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By AMDH Nador

26.07.2022

Report on the tragedy at the Chinatown border crossing

A despicable crime of Spanish and Moroccan European migration policies



Sources: Viento Sur [Photo:Migrants after the tragedy of July 24, 2022. (AMDH Nador)]

This report was prepared in the wake of the tragedy that occurred on 24/6/2022 at the Chinatown border crossing between Nador and Melilla, which cost the lives of 27 asylum seekers and has resulted in dozens of disappeared (64 cases), injured and hundreds of returnees due to an unprecedented repression by the Moroccan authorities with the complicity of their Spanish counterparts.

This tragedy, because it has been better documented and more widespread, should not make us forget that hundreds of sub-Saharan and North African migrants, many of them women and children, lose their lives every year on the maritime migratory routes that have

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become more murderous, such as that of the Canary Islands or that of northern Morocco to Spain.

To all these victims of deadly migration policies, to the entire migrant community and to all the peoples of Africa, the AMDH of Nador presents its deepest condolences.

On the other hand, this documented work could not be carried out without the self-denial and absolute dedication of the members of the AMDH of Nador to the just causes of asylum seekers, who have been suffering for many years on the Nador-Melilla migratory route.

Thanks to their volunteer work and on the ground, they were able to convey to the whole world the horrors and crimes committed by increasingly deadly migration policies.

Comrades, receive all our thanks and gratitude for your commitment to human rights.



Photo: Presentation of the AMDH Nador Report, 20/7/2022

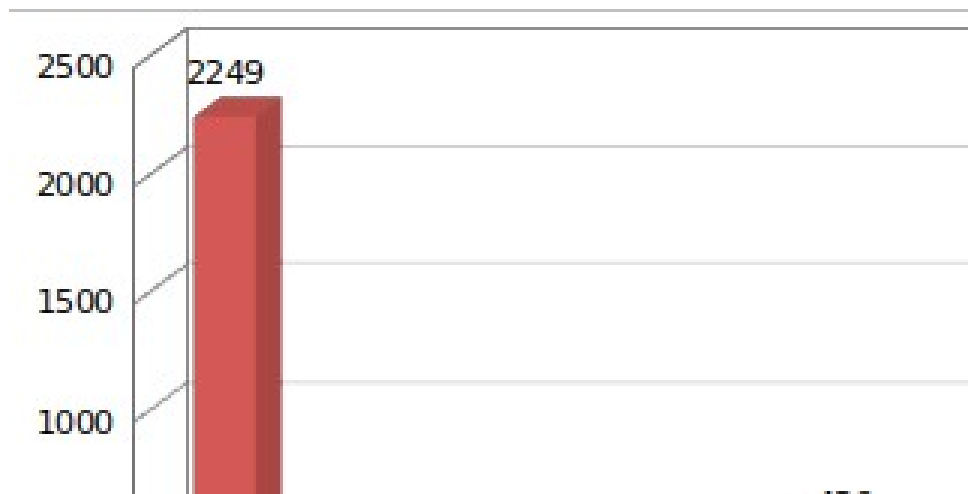
The context

To understand well the tragedy of Friday, June 24, 2022 at the border crossing of Barrio Chino, between Beni Ensar and Melilla, we need to know the local and regional context that has marked the period prior to that date.

At the local level, this context has been marked by a clear decrease in the indicators that mark the exercise of morocco's police function:

Unlike previous years, in the years 2020 and 2021 there was a drop in the number of assaults on migrant camps in the forest by Moroccan authorities. There were only 37 attacks in 2021, up from 340 in 2018, for example. This clear decline was maintained during the first three months of 2022, in which the AMDH of Nador did not register any.

During the same period, assaults on the fence have increased significantly with almost 1050 *boozas*.¹ in 2021, up from just 120 in 2019, marking the largest increase since 2014.



This situation, which has been dominant throughout the period of freezing Moroccan-Spanish relations, characterized by the decrease in attacks on the camps and the increase in attempts to cross the fence, will change at the end of March 2022, the date of the progressive normalization of these relations.

Thus, police attacks on camps in the forest resumed at a very high rate and assaults on the fence decreased during the months of April and May, until June 24. Moroccan authorities carried out 31 attacks on the camps and in the forest during this period of only 84 days, which is almost equivalent to the total number of attacks carried out during the whole year 2021; no global attempt was recorded on the fence, while during the period prior to this normalization, from January 2022 to March 13, no attacks were carried out on migrant camps in the forest.

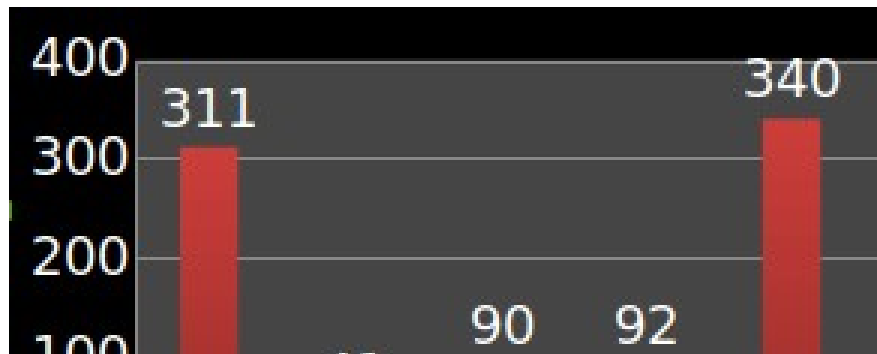


Fig.1. Assaults on migrant camps in the forest by Moroccan authorities

This double standard, which puts the lives, health and future of our fellow Africans at stake, clearly shows the causal relationship between the role of the Moroccan gendarmerie and the extent and gravity of the violations committed.

Situation in the camps before 24 June

In early June, following the concentration of nearly 1,500 migrants on the heights of Lakhmis akdim and Bekoya camps, authorities used drones and *on-site* agents to monitor the number and daily movements of migrants. For 18 days, the attacks were almost daily to try to evict the migrants.

Unlike the previous period, when the auxiliary forces were the only ones mobilized on the ground to attack the camps, this time all categories were mobilized, i.e. the gendarmerie and the mobile police, in addition to the auxiliary forces and the agents of the authority, under the supervision and personal participation of the Governor of Nador and the commanders of the gendarmerie and auxiliary forces. These are violent attacks in which migrants are persecuted and detained, camps are destroyed, and property, including stored food, is confiscated or burned.

The largest and most violent attacks were recorded on 7-15 April, 23 May and 17-18-19-20 and 23 June, during which there was a surprising mobilization of Moroccan forces to forcibly evict hundreds of migrants settled in the forests of Bekoya and Lakhmis akdim.

If at the beginning of this period the attacks of the authorities did not involve violent clashes with the migrants, who were content to leave the camps during the attack and

return later, this situation changed from May 23, when we witnessed very violent clashes between the two parties during the attacks, with the use of stones on one side and tear gas on the other.

These violent clashes caused dozens of injuries on both sides and several arrests among asylum seekers, who continue to be persecuted or deported to other Moroccan cities. In most cases, the wounded from law enforcement were taken in at the hospital in Nador, while the migrants remained in the forest for fear of being detained.

This is the only period in which asylum seekers have resorted to stone violence against the police, in response to almost daily attacks, the destruction of their shelters and food, and their increasingly severe encirclement.

The almost daily harassment by the authorities against migrants in the forests, even though they are very far from Melilla (Lakhmis akdim, Afrah or Bekoya are located almost 20 km from the Melilla barrier), reached its peak when the authorities pressured the merchants near the camps not to sell anything to the migrants, including food, and cut off water from the fountain in Bekoya, from which a large part of the people in the camps were supplied. Starting in mid-May, auxiliaries of the authorities are often dropped into these establishments to warn merchants not to sell anything to immigrants.

This unprecedented siege, which highlights the new inhumane practices in the role of gendarme, reactivated with force just after the normalization of Moroccan-Spanish relations, pushed the hundreds of asylum seekers on the night of June 18 to move to the southern part of Mount Gurugú. During the five days that their camp in this area lasted, the immigrants were, once again, attacked daily to prevent them from settling in this area, located about six kilometers from Melilla.

The day of June 23 was the hardest, with a violent attack by the authorities, made up in this case of hundreds of gendarmes, police, auxiliary forces and agents dependent on the Ministry of the Interior. Following the warning to the migrants to leave the camp within 24 hours, the authorities carried out the attack at around 9 a.m., following violent clashes that resulted in several injuries on both sides and excessive use of tear gas by the

authorities. to disperse migrants. These clashes did not cease until around 6:00 p.m., when the migrants retreated to another mountain.

The fire in the Izenoudene camp

On 23 June, around 11 a.m., a fire broke out, almost two hours after the start of the authorities' attack on the migrant camp north of the *duar* [village] of Izenouden, in gurugú. The fire only affected a few trees, but it was primed with shrubs and thickets.

All the testimonies collected from the migrants confirmed to us that in the face of the use of stones by the asylum seekers in these clashes, the authorities resorted to tear gas, which was the only cause of the fire, which was completely controlled on the afternoon of Saturday, June 25.

The AMDH of Nador, which cannot confirm or deny this hypothesis, nevertheless considers it totally reckless to resort, for the first time, to this excessive use of smoke bombs in a forest environment, knowing that it can trigger serious fires (tear gas has never been used against camps in the forest during all previous years).

These same witnesses confirmed that after trying to put out the fire without success with the few means at their disposal, the asylum seekers took refuge at the top of Mount Gurugú, where they remained all night before starting the descent to the border post of Chinatown the next day, Friday, June 24, around 8 in the morning.

These are two new practices of the authorities, an unprecedented danger and cruelty: attacking forest camps with smoke bombs and trying to put in place a food blockade against hundreds of migrants. They are new tools in the role of gendarme that Morocco plays in the framework of this new period of Moroccan-Spanish cooperation.

It is in these severe and inhumane conditions (days of attacks and clashes, exhausted, hunted, stalked, with nothing to eat all night because of the destruction of the little food they had been able to get despite the blockade imposed by the authorities on the merchants) that the migrants, numbering 1500, armed with sticks and stones, they headed towards the fence of Melilla.



Fig. 2. Map of the migrants' itinerary from the Camps of Bekoya, 20 km from Melilla, where they were attacked daily, to that of Izenouden, in the Gurugú, from where they began the descent to the border post of Chinatown on June 24, 2022.

Profile of the participants

Most of the migrants who participated in this attempt come from the war zones of Sudan, South Sudan and Chad (Darfur, Kordofan, eastern Chad...). This is a situation comparable to that of Ukraine, except that in this case asylum seekers would have to jump one of the most dangerous and militarized barriers in order to submit their applications and benefit from international protection.

In most cases, these are asylum seekers who have been living in Morocco for several months and sometimes years and who have entered the country from Algerian territory, usually after a more or less long passage through Libya. The route followed from Libya passes through the cities of southern Algeria towards the Moroccan border, south of Tiouli or sometimes Doghmaniya, to cross the border and concentrate mainly on Oujda, where a large part of them contact the UNHCR focal point to submit an asylum application.

The information on these itineraries, based on the testimonies of the migrants, contradicts the content of the police and gendarmerie reports prepared for the 65 accused, which

spoke of a mandatory passage of all migrants through the Algerian city of Maghnia, located further north.

In small groups, these asylum seekers then returned to the forests of Nador, where most of them settled long before the normalization of Moroccan-Spanish relations (it was easier to move during this period of crisis from Oujda to Nador). Many of them participated in the attempts of the March and saw how hundreds of their companions crossed the border with Melilla without major problem; that is why they did not understand why the Moroccan authorities were now doing everything possible, not only to prevent them from reaching the fence, but to expel them definitively from their camps.

The day of June 24, 2022

On their journey from the heights of the Gurugú to the border, which lasted almost an hour, the 1,500 asylum seekers did not encounter any maneuver by the Moroccan authorities to stop their advance towards the barrier or to disperse them, even when they passed in front of the auxiliary forces barracks, located nearby. It seems as if the authorities have preferred to wait for them once they arrived at the Melilla barrier, where all the forces were mobilized.

This is a fundamental question to understand what will happen next: why did the authorities do everything possible during the previous days to disperse the migrants and move them away from the fence (attacks on the camps, arrests, clashes, use of tear gas) when they were very far from the border and why during their final advance from their last camp towards the border (a route of almost 6 kms), that the authorities on the ground did nothing to disperse them before they arrived?

This change of strategy on the part of the authorities and their inaction throughout the 6 km journey can only be explained by the desire to intervene against the migrants right on the fence to gain a topographical advantage and to ensure that the migrants had gotten rid of the stones and sticks they were carrying.

The decision to violently attack asylum seekers once they arrived at the barrier, already completely unarmed, is undoubtedly the main cause of the very high number of dead,

injured, detained and returned, given that at that time, the only objective of the asylum seekers was to jump the barriers and not enter into clashes with Moroccan forces.

Letting asylum seekers reach the fence and carry out these violent attacks against them with this very serious balance, which surely could have been avoided, is probably only justified by the desire to show the Spanish partner what the Moroccan side is capable of and how far it can go to stop migratory flows when it cooperates.

The aim is to show to what extent the Moroccan side can move from one extreme situation to another: from the attempts of March 2-3 and 8, which were the most massive (more than 2500 migrants participated, without deaths, some injured and almost 900 *boozas*) in the context of the freezing of Moroccan-Spanish relations, to another very different situation, with dozens of dead and wounded and only 133 *boozas* in the context of a massive but less important attempt (almost 1500 participants), in a context marked by the resumption of relations.

Without any setbacks, the asylum seekers finally arrived at the Chinatown border crossing around 9 a.m. and tried to open the front door, then climb the barriers without any panic or pushing. A few minutes later, Moroccan forces, who had positioned themselves further along the ring road bordering the fence, began attacking the migrants with stones and smoke bombs. It was at that time that the first victims in the ranks of asylum seekers fell to the ground, perhaps by suffocation or by throwing stones, long before the authorities intervened in the hand-to-hand combat.

It is clear that from that moment on, the objective of the authorities' violence against migrants (without the sticks and stones they used to carry) was not a response to the violence of armed migrants, but above all, a way to prevent them from reaching the occupied city of Melilla at all costs. To achieve this goal, Moroccan forces, which continued to receive reinforcements, increased the use of tear gas.

The desire to reach Melilla quickly and to escape the repression of the Moroccan authorities for their exacerbated and direct intervention at the Chinatown border post caused serious pushes at two points near the barrier. These nudges of fear, panic and lack of vision, aggravated by the falls from the top of the fence (induced by the migrants

themselves or by the violence of the authorities with batons or stones), were behind the second balance of dead and injured after almost an hour of attacks on hundreds of migrants in a place surrounded by tear gas.

Through this brutal use of gas against hundreds of migrants grouped in a fenced area, including those at the top of the fence, the Moroccan authorities tried to prevent the arrival of asylum seekers in Melilla, before attacking the applicants themselves, around 10:30 a.m., after having deployed more auxiliary forces, military and gendarmes.

It is important to note that in this phase of the violence of the authorities, which caused two waves of injured and possibly dead, no ambulances were mobilized to rescue and transfer them to the hospital. The authorities were totally focused on repressing the migrants to stop their advance towards Melilla at all costs.

It was from that moment, after the cessation of the smoke bombs, when the most shocking phase began, in which the most cruel, inhuman and degrading behaviors were recorded, with the exacerbated intervention of hundreds of Moroccan agents directly with the migrants: a more generalized violence (batons, kicks and throwing stones) on the different parts of the body against the asylum seekers who were on the ground, breathless, injured, fainted and exhausted.

Part of the repressive apparatus was directed towards the migrants who continued to climb the fences. Dozens of migrants were thrown stones or beaten in the back and feet before being detained and dragged under the blows of batons towards a concentration area delimited by the authorities.

As if it were a bottleneck of just 200 m² of surface, the injured migrants piled on top of each other on the ground. Some of them were no longer alive and continued to be beaten with batons and kicked by Moroccan public forces. Despite the narrowness of this location, police and auxiliary forces continued to return migrants detained before and after the barrier by violently pushing them on top of those already on the ground, despite their injuries, fractures and shortness of breath after an hour of tear gas.

At the same time that the seriously injured migrants, piled on top of each other, called for help and groaned in pain and agony, the public forces continued to violently drag the detained migrants before piling them on top of their compatriots regardless of their state of health. To handcuff the migrants and turn them upside down, some were trampled on while they continued to receive unjustified beatings from the security forces.

During this cruel treatment and based on the consistent testimonies of the repressed survivors, the AMDH of Nador was able to identify the first victims who died on the spot. They are: Kussay Ismail Abdelkader, Mohannad Maamoun Aissa, Abderrahim Abdellatif Ali (Hanine) and Abdelaaziz Yaakoub (Anwar).

The authorities, who could have expanded this space of concentration of migrants and treated them properly by placing them next to each other and sending ambulances and rescue teams, preferred to act inhumanely by piling up the dead and injured for hours and hours, endangering the lives of the survivors in an apocalyptic scene that demonstrates the total contempt and degree of revenge towards the migrants.

The 20 video recordings available to the AMDH of Nador, of which only a part has been published, prove this cruel, inhuman and degrading treatment by the Moroccan authorities against the wounded, distressed or dead human beings who piled up on the ground without any help in the place, but surrounded by dozens of public agents. In some videos seen by AMDH Nador, several bodies of migrants can be clearly seen lying on the ground without any sign of life, completely inert, while Moroccan agents (auxiliary forces, police and gendarmes) continued to pull asylum seekers out of the interior of the barrier by violently pushing them onto each other.

Some of these video fragments show without a doubt that tear gas and rubber bullets were also used by the Spanish police and the civil guard against the asylum seekers, when they were still on the Moroccan side stuck at the entrance of the Chinatown crossing.

This repressive intervention by the Spanish side was undoubtedly behind the increase in the number of victims who fell by asphyxiation and clearly shows the level of local coordination between the two countries: Moroccan tear gas mixed with those of Spaniards fired in two opposite directions to cause maximum damage and more casualties.

Este comportamiento cruel, inhumano y degradante continuó durante más de dos horas sin interrupción ante los ojos de los funcionarios marroquíes que no intervinieron con sus agentes sobre el terreno para detener la violencia. Arrastrar a las víctimas heridas por las piernas y amontonarlas por docenas, sobre las que se empujaba violentamente a otros migrantes, fue de una gran crueldad.

Even when 4 ambulances (which were initially on the spot) began to be mobilized around 11:30 a.m., instead of starting with the seriously injured migrants, the authorities preferred to clear the bodies, which arrived first at hassani hospital. Subsequently, the mobilization of more ambulances made it possible to transport a large number of wounded, but with great delay.

The last ambulance ride was recorded around 9:00 p.m. During this long period of almost 9 hours, no help was provided to the wounded by either the Moroccans or the Spaniards, who had several ambulances a few meters away.

This lack of assistance to people in danger shows the true face of Spanish migration policies and Moroccan-Spanish cooperation focused exclusively on controlling security, rather than saving lives.

The 9 deportation buses present at the scene were mobilized more quickly than ambulances and emergency services (9 deportation buses compared to only 4 ambulances at first), which shows that the main concern of the authorities, who perhaps did not expect this very high number of dead and injured, was to detain and deport as many asylum seekers as possible.

As of 4:00 p.m., nearly 500 asylum seekers, many of whom were injured, were loaded onto buses and driven to different regions of Morocco (Beni Mellal, Kelaa Sraghna, Chichaoua) along the 890 km route from Nador to Taurirt, Meknes, Beni Mellal, Marrakech and Chichaoua. During this time, no food was distributed to the returned migrants and at the end of the journey, the injured and exhausted asylum seekers were "unloaded" into these areas without any food or medical assistance.

Several of them were transferred by their colleagues or with the help of Moroccan citizens to hospitals in Marrakech, Agadir, Beni Mellal, Casablanca and Rabat for treatment.

Thanks to the testimonies of the migrants supported by the photos of the deceased, the AMDH of Nador was able to document the death of at least one migrant in these return buses. This is the young Sudanese man from the center of Zalinji, in Darfur, named Abdenacer Mohamed Ahmed, who died on the night of the 24th to the 25th directly after his embarkation, injured, in a return bus.

Two massive attempts and two different behaviors

To measure the degree of opportunism of Moroccan and Spanish migration policies and their exploitation of the suffering of asylum seekers for political, economic and financial reasons, it is necessary to compare the attempts of early March in a context of freezing Moroccan-Spanish relations and that of June 24 in full normalization of relations between the two countries.

In just one week, on 2 and 3 and 8 March, there were three major assaults on the Melilla fence, involving some 2,500 migrants (and it was the first time that successive attempts were recorded). During these three assaults, which occurred in a context of freezing relations, almost 900 immigrants managed to reach Melilla, with some injured, but no deaths were recorded.

With the attempt of June 24, which was less important (1,500 participants), the highest number of victims in the history of emigration was reached by jumping the fences, with dozens of dead, missing and injured and only 133 *boozas* in a context marked by the return of good relations between Morocco and Spain.

This is the same migration route, the same actors and the same asylum seekers subjected to two extreme behaviours for a short period, which clearly highlights the exploitation of this mass of applicants in the political game between Morocco and Spain. The only new element is the resumption of relations between the two countries from March 14 and the subsequent meetings between the Moroccan and Spanish interior ministers.

Putting the lives and fate of human beings in need of international protection in the middle of a political game that has cost the lives of several asylum seekers is the true content of Moroccan and Spanish migration policies.

Hasty burial attempt

The day after the tragedy of 24 June and after verifying the magnitude of the tragedy, the AMDH of Nador had warned of a premeditated attempt by the authorities to bury the victims quickly without identification and without an autopsy.

On 26 June 2022, at 12.15 p.m., while visiting the Sidi Salem cemetery in Nador, the Nador AMDH observed an unusual presence of officials (the pasha of Nador, the caid of district four and several auxiliary officials) supervising the excavation of 21 graves in the part of the cemetery reserved for immigrants by the workers. This number was confirmed by one of the cemetery officials, who told AMDH Nador that he had been ordered to prepare 21 graves for the migrants.

The publication of photos of this operation of excavation of graves on the page of the AMDH of Nador and the subsequent mobilization to denounce any clandestine burial, with several international and national journalists displaced to the place, undoubtedly led the authorities to abandon this burial after having completed the excavation of only 16 graves.

It cannot be a routine operation of excavation and preparation of tombs, since this does not require the personal supervision of the pasha of Nador. Even after the hastily cancelled burial, authorities stood guard at the cemetery to ban any presence of journalists. This is the case of the correspondent of *El País* in Morocco, who was denied access to the cemetery by the Pasha of Nador on June 26 and took him to the Nador police station, and that of the two journalists of *El Faro de Melilla*, to whom two auxiliaries prevented access, on June 27, presenting themselves as policemen and asking for their identity documents.

Corpses in the morgue

On Saturday, 25 June, at around 12.05 p.m., the AMDH in Nador made a surprise visit to the Nador mortuary in Hassani hospital. The two doors that opened to ventilate the

environment where the smell of death reigned, allowed us to see the magnitude of the tragedy with 15 bodies of migrants lying on the ground with apparent wounds on the head, face, chest and feet lying with freshly clotted blood. The three stretchers that transported the bodies from ambulances were still covered with the migrants' blood stains.

These were corpses that were thrown to the ground in a cruel and inhuman scene that violates human dignity, not to mention those that would have already been introduced into the refrigerators.

After the publication of this information, the police control of the mortuary was reinforced and no visits could be made, with total silence on the part of the officials. This ban continued even when the AMDH of Nador, provided with photos of some of the missing migrants, wanted to ensure that they were among the dead of the morgue.

The Truth About Human Trafficking Networks

With this return of Moroccan-Spanish relations, not only has repression at the local level in the Nador forest camps hardened, but a new discourse of criminalization has emerged regarding asylum seekers in the forest, accusing them of belonging to structured human trafficking networks.

This discourse, absent at least on the Moroccan side before March 14, is completely fallacious: since always, emigration by jumping the Melilla barrier was free and open to all asylum seekers who join it by personal decision settling in the Gurugú camps, without paying anything to anyone. It is the migratory route that has always attracted the poorest emigrants who do not have the economic means to pay for a place on a boat. In addition, on June 24, during their advance towards the Melilla barrier, the migrants, mostly Sudanese, South Sudanese and Chadians, were joined without any restriction by other migrants of Burkinabe, Guinean, Senegalese and other nationalities.

And for a historical reminder, the sea migration of sub-Saharanans, paid for and completely under the control of smuggling networks, has only appeared in Nador since 2017, directly after the completion of the construction of Melilla's fourth fence equipped with sharp blades. As the border has become difficult to cross with the increasing militarization of it, migration has turned to the sea route.

Since 2017, the AMDH of Nador has shown in its annual reports that the reorientation of sub-Saharan migration towards the maritime route controlled by smuggling networks was nothing more than the consequence of European and Moroccan migration policies that, by making the barrier almost insurmountable, have favored the installation of a migratory market in the hands of networks of smugglers and smugglers to serve increasingly important interests.

This reorientation towards emigration by sea, which peaked in 2017-2018 and 2019 in Nador and in El Aaiún, Tarfaya and Dakhla from 2020, served the interests of Moroccan and Spanish migration policies: Morocco needed more migrants to press at the right time (the emigration of the poor through the barriers of Melilla and Ceuta, difficult to control and direct, it only provided between 2,000 and 3,000 *boozas* a year, while with vessels under the control of smuggling networks, *boozas* nearly tripled.) Spain, for its part, sought to attract more European funds by positioning itself as the country that claims to be invaded by migratory flows and thus offering certain Spanish political circles a base to attract more voters.

Devoluciones en caliente

La AMDH de Nador calcula que casi un centenar de solicitantes de asilo fueron devueltos en medio de un calor intenso y con escenas de grave violencia contra ellos por parte de los agentes españoles y marroquíes que penetraron más allá de la barrera para recogerlos.

The AMDH of Nador cannot confirm that any of the 100 asylum seekers who were rejected in hot died subsequently before or after being picked up by Moroccan forces. The authorities of Melilla, if they intend to be transparent, should reveal the data of the surveillance cameras and the helicopter that flew over the area.

How can it be accepted that the Spanish authorities, who were closely watching the treatment of migrants by Moroccan forces, continued to return them hot to be beaten on the Moroccan side? The responsibility of the Spanish authorities is total in terms of the breach of the right to asylum and the violence suffered by the 100 rejected asylum seekers.

Major human rights violations committed

During this tragedy, the Moroccan and Spanish authorities committed several human rights violations:

– The right to asylum, mainly for Sudanese, South Sudanese and Chadians who, upon arrival in Oujda, mostly lodge an asylum application at the relevant UNHCR office. Despite the fact that the head of UNHCR in Morocco has stated on several occasions that asylum-seekers have protection against undue detention, abduction and forcible refoulement, the registration of their asylum application and the copy of the application in their possession does not provide them with any protection in Morocco when they are detained by the Moroccan authorities.

They do not hesitate, in most cases, to confiscate or break the copy of the application, detain the person and return him to the Algerian border. Since the beginning of 2021, the AMDH of Nador has repeatedly denounced these illegal practices and has invited UNHCR in Morocco to act in favor of the protection of asylum seekers and the respect of the documents they present by the authorities. UNHCR's inaction in Morocco and the continued mass arrests and returns of people from Sudan, South Sudan and Chad, especially in Oujda and Nador, has reinforced the sense of futility of these documents and encouraged the reorientation of most of these asylum-seekers towards migration through the fence between Nador and Melilla.

Sudanese asylum seekers who were victims of these illegal practices were among those involved in the attempts of 24 June, but also in those of 2 and 8 March 2022.

– The right to housing and accommodation worthy of a human being. In fact, the Nador authorities continue to prohibit black immigrants from renting a house in Nador and living there, as in other Moroccan cities. Thus, they indirectly push them to concentrate in camps in the forest in winter and summer in inhumane conditions. The dramatic story of Happiness Johans, mother of 3 children, who were burned to death in January 2022 in their forest shelter, has not made the authorities move to guarantee the right to housing of all migrants, despite the letter sent by the AMDH of Nador to the Moroccan Minister of the Interior after this tragedy.

This inhumane, segregating and racist decision, curiously, only affects black migrants (sub-Saharan, Sudanese, South Sudanese and Chadian), who are forced to live in the forest, while other white people, such as Syrians, Yemenis and North Africans, are tolerated to live in hotels or rented houses in the city.

– The right to life, violated by these murderous immigration policies that cost the lives of 27 asylum seekers at a land border crossing. If these European, Spanish and Moroccan migration policies have always caused deaths on maritime migration routes, this is the first time that these same policies, taken to excess, have been deadly on a land barrier. To this number must be added that of missing migrants, which on July 20, 2022, amounted to 64 cases (see annexes).

– The right to physical integrity of asylum seekers not during clashes, but especially at the fence, due to the excessive and premeditated use of force against migrants who posed no danger, which caused dozens of serious injuries.

– The cruel, inhuman and degrading treatment to which the Moroccan repressive apparatus subjected migrants, piling them on top of each other (wounded, dead, fainted and exhausted), during hours of violence and abuses under the gaze of the authorities.

– The hot return of almost a hundred asylum seekers by the Spanish authorities to their Moroccan counterparts at a time when they were suffering the worst treatment by the Moroccan authorities.

– The return by bus to the interior of Morocco of hundreds of migrants detained without food or drink, among whom were dozens of wounded who had to be transferred to the hospital (in the absence of medical personnel on the ground who could measure the severity of the injuries, the elements of the auxiliary forces and the gendarmes were in charge of selecting the wounded who were put on the return buses and those who were taken to the hospital).

Causas del elevado número de muertos, heridos y desaparecidos

Lejos de la versión oficial de los hechos, que vincula todas estas muertes al aplastamiento de los migrantes durante las acometidas y a las caídas desde lo alto de las barreras, la

verdad ha quedado registrada por varias grabaciones de vídeo, contada por decenas de testimonios y observada sobre el terreno por los miembros de la AMDH de Nador.

De entrada, la versión oficial se detiene a mitad de camino en su explicación y evita cuestionar las razones de la estampida y las caídas de los migrantes, presentadas como únicas causas de esta tragedia.

Los testimonios de los migrantes afirman que ninguno ha muerto por caer desde lo alto de la valla. Durante los últimos seis años, los intentos de caída desde lo alto de la valla no han sido mortales, pero sí han provocado en su mayoría lesiones que pueden ser graves, sin olvidar que estas caídas fueron provocadas en su mayoría por la violencia de las autoridades o por la asfixia tras el uso excesivo de bombas de humo.

El uso masivo de gases lacrimógenos en una zona estrecha y rodeada, mientras los migrantes intentaban abrir la puerta y saltar la barrera, fue la principal causa de los empujones, agravados por la falta de visión y la caída de varios migrantes al suelo.

Este uso extensivo de gas lacrimógeno en un espacio estrecho y cercado es una novedad en la historia de la migración en la frontera de Melilla-Nador. Nunca antes las autoridades habían utilizado tanto gas, ni siquiera en atentados de mayor envergadura que el del 24 de junio (incluidos los de los días 2 y 8 de marzo). Desde 2014, el uso de gases lacrimógenos en los atentados más importantes solo se ha visto en contadas ocasiones, y solo en zonas abiertas.

By resorting to the massive use of tear gas against hundreds of asylum-seekers crammed into a very narrow, closed and surrounded environment, were the Moroccan authorities unaware that this initiative could cause deaths and injuries?

In this case, why did the Moroccan authorities proceed, as soon as the migrants arrived at the border post, to completely surround the asylum seekers, without offering them any possibility of retreating to the gurgú forests? Based on our observations at the site, the AMDH in Nador can confirm that if the authorities had left the possibility of withdrawing, several migrants could have entered the forest and avoided the very high number of dead

and missing. As has always been the case in all previous attempts, the immigrants who failed were able to return to the forest.

Six serious decisions taken by the Moroccan authorities are behind this tragedy with a very high number of victims and never registered in this way on any migratory route from the south to Europe:

- Why do the authorities insist on attacking migrants almost daily, even when they are in the most remote forests, almost 20 km from Nador, directly after the normalization of relations between Morocco and Spain?
- Why didn't the authorities try to disperse the migrants before they arrived at the Chinatown border post, as they were heading down a 6 km route from the Izenoudene forest to the border?
- Why, as soon as the migrants arrived at the border post, did the Moroccan authorities mobilize almost 2,000 agents from various forces to surround them first and leave them no opportunity to retreat and return to the gurugú forests?
- Why all this excessive use of smoke bombs against hundreds of migrants surrounded in a narrow and almost enclosed area?
- Why did the authorities start transporting the dead in civil protection ambulances, while the wounded remained on the ground for hours without any help?
- Why did the Moroccan and Spanish authorities not mobilize any rescue equipment or means on the ground to help dozens of migrants who were dying before the eyes of the authorities? This dire situation required medical equipment and not hundreds of soldiers.

These are successive decisions taken by the Moroccan authorities in a few days, which mark a new turning point in the way Morocco plays the role of policeman directly after the normalization of Moroccan-Spanish relations, and which largely explain the very high number of dead, wounded and missing.

Arrests and prosecutions

Of the asylum seekers detained on 24/6/2022, two groups of 65 migrants were processed [the Arabic names on the lists of the original AMDH document have been transcribed in a way that closely resembles the pronunciation of Spanish (ndt)] as much as possible. The

first group of 36 asylum seekers (see attached list) was presented to the Court of First Instance on Monday 27 June. The prosecutor decided to prosecute them under arrest for the crimes of insults and violence against law enforcement officers and law enforcement in the exercise of their functions; disobedience, destruction of public property, violation of public security, persons and property; possession of knives, aggression and injuries with a weapon, facilitation and organization of the departure of a group of foreigners from the national territory clandestinely and finally, entry and exit from the national territory clandestinely.

Supported by lawyers from Nador's AMDH and other associations, these defendants appeared remotely at the July 4 trial session, which was postponed to July 12 and then to July 18 at the request of the defense.

The second group (attached list) consists of 29 asylum-seekers, including a minor, who were brought before the prosecutor and prosecuted for crimes: constitution of a criminal gang, kidnapping, arson, threats of murder, carrying weapons likely to cause harm, insults and violence against law enforcement officials and law enforcement during the exercise of their functions, disobedience by attack and resistance, collective agreement to facilitate and organize the departure of a group of foreigners clandestinely from the national territory, illegal residence in Morocco, destruction and deterioration, and attack against the general order and internal security.

With the support of the same lawyers, his first trial was held remotely on 13 July and postponed to 27 July at the request of the lawyers to summon the 20 complainants and prepare the defence, while the younger ahmed Omar Al Bachir, 16, was released by the investigating judge on 5 July and immediately resumed by a provincial commission.

During this procedure, the AMDH of Nador was able to find serious deficiencies that could tarnish the trial, which could not be fair and equitable based exclusively on the Indictment drawn up by copy and paste and under very difficult conditions on the night of June 24 to 25 for 64 defendants who were chosen from hundreds of immigrants detained.

When the immigrants showed up at the prosecutor's office on June 27, all with injuries, the prosecution refused the defense's request to know where, when and how the defendants

had been injured. Three of the migrants still had these injuries when they appeared at trials on July 4, 12 and 13.

On the other hand, the verbal processes of the police and gendarmerie contained several errors that referred to Sudanese nationality. Several migrants of Yemeni or South Sudanese nationality were considered Sudanese.

Conclusions

If, through the tragedy of Chinatown, criminal migration policies have exceeded all limits, with a very high number of dead, missing, injured and repatriated and cruel, inhuman and degrading treatment at the foot of a barrier erected and financed for years by European money, the attempts to cover up this scandal and to hide the real perpetrators continue to act through various means of official propaganda at the national level and regional.

Indeed, so far, on both the Moroccan and Spanish sides, the authorities have made no effort to open serious and independent investigations to determine the responsibilities and roles played by all parties.

Despite repeated requests from the AMDH of Nador, the judicial investigation, detailed autopsies of the bodies and the identification of the dead have not yet been carried out, while the list of missing persons following this tragedy continues to grow.

The AMDH of Nador urges all true human rights defenders to realise the scale of the tragedy and the weight of what is at stake in decriminalising migration policies and whitewashing the role of European funding, to coordinate and work together to shed light on all the grey areas of this tragedy.

Translation: **south wind**

Notes

1/ *Booza* or *boza* refers to the fence jumps that achieve their mission, that is, in which sub-Saharan immigrants manage to cross the border and pass to Melilla (or Ceuta, in their

case). It is a cry of joy, of victory, with which they are also accompanied when they undertake the jump. It probably comes from the Fula language (ndt).

Three lists are provided below:

1. Provisional list of asylum-seekers missing as a result of the tragedy of 24 June 2022 at the Beni Ensar border fence (64 people).
2. List of persons arrested and prosecuted before the Court of First Instance of Nador (36 persons).
3. List of persons arrested and prosecuted by the Court of Appeal.

Provisional list of asylum-seekers missing as a result of the tragedy of 24 June 2022 at the Beni Ensar border fence (64 people)

1. Qusai Ismael Abdel Qader (Sudan) (four testimonies confirm his death)
2. Marwan Mohiuddin / Sudan
3. Mohamed Abdullah Abderrahman / Sudan
4. Yalal Abdelshakur / Sudan
5. Mustafa Abkar Yahya / Sudan
6. Mohamed Yaghioub Abdelrasul / Sudan
7. Muhannad Mamun Aissa / Sudan (three testimonies confirm his death)
8. Abdullah Omar/ Sudan
9. Mustafa Abrar / Sudan
10. Al-Zubair Mursal / Sudan
11. Ibrahim Othman / Sudan
12. Adel Youssef / Sudan
13. Mohamed Ali/ Sudan
14. Ahmed Al Mahdi / Sudan
15. Bakri Saleh / Sudan
16. Khaled Abkar / Sudan
17. Ahmed Al Hajj / Sudan
18. Muhammad Harun / Sudan
19. Nabil Abkar, called Zamila / Sudan
20. Ahmad Adam / Sudan

21. Ibrahim Sedik / Sudan
22. Yasser Elias / Sudan
23. Ahmed Al-Tom / Sudan
24. Ibrahim Al-Tiyani / Sudan
25. Saleh Kamal / Sudan
26. Core William, aka Yedou or Gedo / South Sudan

27. Adel Abdul Rahman / Sudan
28. Tariq Ibrahim / Sudan
29. Abdul Razzaq Ibrahim / Sudan
30. Youssef Abdullah / Sudan
31. Othman Abderrahim / Sudan
32. Saddam Ahmed / Sudan
33. Hassan Youssef / Sudan
34. Abazar Salah/ South Sudan
35. Abdullah Omar / Sudan
36. Ibrahim Mohamed / Sudan
37. Omar Ahmed/ Sudan
38. Faruk Saleh/ Sudan
39. Abdelaziz Mohamed/ Sudan
40. Mohamed Salah / Sudan
41. Ahmed Muhammadin Ahmed / Sudan
42. Moatasem Adam Abdelbashir/ Sudan
43. Jalal Abdul Shakur Yahya / Sudan
44. Mohamed Wad Angeli/ Sudan
45. Isaac Aissa / Sudan
46. Ibrahim Ali Mohamed / Sudan
47. Mahdi Mohamed / Sudan
48. Wariz Imam/ Sudan
49. Abdullah Omar / Sudan
50. Baghdad Hussein / Sudan
51. Wali Aladdin Muhammad Ali/ Sudan
52. Abdul Basit Muhammad Ishaq / Sudan
53. Nasruddin Abkar Khamis / Sudan

54. Abdul Rahim Abdul Latif Ali Ibrahim, nicknamed 'Haneen' (Nostalgia) / Sudan (6 testimonies confirm his death)
55. Ahmed Babiker Mohammed / Sudan (last seen in Nador hospital)
56. Bechara Ibrahim Idris / Sudan
57. Mazen Daffa Allah / Sudan
58. Adam Khamis Ahmed / Sudan
59. Hamed Youssef / Sudan
60. Abu Bakr Hussein/ Sudan
61. Ibrahim Al-Helou / Sudan
62. SuleimanAbkar Haroun / Sudan
63. Adam Mustafa Harin / Sudan
64. Abdel Aziz Yaqoub, nicknamed 'Anwar' / Sudan (three testimonies confirm his death)

List of persons arrested and prosecuted before the Nador Court of First Instance (36 persons)

1. Ualaddin Aissa Yaqub (Sudan)
2. Mustafa Abderrahim Mohamed (Sudan)
3. Tiyani Abubakr Mohamed Daud (Sudan)
4. Mohamed Ali Mohamed Osman (Sudan)
5. Yasir Uthman Suleiman Mohamed (Sudan)
6. Mustafa Sabr Adam Karama (Sudan)
7. Mustafa Harin Adam (Chad)
8. Hafed Matar Abdellah (Sudan)
9. Ahmed Hamad Ben Zakaria (Chad)
10. Daud Hassan Musmanyer (Chad). In the session on July 4, he wore a surgical bandage on his head.
11. Bachir Yahya Faisal (Chad)
12. Sabhi Munir Naser Mohamed (Sudan)
13. Mohamed Adu Ahmed Ben Mohamed (Sudan)
14. Youssef Adam Yahya (Sudán)
15. Abdelaziz Suleimán Hali (Sudán)
16. Salahddín Adam Bujari (Sudán)

17. Ali Abderrahmán Al Bachiri (Sudán). En la sesión del día 4 de julio tenía un vendaje quirúrgico en el codo.
18. Mudazar Mohamed Adam (Sudán)
19. Ibrahim Adam Nil (Sudán)
20. Ibrahim Mohamed Abdellah (Sudán)
21. Ahmed Mohamed Ibrahim (Sudán)
22. Ahmed Mojtar Mohamed (Sudán)
23. Ilyas Abdellah Adam (Sudán)
24. Ayub Abderrahman Adam (Sudán)
25. Hassin Ibrahim (Sudán)
26. Dafallah Fakr Youssef Annur (Sudán)
27. Suleimán Bakr Harún Ahmed (Sudán)
28. Saharawi Ahmed Sherif (Sudan)
29. Taha Ahmed Jamaia Ramadan (Sudan)
30. Mohamed Adam Mahmud (Sudan)
31. Mohamed Al Amin Ismael (Sudan)
32. Mohamed Bashir Mohamed (Sudan)
33. Mustafa Mohamed Ali (Sudan)
34. Muid Mohamed Hamidallah (Sudan)
35. Nasser Aladdin Adam Yahya (Sudan)
36. Nureddin Ali Abderrahman (Sudan)

List of detainees prosecuted before the Court of Appeal of Nador as a result of the tragedy of 24/06/2022.

- | | | |
|---|--------------|-----------|
| | Muhmmad | |
| 1 | Adam Yaber | Chadiense |
| | Addamak | |
| 2 | Sadik Chafii | Sudanese |
| | Musa | |
| 3 | Nasreddin | Sudanese |

- Abkar Jamis
- 4 Bachir Adam Sudanese
Jamsa
- Abu Bakr
- 5 Abdullah Chadiense
Yaqub
- Mohamed
- 6 Harun Sudanese
Abdullah
- Radwan Omar
- 7 Adam Sudanese
Ramadan
- Mubarak
- 8 Harun Sudanese
Muhmmad
- Mu'tasim In session 7/13
9 Yaqub South he wore
Yadallah Sudan bandages on his
head
- Muhmmad Ali South
10 Yusef Al-Gal Sudan
- 11 Sa'id Musa Sudanese
Ahmad
- 12Mohamed Sudanese
Ibrahim

Ya'qub

13 Ayub Hasan
Ibrahim Sudanese

14 Mustafa Hari
Bin Hari Sudanese

Ya'qub

15 Muhammad Sudanese
Ya'qub

Naser

16 Muhmmad Sudanese
Adam Jamis

Muhmmad

17 Saleh Ibrahim Sudanese
Arradi

18 Ishaq Harun
Muhammad Sudanese

19 Mubarak
Adam Dawood Sudanese

Mu'tasim

20 Adam Al- Sudanese
Bachir Adam

Al-AbidAwud
21 Mohamed Yemeni
Ahmad
Judicial police
report indicates
Sudanese
nationality

22 Mustafa Sabir
Adam Sudanese

23 Hafiz Matar
Abdullah Sudanese

24 Mustafa
Ibrahim Sudanese
Mohamed

25 Muhammad
Ali Nur Bin Sudanese
Mohamed

26 Nasreddin
Mahmud Abu Sudanese
Chanab

27 Hamd
Mohamed Sudanese
Arbab

28 Omar Hasan
Omar Ishaq Sudanese

Right to Life Monitoring: First Semester 2022

Walking Borders

Losing one's life along the way has been normalized in the discourses of migration control and this fact allows the increase of victims and the implementation of increasingly deadly instruments of repression against migrant communities.

During the first half of 2022, documented in this report, the militarization of migration control has been escalating in the application of actions that systematically attack the human rights of migrants. This situation has been supported by the warmongering discourse generated after the war in Ukraine, in which Europe and NATO foresee a rearmament that also affects the management of border control. The political narrative of the Spanish state has placed people on the move as one of the threats coming from the south and has raised a debate to establish a de facto military response against them.

These pages provide the data of victims of necropolitics applied in border control during the first six months of the year 2022 on the Euro-African Western Border. Figures that have been confirmed by the Collective Ca-minando Fronteras in our Human Rights Observatory.

But in addition, it seemed necessary to us also carry out in this report an analysis of the tools that have been used to exercise systematic violence against migrant communities. In this sense, we try to open the way to an analysis of what has happened at the border during these six months that puts human rights at the center and serves as a counterweight to warmongering discourses and fervors. It is therefore important to analyze the violence that migrant communities receive daily and through what channels, what impact they have on their lives and how many of them end up dying after a long agony of continuous violation of rights.

This report is prepared within the framework of the Euro-African Western Border Observatory created by the Collective Ca-minando Fronteras in 2015 and which records the victims in the migrations of the maritime routes of the Western Mediterranean (Strait, Alboran, Algeria) and the Atlantic (Canary Islands); as well as the terrestrial fences of Ceuta and Melilla.

The figures and stories shared by this study are essential to advance respect for the rights of victims and their families. His memory has to remain present and illuminate.

[See full report](#)

Source: <https://vientosur.info/un-crimen-despreciable-de-las-politicas-migratorias-europeas-espanolas-y-marroquies/>

Rebellion 25.07.2022