



The new mandate of Frontex agency

The EU obsessed with waging a war against migrants and refugees

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In the past three years, the joint campaign Frontexit has denounced the incompatibility of the Frontex agency with the respect of fundamental rights. The establishment of a new European border guard body to replace Frontex, which the European Parliament approved last 6 July, is yet another step further in the war waged by the European Union (EU) against migrants and refugees.

Over a year since the announcement that Frontex agency would be reinforced to address the so-called « migration crisis », the securitisation of European borders has brought deplorable results: increase in the number of migrants and refugees who died in the Mediterranean¹, as well as in human rights violations and violence they are facing at the borders and in the “hotspots”.

However, no matter how deplorable this state of play, the new European coast-guard and border-guard agency meant to replace Frontex will be able to rely on a reinforced apparatus and to:

- Deploy more rapidly at the EU’s external borders based on its self-assessment of the “vulnerability” of Member States, i.e. the number of the irregular crossing at their external borders;
- Be further involved in the deportation of people with no leave to remain in Europe, including by initiating joint returns operations and by providing support in obtaining the necessary travel documents;²
- Collect personal data and transmit it to Europol as part of the fight against cross-border crime, organised crime and anti-terrorism. Beyond the risks that this data may be transmitted in an inappropriate manner in violation of personal data protection safeguarded in EU law,³ these measures feed in racist prejudice that wrongly associate foreigners with potential threats against internal security;

¹ 2,859 deaths as of 16 June 2016 [according to the International Organisation for Migration](#)

² To this end, a European « laissez-passer », i.e. a travel document meant to facilitate the removal of “third country” nationals in an irregular situation, is in the making, despite the opposition expressed by African states against it at the Valetta Summit held in November 2015.

³ Article 7 et 8 of the European Union Charter on Fundamental Rights ; Secondary law

- Intercept migrants and refugees in the high seas and disembark them in the nearest port “of safety”. In the context of the current debates on “safe” countries in EU, it cannot be excluded people may be disembarked in Morocco, Tunisia, Algeria, in the Balkan countries or in Turkey, where human rights violations against nationals and foreigners persist, where the right to leave any country is impeded,⁴ which contradicts international and European law, in particular the non-refoulement principle;
- Deploy outside of Europe, away from the European Parliament’s democratic oversight, and to exchange information with a growing number of countries including some where human rights violations are well documented: reinforced cooperation with Turkey; external cooperation agreements in prospect with Libya or Egypt.⁵

Such reinforcement of capacities of an EU agency is unprecedented and turns a complete blind eye to a number of human rights violations, although this has been largely documented by non-governmental organisations as well as by official bodies - including by Frontex itself which softly refers to them as “incidents”.⁶ Nevertheless, no independent mechanism has been provided for in the new mandate to hold the agency directly and effectively judicially accountable.

In fact, instead of opening legal and safe pathways to Europe, the EU facilitates irregular migration which increases death toll amongst migrants and gives a push to trafficking.

Frontexit member organisations, based in Europe, in the Maghreb, in the Mashreq and in West Africa, will keep on denouncing and opposing this security-geared drift of European policies. We are calling for the end of Frontex and of the new agency meant to replace it.

We will not let policy leaders make us believe in a “migration crisis” which is nothing but a crisis of the reception policies of the EU and its Member States.

Europe is at war against an imaginary enemy

www.frontexit.org/en

⁴ [Asylum: a right denied. No the EU’s lists if safe countries!](#) (2016) AEDH, EuroMed Rights, FIDH

⁵ To date, Frontex has signed 19 external cooperation agreements. Further information on the agency’s deployment outside of Europe can be found on the map “[10 anniversary of Frontex – 10 measures that put fundamental rights at risk](#)”.

⁶ [Frontex between Greece and Turkey: At the border of denial](#) (2014) EuroMed Rights, FIDH, Migreurop