

# The European Union's Return Directive strengthens "Fortress Europe" against immigrants

Ajay Prakash  
13 June 2008

On June 5, European Union (EU) interior ministers agreed the EU Return Directive that allows member states to detain illegal migrants for up to 18 months and impose a five-year ban on their return to the EU.

Slovenian Interior Minister and President of the Home Affairs Council Dragutin Mate, whose country holds the rotating presidency of the EU, said he expected the European Parliament to ratify it when it meets on June 16-19. "This is the only possible compromise ... so I expect the parliament will vote positively on this issue," Mate told ministers.

The draconian new directive targets impoverished workers and children from poor countries. It will affect the lives of more than 10 million undocumented migrants, who already suffer intense exploitation and are deprived of legal rights because they do not have visas. An editorial on the Inter-Movement Committee for Evacuees web site declares, "Retention has been slipping little by little into the logic of internment, transforming these centres into camps."

Currently, the maximum detention period varies from country to country, with some like France imposing a limit of just 30 days, while others, including Britain, Denmark, Greece and the Netherlands, have no limits at all. The new rules are part of proposals to bring in a common EU asylum and immigration policy by 2010.

The directive sets a maximum of six months, as a first step, before an illegal migrant worker is deported. This may be extended by 12 months in certain circumstances, such as lack of cooperation by his or her country of origin. In the end, it allows unlimited periods of detention until the deportation procedure is completed. Adults and children, whose only crime is residence without the required documents, will be held

in the detention camps until their deportation.

Thousands of impoverished children make the dangerous journey to Europe, only to find they face terrible conditions there as well. Spain has more than 6,000 immigrant minors and has reached an agreement with Morocco that some of them will be sent back there, to centres where the children can face serious moral and health risks. Last year the Human Rights Watch group reported how children reaching the Spanish Canary Islands, after the dangerous sea crossing from Africa, are put in detention centres there for indefinite periods, often in overcrowded and poor conditions, and beaten by staff.

Many non-governmental organizations have criticized these inhuman conditions often faced by young migrants from Africa. Peter Schatzer, the International Organization for Migration (IOM)'s regional representative for the Mediterranean region, said that more than 7,000 minors were in the care of Italian authorities and that it was costing them €200 million a year—"an extremely costly exercise."

Amnesty International and the European Council on Refugees and Exiles (ECRE) have urged the European Parliament and members states not to accept the provisionally agreed text.

"By accepting this compromise text, the European Parliament will undermine its own mandate to protect human rights and allow EU law to erode existing international human rights standards," said Nicholas Beger, director of Amnesty International's EU Office.

"We need a Directive on returns, but not at all costs. We are particularly concerned about the excessive detention periods in this Directive and the lack of real opportunities for migrants to leave of their own accord

before being removed by force,” added Bjarte Vandvik, secretary general of ECRE.

Existing immigration laws in the EU countries are already highly restrictive. A major element of this has been the undermining of the right to asylum, which has led to thousands of people risking and losing their lives every year in the attempt to escape wars and other crises by fleeing clandestinely into Europe.

Since 1993, the UNITED death list has monitored the deadly results of the building of a “Fortress Europe.” More than 6,700 deaths of refugees and migrants have been documented up to now. These deaths can be put down to border militarisation, asylum laws, detention policies, deportations and carrier sanctions. The EU governments’ only response to this has been to introduce increasingly harsher retaliatory measures. <http://www.united.non-profit.nl/pages/info24.htm>

The Return Directive is the latest development in a process, which has seen the EU set up the militarised European Border Control Agency FRONTEX, equipped with a surveillance system (Eurosur) to monitor immigrants’ movements via satellites and aerial drones as well as Rapid Border Intervention Teams. No-Racism.net comments: “FRONTEX represents a militarised security regime in which police, border control, migration authorities, army and secret services are forming a more and more integrated complex of repression, dividing the world.” (See “The EU strengthens ‘Fortress Europe’ against migration due to climate change”)

The draft directive is supported by the large right-wing group, the European People’s Party (EPP-ED), the Alliance of Liberals and Democrats for Europe (ALDE) and the Nationalist-Conservatives (UEN). However there is minor opposition from the Socialist Group (PES) in relation to the long periods of detention proposed in the directive.

EU nations are passing tougher laws against immigrant rights, as right-wing politicians seek to win elections by stoking anti-immigrant sentiment.

In Italy, on May 21, the recently nominated cabinet of Italian Prime Minister Silvio Berlusconi passed harsh new laws directed against immigrants. The new decrees follow several weeks of state organised raids and violence directed against Italy’s immigrant community. (See “Berlusconi government incites racist pogroms”)

The right-wing government of Nicolas Sarkozy in

France has unleashed massive police hunts for undocumented immigrants and demanded that employers and all state administration bodies inform the police of any undocumented immigrants. In July 2007, employers were required to check with the local prefect on the authenticity of foreign workers’ papers. Since then, many have sacked undocumented workers without any compensation.

In response, undocumented immigrants in the cleaning, construction, retail, security and restaurant industries went on strike in Paris from April 15, occupying the headquarters of more than a dozen companies and demanding immediate legalisation. In Paris as well, *sans papiers*, undocumented workers, have been occupying a trade union hall in central Paris since May 2 calling for trade union support for this demand.



To contact the WSWs and the Socialist Equality Party visit:

**[wsws.org/contact](http://wsws.org/contact)**