

Lampedusa and the 'Crisis' of Migration

Written by Phil Cole

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PHIL COLE, OCT 22 2013

On October 3rd a boat carrying more than 500 people caught fire and capsized off the island of Lampedusa in the Mediterranean. Only 155 of them survived. These were people fleeing poverty and conflict, heading for safety in Europe. Since 1988 nearly 20,000 people have died trying to access Europe's southern borders.

This latest tragedy has caught the imagination, with the Pope declaring that 'our hearts cry out' for the people who have been lost. It has also sparked debate about immigration, and how Europe should respond.

However, there are two points to make about how this debate has been played out.

The first is that it has been placed in the context of a general 'crisis' in migration that European nations are supposedly facing. However, the truth is that the only people facing a genuine crisis here are those attempting to flee extreme conditions of poverty, inequality and conflict.

Debates about migration, in the United Kingdom for example, have to take place in the context of a bogus 'crisis', as though the UK is about to be 'flooded' or 'swamped' but people out to exploit welfare, housing and so on. We are always faced with a state of emergency, which makes rational and reasonable – and ethical – discussion of migration and its role in the UK very difficult. Those of us who want that debate to be rational, reasonable and ethical are accused of not facing up to the 'reality'.

The other crucial point here is that the Lampedusa tragedy — and the many others like it — was not caused by migration, but by the *criminalization* of migration. Europe regards these migrants as an invading army to be repelled, and has militarized its south border to keep them out.

The real tragedy is that following Lampedusa the response has been to increase surveillance of that border rather than to accept any moral obligation towards those who are trying to escape their condition.

This criminalization of the migrant has led European states to set aside their international obligations and treat migrants as criminals, violating their fundamental rights. I explore just two of those ways in this article.

The first and most relevant following the Lampedusa tragedy is the externalization of immigration controls. In their recent report Amnesty International point out that: "Over the last decade, European countries have increasingly sought to prevent people from reaching Europe by boat from Africa, and have 'externalized' elements of their border and immigration control. Externalization refers to a range of border control measures including measures implemented outside the territory of the state – either in the territory of another state or on the high seas. It also includes measures that shift responsibility for preventing irregular migration into Europe from European countries to countries of departure or transit."^[i] Their study of the measures agreed between Italy and Libya leads them to conclude that they "result in serious human rights violations."^[ii] They argue that similar agreements between other European governments and north and west African states, and between the EU as a whole, should be looked at, but they're concerned with the lack of transparency about these agreements and their practices.

Polly Pallister-Wilkins says: "Matthew Gibney from the University of Oxford's Refugee Studies Centre has argued

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that outsourcing migration-management allows liberal governments and institutions to eschew the constraints placed upon them by the very liberal democratic norms they are trying to circumvent. Thus, the need for the EU to maintain its liberal identity has meant that many of the everyday practices of migration-management, such as immigration prisons and various militarised responses are situated outside of Europe, outsourced ... mostly in North African states with fewer humanitarian obligations and pretensions to a liberal identity with the knowledge and the funding of the EU and IMS and away from the prying eyes of the fifth estate.”^[ii]

The second way in which European nations are violating migrant rights by treating them as criminals is through detention. The number of migrants in detention in EU has increased from 30,000 to 50,000 in past 10 years.^[iv] The UK has one of the largest immigration detention estates in Europe. From 2009 to the end of 2011, between 2,000 and 3,000 migrants were in detention at any given time. Around 27,000 people were put in detention in 2011 – that figure has been around that for the last three years. The most common category of immigration detainees is people who have sought asylum in the UK. In 2011 that was 50% of the total immigration detainee population. The Migration Observatory at Oxford University has estimated that the Campsfield House IRC costs about £8.5 million a year to run.^[v]

The conditions under which migrants are detained have been a cause of great concern. In April and May 2004, Bail for Immigration Detainees employed a doctor from MSF UK to carry out medical assessments of 13 adults and three children under detention. The key findings were: mental health problems in eleven of the 13 detainees, features of post-traumatic stress in nine of them, and more serious conditions such as self-harm and suicide attempts. There was also a range of medical conditions in 12 of the 13 adults that should have been receiving medical attention, such as a breast lump, and symptoms of TB, which were not being addressed by the health staff at the IRC. The British Medical Journal has reported that, “detainees, particularly those held for long periods, suffer from profound hopelessness, despair, and suicidal urges...”. The Institute of Race Relations recorded 16 self-inflicted deaths of those held in custody under the Immigration Act powers in prisons and removal centres between 2002 and 2004.^[vi] A report by Medical Justice, called *The Second Torture: the immigration detention of torture survivors*, found that victims of torture are routinely held in IRCs in breach of the government’s own rules.^[vii]

We could go on, but what we can see is that while we have an international regime of human rights and conventions designed to *protect* migrants, European states, and others throughout the world, are seeking to attack, intimidate and brutalize irregular migrants including asylum seekers, through turning them into criminals and violating their human rights.

If the response to Lampedusa is for Europe to try to make its southern border even more dangerous to cross and to detain more migrants in ever more appalling decisions, then we have lurched in what is fundamentally the wrong direction. How we change Europe’s trajectory, though, is a deeply worrying challenge.

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[i] Amnesty International, *S.O.S. Europe: Human Rights and Migration Control* (AI, 2012), p. 5.

[ii] AI, p. 17.

[iii] Polly Pallister-Wilkins, “Searching for Accountability in EU Migration-Management Practices,” www.opendemocracy.net/polly-pallister-wilkins/searching-for-accountability-in-eu-migration-management-practices.

[iv] GISTI- MigrEurope — www.gisti.org/doc/plein-droit/58/migreurop.html.

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[v] Data from The Migration Observatory, University of Oxford, *Briefing: Immigration Detention in the UK*, published 22nd May, 2012.

[vi] www.biduk.org/

[vii] Medical Justice, www.medicaljustice.org.uk/mj-reports,-submissions,-etc./reports/1953-qthe-second-tortureq-the-immigration-detention-of-torture-survivors-220512.html.

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