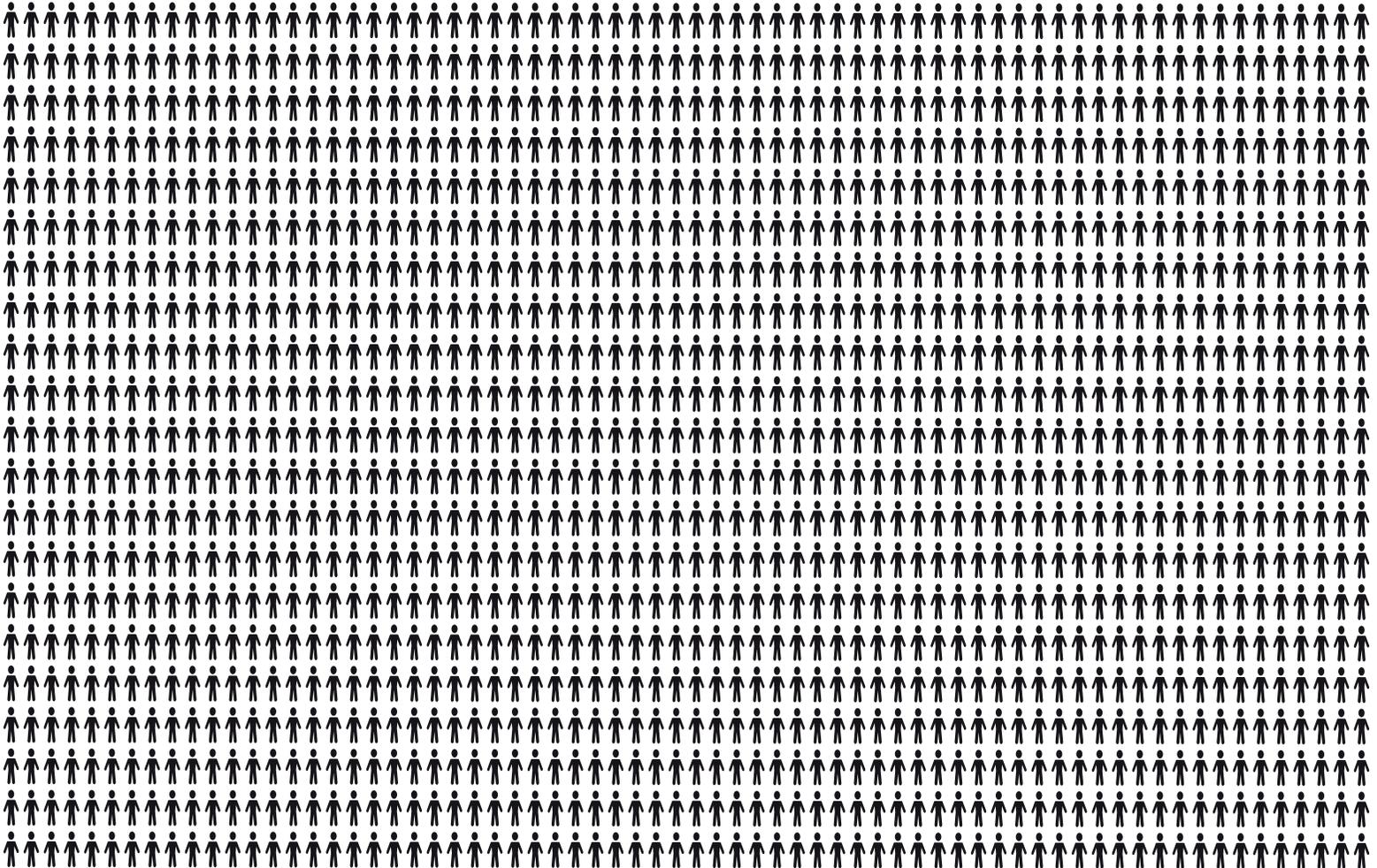
- Normalisation of a hegemonic discourse that assimilates these deadly practices as part of a ‘customary law’ validated by a supposed social consensus.
  - Failure to render assistance<sup>49-50</sup> as a key tool, which has become more widely used in migration control at the western Euro-African border during the last five years.
- *“These last years have been very difficult. We’ve seen our companions die. We talk about what’s happening; there’s more and more cruelty and we try to protect ourselves but it’s not easy. Too many have fallen, as we say in our language of the journey, too many soldiers of life have fallen over these years. That’s why the pain and rage sometimes break us, but we’re still here fighting. For ourselves, for those we left behind and for those who will come after us. Because **On Est Ensemble**<sup>51</sup> (we’re together) in the fight for life”, A. L., community leader.*

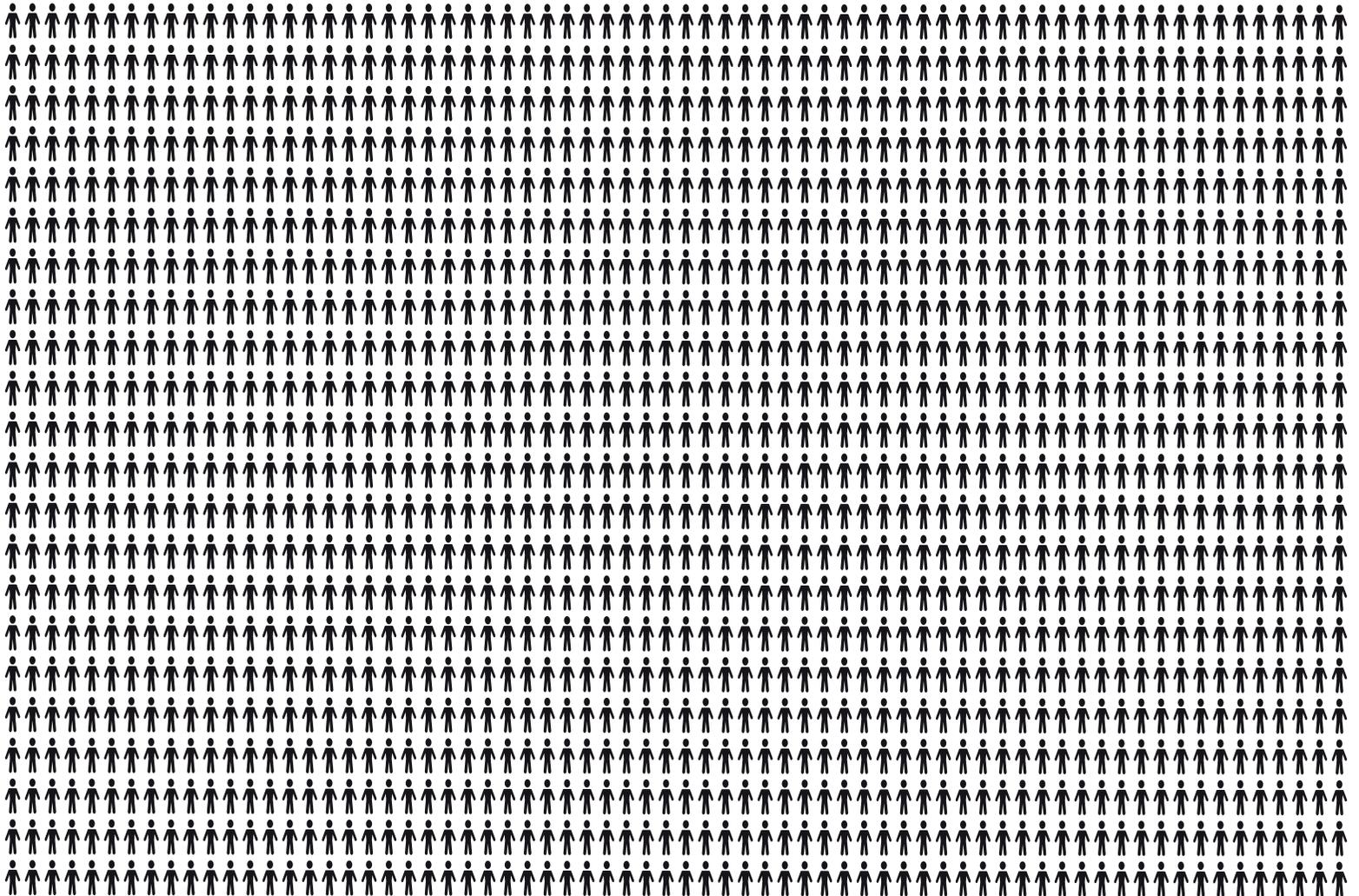
49. The normalisation of these practices is now a constant feature at European borders. One example is the serious case of failure to render assistance by the British and French authorities in the English Channel in November 2021, where 27 people died. See: [swissinfo.ch](https://www.swissinfo.ch), 2022, ‘Investigación revela que no se envió ayuda al naufragio de Calais en 2021’. Available at [https://www.swissinfo.ch/spa/francia-migraci%C3%B3n\\_investigaci%C3%B3n-revela-que-no-se-envi%C3%B3-ayuda-al-naufragio-de-calais-de-2021/48056600](https://www.swissinfo.ch/spa/francia-migraci%C3%B3n_investigaci%C3%B3n-revela-que-no-se-envi%C3%B3-ayuda-al-naufragio-de-calais-de-2021/48056600)

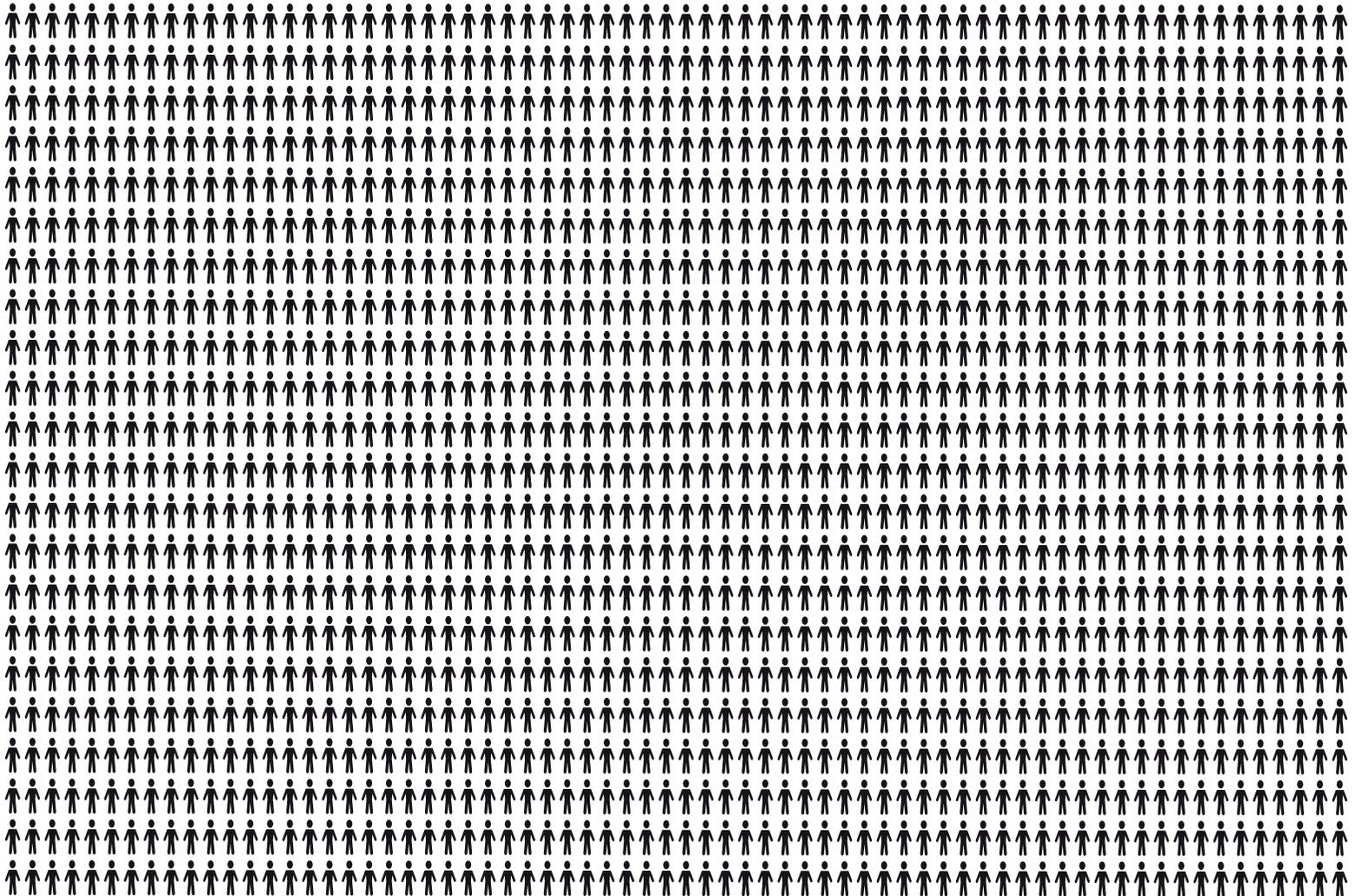
50. Even the European institutions themselves have published reports warning of the normalisation of the failure to render assistance at sea and of other practices that violate human rights, such as disembarkations in unsafe third countries and an increase in pushbacks. See: ‘Una llamada de socorro por los derechos humanos. La creciente brecha en la protección de las personas migrantes en el Mediterráneo’, Council of Europe, Strasbourg, 2021. Available at <https://rm.coe.int/una-llamada-de-socorro-por-los-derechos-humanos-la-creciente-brecha-en/1680a1dcf0>

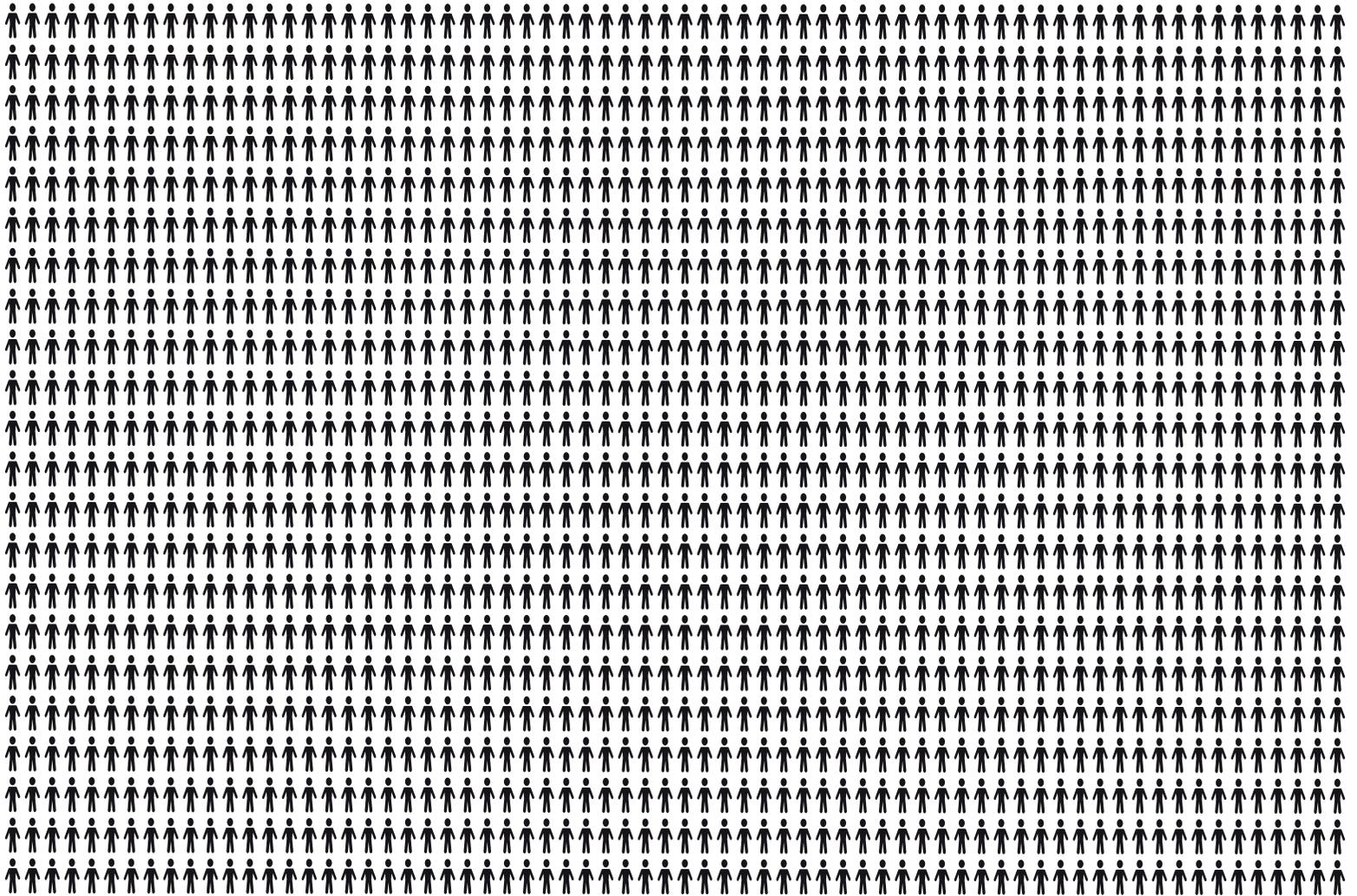
51. An expression used by communities on the move, which has become a way to emphasise sisterhood, solidarity and the power of unity as a form of protection from violence in border control systems.

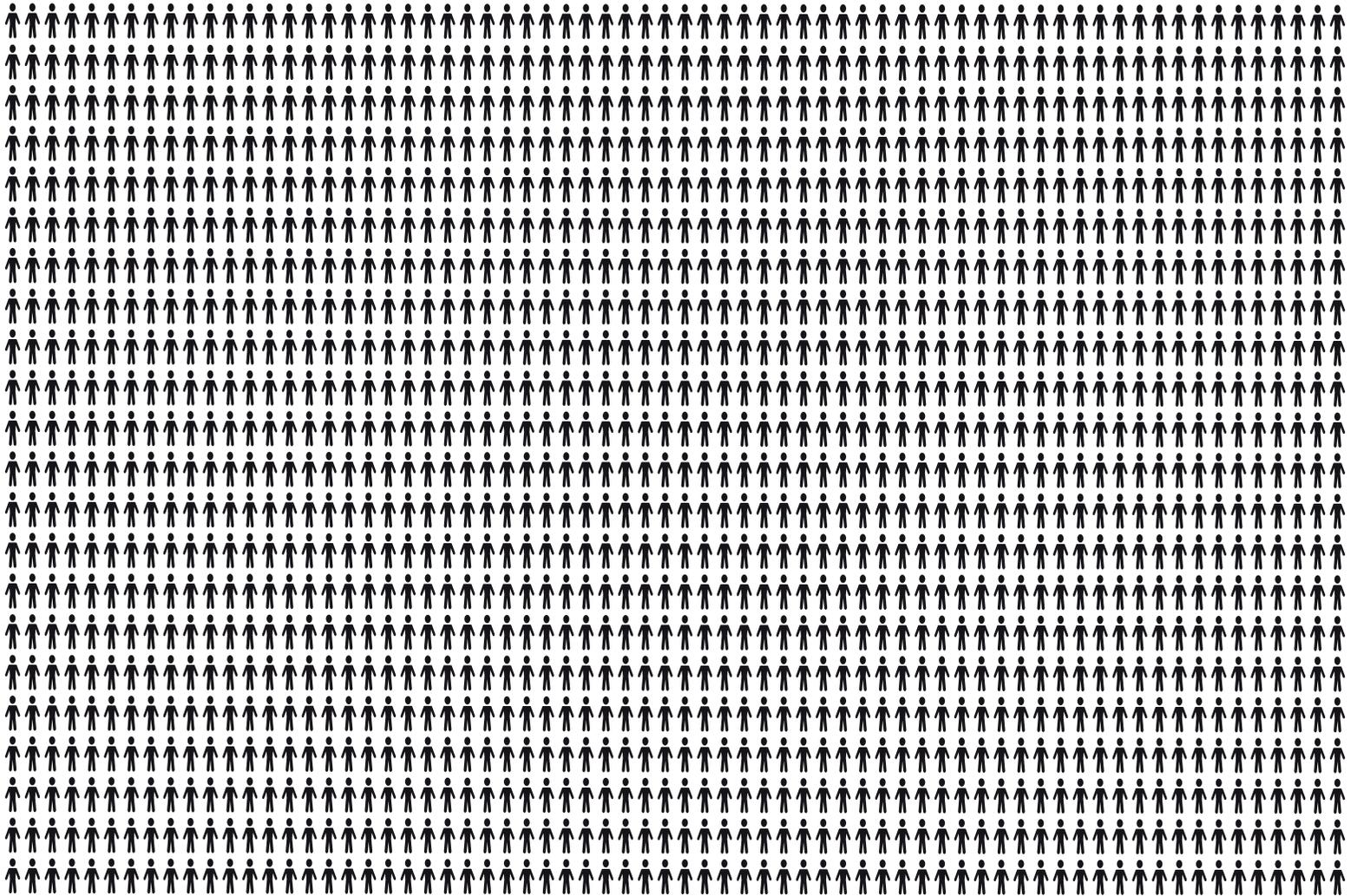
# EPILOGUE

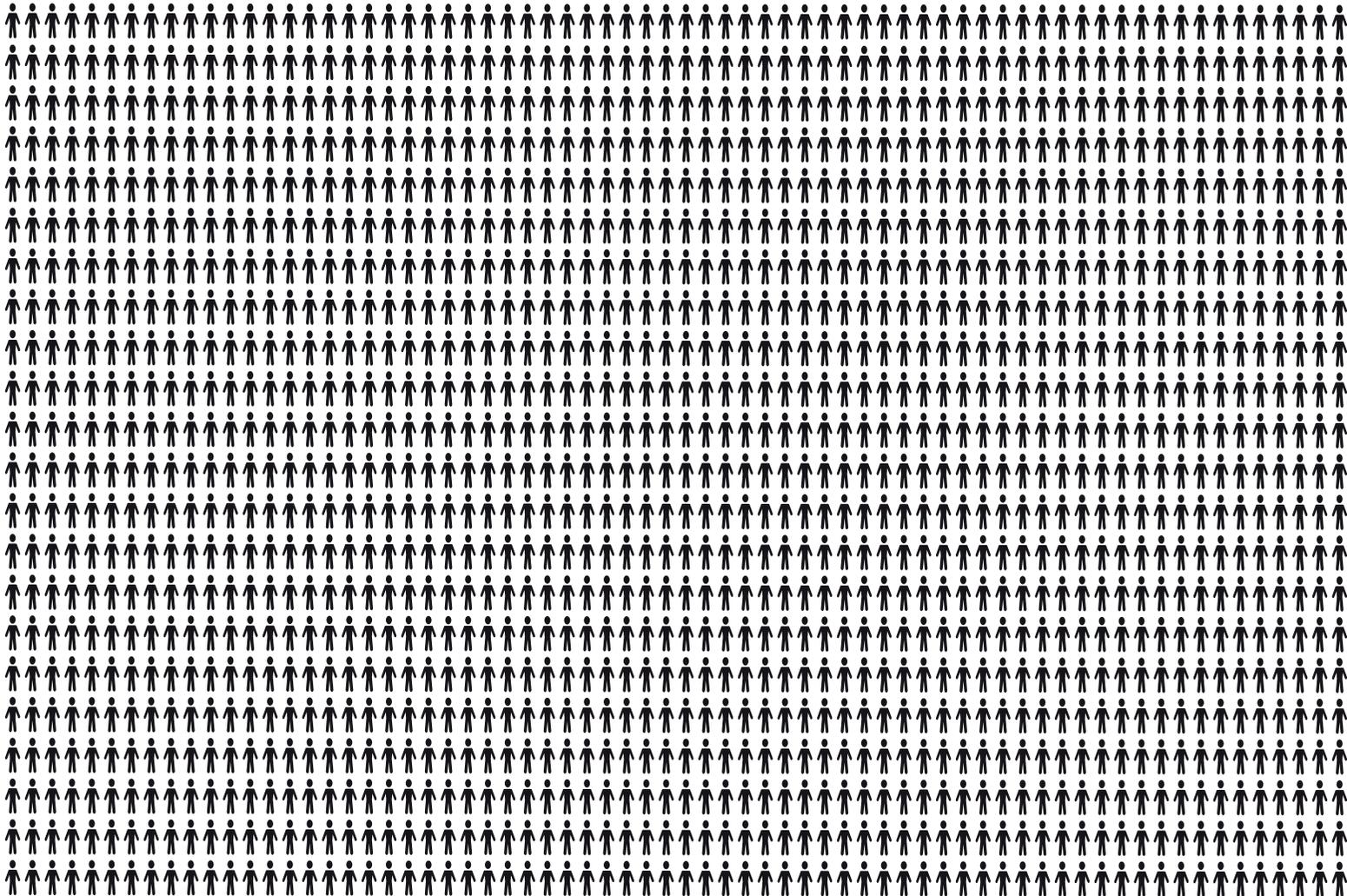


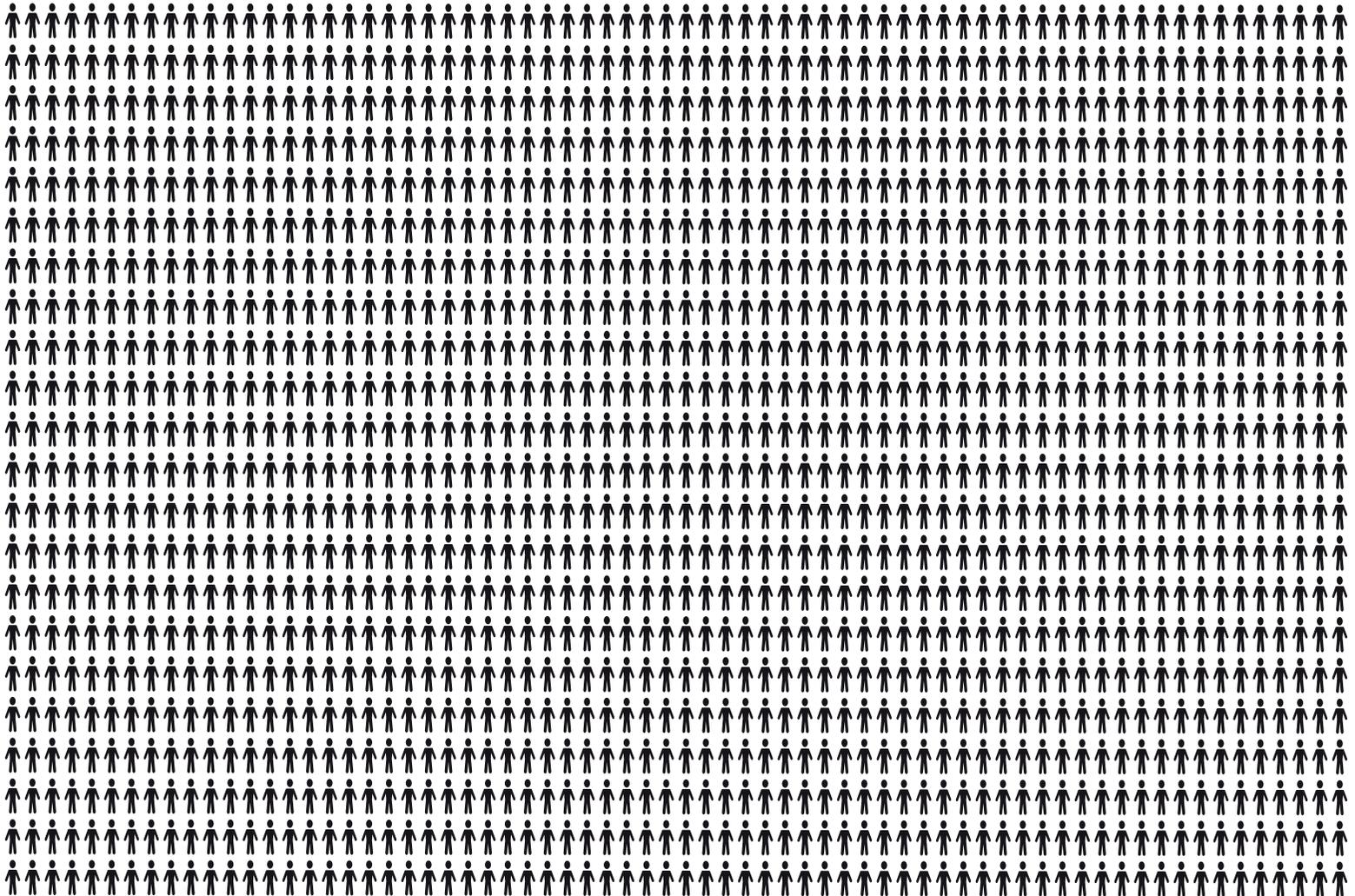


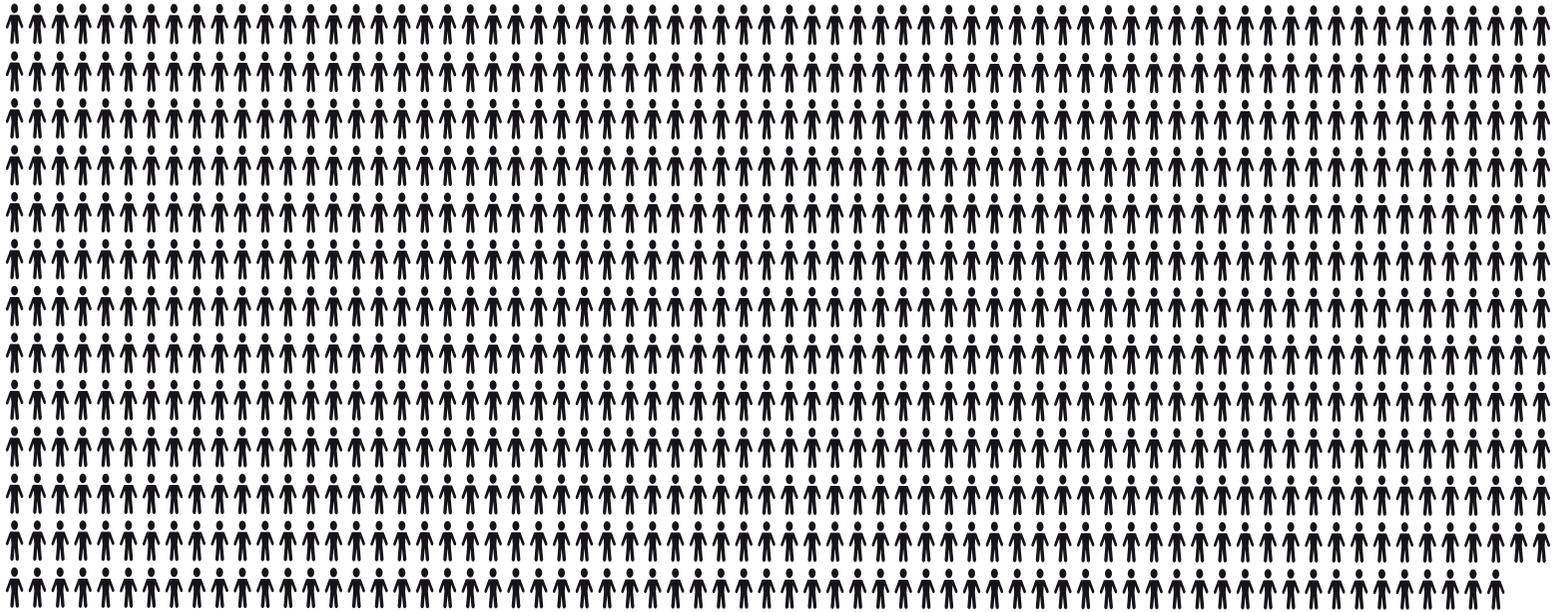












**11.286**  
**VICTIMS**

A REPORT BY:

# CA-MINANDO FRONTERAS

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