

**Question for oral answer O-000038/2014  
to the Commission**

Rule 115

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on behalf of the GUE/NGL Group

Subject: Death and arbitrary return of migrants at the borders of Ceuta and of Spain

On 6 February, at least 15 migrants perished while braving the seas in an attempt to swim to Ceuta or endeavouring to scale the perimeter fence separating Ceuta from Morocco. According to NGO sources, a number of them were killed by rubber bullets and tear gas fired by coast guards in a bid to repel some 200 migrants who were attempting to gain the Spanish coast of El Tarajal. 23 migrants were then arbitrarily returned to Morocco.

This new tragedy follows in the wake of the 12 lives lost on 21 January 2014, when the Greek authorities turned away a refugee vessel, and the harrowing death toll of 366 refugees and migrants off the island of Lampedusa in October 2013. Over a period of 20 years, more than 25 000 migrants or asylum seekers have perished in the Mediterranean.

Addressing a Spanish parliamentary committee, the Spanish Interior Minister admitted that riot control tactics had been employed against the migrants but denied that the handing over of 23 migrants to the Moroccan authorities was effectively a 'pushback' operation infringing the principle of 'non-refoulement', arguing that, even if the migrants had made it as far as El Tarajal beach, neither Spanish nor EU law would be applicable, since they failed to penetrate the line of waiting border guards.

1. Has the Commission requested explanations from the Spanish authorities, which have publicly acknowledged acts committed in breach of Directives 2013/32/EC on common procedures for granting and withdrawing international protection and 2008/115/EC on return procedures, as well as the Schengen Borders Code? Does it intend to initiate infringement proceedings against Spain?
2. Has the Commission made its views known regarding the reinforcement of the perimeter fences in the enclaves of Ceuta and Melilla? Has European funding been used for this purpose?
3. Has the Commission requested explanations from the Spanish authorities concerning the use of anti-riot tactics by the security forces? What view does it take of the use of such methods against migrants desperately seeking to enter EU territory?

Tabled: 17.2.2014

Forwarded: 19.2.2014

Deadline for reply: 26.2.2014