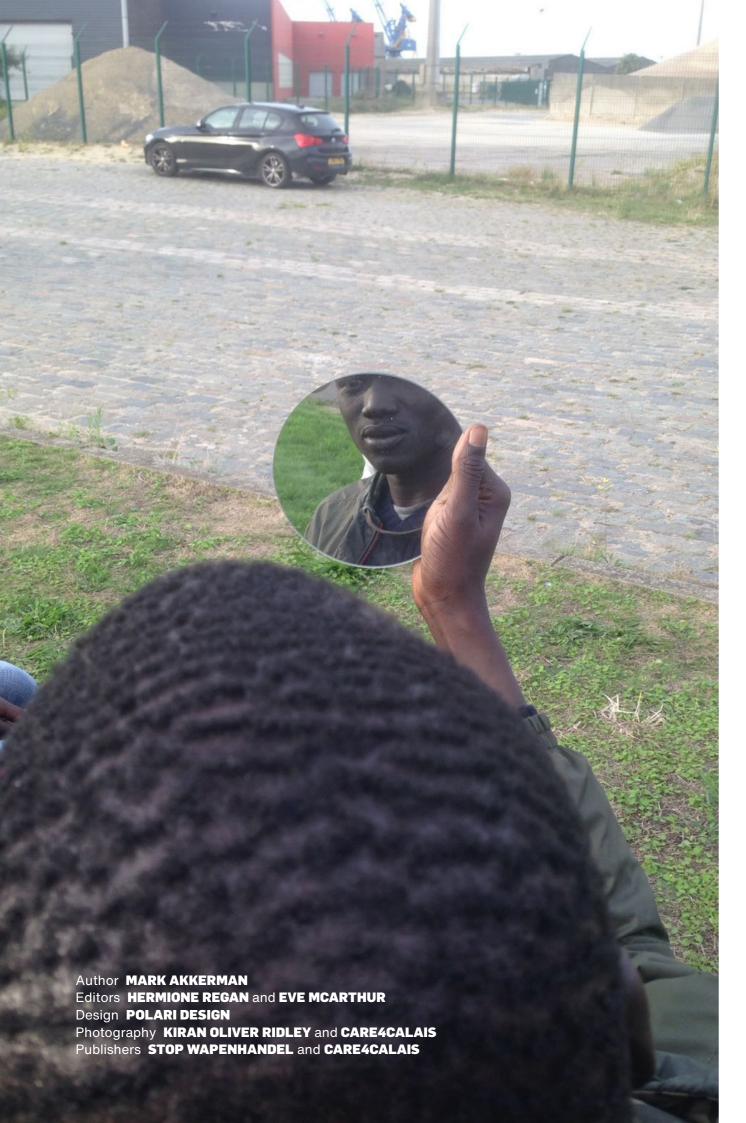
CARE 4 CALAIS

STOP WAPENHANDEL

## HUNTED. DETAINED. DEPORTED.

UK-French co-operation and the effects of border securitisation on refugees in Calais



## **INTRODUCTION**

#### Clare Moseley

Founder, Care4Calais

Imagine this tent is your home... though if on their nightly patrols, the authorities find it, they will slash it or burn it and destroy any of your belongings in it.

You have an escape plan for when they come – over the fence is a motorway. The police will not follow you there, as it's too dangerous for them. If you stay where you are, there is a 100% chance of taking yet another pepper-sprayed beating, but on a three-lane motorway, you have a one in three chance of being hit.

You must be pretty down and out to have ended here, yet the journey from your home has already cost you the best part of €20,000 to the people traffickers, so you must have been a man of means at one point.

This is the beginning of the story of a 29-year-old man we met in Calais – an intelligent, humorous and determined man, whose goal is to return to the UK. He lived in Cardiff for nine years before a police check found him without the necessary papers and sent him back to Afghanistan.

Why leave his home and family near the Afghan capital of Kabul?

He explains: "I never knew whether to grow my beard or not. If I shave, then I get picked up by

the Taliban for not being a good Muslim, and they will beat me and probably kill me. If I grow my beard, the US soldiers will pick me up as I am a terrorist – they will shoot me".

Every night, this man will try to find a lorry headed for the UK to smuggle himself on to, but without money the main risk is not the authorities or the baseball bats of the lorry drivers, but the people traffickers; if they catch you trying to cross without paying them, the first time you get a beating as a warning, the second time will be your last.

Why the UK? Firstly, he has already built a life there, with a job and friends and family but secondly because of what he faces in his home country.

"The British and US troops turned my home land into a war zone, fighting over the mining of oil, lithium and gold, so I am not safe to walk the streets – I don't want to hurt anyone, but I want to be somewhere I am safe and not living in fear."

For my friend in Calais, living rough amongst 100 or so fellow Afghans, his eyes speak of fear and desperation, yet he will continue to proudly plot his course and try to find his brighter tomorrow.

The existence and subsequent clearing of the notorious 'Jungle' camp in Calais in 2015 and 2016, gained considerable political and popular attention for the dire situation for refugees living in and around Calais. Situated at the closest point to the UK on the European mainland, Calais represents a unique focus point of border security and control. Consequently this results in scenes of desperate people and ever-expanding security measures that Europeans otherwise can only witness at the external EU borders, such as refugee camps in southern European countries like Greece, Italy and Spain.

While public and media attention have shifted away since the demolition of the main camp in 2016, France and the United Kingdom have continued to increase border security and control in and around Calais. This has led to growing difficulties and risks for refugees as well as profit opportunities for private security companies.

This briefing paper focuses on the expanding role of the UK in Calais in recent years: its own presence with border force officers and private security guards as well as its cooperation with (and funding of) French authorities. How does the security infrastructure that has been built on these policies look? What are the consequences for refugees? And which companies profit from this?



## **HISTORY**

The EU Schengen Treaty of 1985 set the course for the gradual opening of internal borders within the common territory of the participating states (the 'Schengen Area'), coupled with increasing security and controls at the external borders of the area. With the Convention implementing the Schengen Agreement of 1990, the decision to abolish internal border checks became definitive. The United Kingdom and Ireland were the only two EU member states not taking part in the treaty.¹ They thus remained outside the Schengen Area and would continue to control their own borders with other EU countries.

Alongside the Schengen Treaty, the UK and France negotiated the construction of the Channel Tunnel and subsequent responsibilities for border control. The 1986 Treaty of Canterbury pushed the question of border control forward to be "the subject of a supplementary Protocol or other arrangements" but stipulated that these should "enable public authorities to exercise their functions in an area

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in the territory of the other State where controls are juxtaposed".<sup>2</sup>

It took five years for such an agreement to be signed: the 'Protocol concerning Frontier Controls and Policing, Co-operation in Criminal Justice, Public Safety and Mutual Assistance Relating to the Channel Fixed Link' of 1991, better known as the Sangatte Protocol, that obliges both parties to "to the fullest possible extent co-operate, assist one another and co-ordinate their activities" on border control in relation to the Channel Tunnel.<sup>3</sup>

This Protocol saw the introduction of the joint controls: the establishment of control bureaus at Calais and at Folkestone on the British side, where border authorities carry out their work independently of each other. The British and French authorities hold joint consultations to determine what equipment is required for their respective border control work. Border officers of one state are permitted to carry out border controls and arrest or detain people according

In July 2015 Home Secretary Theresa May was still happy about this decision: "[W]e have the benefit of not being part of the Schengen area and therefore being able to operate our own borders."; House of Commons Hansard, Calais, Volume 598, 14 July 2019

Treaty between the United Kingdom of Great Britain and Northern Ireland and the French Republic concerning the Construction and Operation by Private Concessionaires of a Channel Fixed Link with Exchanges of Notes, Canterbury, 12 February 1986

Protocol between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concering Frontier Controls and Policing, Co-operation in Criminal Justice, Public Safety and Mutual Assistance Relating to the Channel Fixed Link, Sangatte, 25 November 1991

# BRITISH VALUES ABOUT WHO WE CAN LOOK AFTER. WE SHOULD NOT DOWNGRADE OURSELVES BY SAYING THAT WE SHOULD DO MORE.

**Amber Rudd, Home Secretary, October 2016** 

to their own laws and regulations in their zone on the territory of the other state.

Under the Protocol an agreed number of their officials are also allowed to carry and use firearms in the exercise of their functions. They cannot be prosecuted by the other state for any act committed in their zone on its territory while doing their work. The Protocol also states that when refugees are denied entrance by one of the parties, the other state must accept them back. An additional protocol, signed in May 2000, regulates the establishment of 'Bureaux Responsible for Controls on Persons Travelling by Train between the United Kingdom and France".

In February 2003 the UK and France signed the 'Treaty concerning the Implementation of FrontierControls at the Sea Ports of both Countries on the Channel and North Sea' (Treaty of Le Touquet).<sup>4</sup>

This treaty built on many of the points of the Sangatte Protocol. It states more broadly that both countries commit to "co-operate, assist one another and co-ordinate their activities", including France having to provide "installations, service accommodation and equipment required" for UK border control in Calais.

In principle these agreements work both ways, but in reality the number of attempts to cross irregularly from the UK to France are negligible. A very small proportion of refugees in Europe and a minority of those in France have a desire to cross to the UK. For this specific set of refugees, there are compelling reasons to want to go the UK, including reunion with family members already in the UK, speaking the language or escaping the repression and violence against refugees in France.<sup>5</sup>

## Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning the Implementation of Frontier Controls at the Sea Ports of both Countries on the Channel and North Sea, Le Touget, 4 February 2003

## **UK POLICY**

The situation in Calais has been discussed in British parliament on a regular basis, with some attention given to the difficult position unaccompanied refugee children are in. However, the general course of implemented policy regarding Calais, with its emphasis on border security and control, has hardly been an issue of real debate. During a debate on the situation in the Calais Jungle in October 2016, then Home Secretary Amber Rudd, a fiercely anti-immigration Conservative, summed up the underlying rhetoric as: "We must have clear signs about who this country will willingly and enthusiastically protect and look after, because we have strong, proud British values, and about who we cannot. We should not do ourselves damage or in any way downgrade our values by saying that we should do more."6

Debates in recent years confirm the emphasis on boosting border security at Calais, and, in line with general European migration policies, are focused on preventing refugees from reaching Calais. In June 2015, then Home Secretary Theresa May stated that a solution to irregular migration needs to take place earlier, saying that "the ongoing situation in Calais serves as an important reminder of why EU member states need to work together to tackle the causes of illegal immigration in source and transit countries." However, she immediately narrowed this to "tackling the organised criminal gangs that facilitate the movement of migrants into and across Europe."

During the ensuing debate Labour and Conservative MPs alike tumbled over each other to praise the UK Border Force, stating that more should be done to stop refugees at Calais and on their journey before arriving there. Only SNP MPs urged the government to take in more refugees.<sup>8</sup>

As in many instances boosting border security at a certain spot forces refugees to look for other migration routes,<sup>9</sup> a dire situation that the British government is well aware of.

See for example: Barbara Tasch, 'They do not treat us like humans, they treat us like animals' — why refugees in Calais are so desperate to reach Britain, Business Insides, 3 February 2016; Pierre Lepidi, 'We want to work': refugees tell France why UK is so attractive, The Guardian, 9 March 2018; Aamna Mohdin, Channel migrant crossings: who is coming and why?, The Guardian, 28 December 2018; Clare Moseley, I spoke to 48 refugees trying to reach Britain about why they want to come here, Metro UK, 26 January 2019

House of Commons Hansard, Calais Jungle, Volume 615, 10 October 2016

In the same month this was reiterated by Minister for Immigration James Brokenshire: "We recognise that the problem does not begin in Calais. That is why we are enhancing joint work with France and other European partners to clamp down on the organised crime groups behind people smuggling"; House of Commons Hansard, Refugee Situation in the Mediterranean, Volume 97, 16 June 2015

<sup>8</sup> House of Commons Hansard, Border Management (Calais), Volume 597, 24 June 2015

See for example: Heaven Crawley and Nando Sigona, European policy is driving refugees to more dangerous routes across the Med, The Conversation, 29 March 2016; IOM, New study concludes Europe's Mediterranean border remains 'world's deadliest', press release, 24 November 2017

In December 2015, Michael Bates, Minister of State at the Home Office, told the House of Lords that: "As the security at Coquelles gets stronger and tougher, and as we then provide greater security around the port of Calais and move along to Dunkirk, Le Havre and other places, there will be displacement. People are going to be forced into the smaller ports and airfields that have been mentioned." However, the only response to this displacement is sought in more security at other places, with Bates referring to a then just announced "£9m for additional aviation security just to tackle that problem".10

Early in 2019, then Home Secretary Sajid Javid rang an alarm bell about the increase of attempts to cross the Channel by small boats that "are woefully ill-equipped to make such dangerous journeys." He then stated that the reasons for this increase "are diverse – and in many cases [...] outside of our control".

However, there are some important points that can be made here. He cites "instability in the regions such as the Middle East and North Africa", "organised crime groups [...] preying on and profiting from these vulnerable and often desperate people" and "strengthened security at the French/UK border [making it] increasingly difficult for stowaways to illegally enter the UK in trucks and cars". No reference, however, is made to how British foreign policies, including continued arms trade that fuels conflict and repression in these regions and policies focused on the reduction of 'irregular migration' on African transit routes including deals made with dictatorial regimes, feed the instability, or how boosted and militarised border security drives refugees in the hands of criminal smuggling networks as a last resort and forces them to take the more dangerous way of using boats to cross the Channel.

As can be expected, the solution Javid offers is more of the same. He ordered two Border Force boats to return from overseas deployment to join four other vessels dedicated to patrolling the Channel. In addition, he welcomed French willingness to increase surveillance and security to stop refugees from leaving the coastby boat. The UK also started to deploy aerial surveillance of the Channel, including the use of drones. Description of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the Channel of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance of the UK also started to deploy aerial surveillance aerial surveillance aerial surveillance aerial surv

Another reoccurring point of discussion is France's role in dealing with border security and with the Calais refugees in general. During a debate in September 2016 in the House of Lords about refugee children in Calais, Baroness Williams of Trafford, Minister of State at the Home Office, stated: "On camp clearances, we recognise that there are indeed children living in the migrant camp in Calais. Noble Lords have told a variety of heart-breaking stories of what they have seen and heard, but we must make it clear that the management and protection of children in Calais is predominately a matter for the French authorities."13 She reiterated this stance in November 2017 ("migrants in France are the responsibility of the French Government"), nevertheless also welcoming "the French Government's recent decision to deploy more police to the region."14

In other words, the UK government on the one hand clearly pushes the responsibility for the refugees to France, but on the other hand it constantly urges France to take more security measures and exercise more repression. This includes the growing use of biometrics for identification. The UK government urges French authorities to take fingerprints of refugees at Calais, in order to "use those biometrics in the Dublin process to ensure that the people are dealt with properly." <sup>15</sup>

House of Lords Hansard, Channel Tunnel: Migrants, Volume 767, 1 December 2015

UK Home Office, Statement: migrant crossings, 7 January 2019; awaiting the return of the two Border Force boats, the Navy temporarily deployed its vessel HMS Mersey to support border security on the Channel (UK Home Office, Navy vessel to be sent to the Channel, press release, 3 January 2019); also see: UK Home Office, Home Secretary bolsters Border Force fleet in the Channel, press release, 31 December 2018

House of Comm. Hansard, English Channel: Illegal Seaborne Immigration, Vol 653, 30 January 2019; BBC News, Drones monitor south coast of England for migrant boats, 5 December 2019

House of Lords Hansard, Calais Refugee Camp, Volume 774, 15 September 2016

House of Lords Hansard, Calais: Refugees, Volume 785, 2 November 2017

House of Commons Hansard, Refugee Camp: Calais, Volume 622, 6 March 2017

## **UK-FRANCE COOPERATION**

The Treaty of Le Touquet (see above) forms the basis of the current cooperation between the UK and France on border security and control al Calais. Since then this cooperation has been expanded and further specified in several joint statements and declarations.

The overall purpose of these statements, declarations and plans is to support more border security, tighter cooperation, more information and data exchange, fighting smugglers and an increasing emphasis on stopping migrants before they reach the Calais region.

Even in the joint UK-France Summit Declaration of March 2008, in which cooperation on migration and Calais is just a small part, this trend is already clear: the declaration mentions that the "cooperation [...] must reach further and include efforts to tackle the smugglers and traffickers who profit from the movement of people as well as working with countries of transit and origin to better manage migration." This includes: "Strengthen the security and quality of border controls at Calais by [...] reinforcing security fences around the port" and "exchange of data to enhance

identification, cooperation on redocumentation and joint flights where necessary."16

In March 2010, the Franco-British Joint Operational Coordination Centre [JOCC] in the port of Calais was opened with a triumphant statement, boasting about "the fall in migratory pressure" after the dismantling of the so-called 'Jungle' in November 2009.<sup>17</sup>

Half a year later, Immigration Minister Damian Green was still expressing a 'winning' mood: "Our figures indicate that the strength of UK and French controls at Calais along with the steps taken to clear the notorious camps near the port have sent a clear message to illegal migrants making for the British border – don't bother, you won't get in."18

A joint declaration issued just over a month later mentioned that the cooperation had been extended to allow "the exchange of information between our police forces to become standard practice." It pointed to the creation of the JOCC and "the deployment of new security equipment financed by the United Kingdom" as key factors in the strengthening of border controls.<sup>19</sup>

Joint UK-France Summit Declaration, 27 March 2008

19 UK Prime Minister's Office, UK-France Summit 2010 Declaration on Immigration, 2 November 2010

Embassy of France in London, Opening of the Franco-British Joint Operational Coordination Centre – Communiqué issued by the Ministry for Immigration, Integration, National Identity and Mutually-Supportive Development, 23 March 2010

<sup>8</sup> UK Home Office, Crack down continues on illegal immigration in Calais, news story, 22 September 2010

#### 2008

**27 MAR** Points about Calais in general Joint UK-France Summit Declaration

#### 2009

**7 JUL** Declaration on Immigration following the UK-France Summit in Evian

#### 2010

**23 MAR** Opening of Franco-British Joint Operational Coordination Centre [JOCC]

#### 2014

**20 SEP** Joint declaration by Bernard Cazeneuve, French Minister of the Interior, and Theresa May, Home Secretary of the United Kingdom

#### 2015

**2 JUL** Home Secretary Theresa May visits French Interior Minister Bernard Cazeneuve in Paris to discuss the migration situation in Calais

**20 AUG** Managing migratory flows in Calais: joint ministerial declaration on UK/French co-operation

#### 2016

**3 MAR** Statement on migration at 34th Franco-British summit

**30 AUG** Joint statement by the governments of France and the United Kingdom

**11 OCT** Joint press statement from Bernard Cazeneuve and Amber Rudd

#### 2018

18 JAN Sandhurst Treaty

**23 NOV** Opening of UK-France Coordination and Information Centre

#### 2019

**24 JAN** Joint action plan on combating illegal migration involving small boats in the English Channel

The next years would see rises and falls in the number of refugees at Calais, as well as the building of a new 'Jungle'. From the autumnof 2014 onwards, the increased number of refugees resulted in an increase in measures, funding and consultation between the UKand France. A joint declaration of September 2014 summed up a variety of measures tostrengthen the border security and controlinfrastructure at Calais, therefore ushering inan era of accelerated securitisation. Thosemeasures include the creation of a jointintervention fund, to which the UK contributes£4m a year for three years, the erection ofsecurity fences, increasing security at parkingareas, newer technologies for border controland the increased sharing of operationinformation between authorities.<sup>20</sup>These plans were taken forwardenthusiastically. In July 2015, then HomeSecretary Theresa May reported that fencingwas being installed at port access points. Sheannounced more funding for the interventionfund to "enable the installation of additionalessential arrangements to prevent access to the port via the beach". 21 One month later, another joint French-Britishministerial declaration, 'Managing migratoryflows in Calais', was issued, promising more of the same: France would reinforce the numbers of French police and gendarmes, while the UK would fund new high quality fencing, CCTV, infrared detection technology, flood lighting, a new integrated control room and the deployment of more private security guards by Eurotunnel Ltd. Both countries committed to deploy additional 24/7 freight search teams to look for stowaways and to more cooperation on police work, deportations and working with third countries, particularly Libya and Niger.<sup>22</sup> Meanwhile humanitarian aid organisations working in Calais reported the deteriorating situation for refugees. Médecins du Monde

noticed a sharp rise in people needing urgent

Joint declaration by M. Bernard Cazeneuve, Minister of the Interior, and Mrs Theresa May, Home Secretary of the United Kingdom, 20 September 2014
Home Office, Home Secretary meets French Interior Minister to discuss Calais, news story, 2 July

Ministère de l'Intérieur/UK Home Office, Managing migratory flows in Calais: joint ministerial declaration on UK/ French co-operation, 20 August 2015

help, saying refugees took ever greater risks trying to get to the UK in response to increased security measures. "The more difficult it gets, the more risks people are taking and the more dispirited everyone in the camp gets", said Chloe Lorieux of the Calais branch of the organisation.

2015 and 2016 saw the highest death toll under refugees at Calais<sup>23</sup>. Most people died in car or train related incidents, showing the dangerous situation created by the expanding security measures.

Nevertheless, a joint statement by Home Secretary Amber Rudd and French Interior Minister Bernard Cazeneuve in August 2016 again focused on more security and more UK funding. France deployed another 160 officers at Calais, whilst the UK promised more money "to ensure the overall longer-term security ofthe border and to contribute to the resettlementof migrants outside of Calais as part of the clearance operation."<sup>24</sup>

#### Clearing the 'Jungle' (again)

Cazeneuve and Rudd met again in October, the same month the new 'Jungle' was cleared and destroyed, leaving many refugees in even more dire circumstances than before. Their joint statement this time took aim at smugglers, talking about "close cooperation against illegal immigration networks targeting the UK will be strengthened" with the illusionary aim of "definitively ending all criminal activity carried out by people-smugglers."<sup>25</sup>

That same month a 26-year-old refugee from Sudan died in Calais after being beaten by a group of people smugglers.<sup>26</sup>

Experts have warned many times that, in spite of the official declarations of many Western

countries to tackle people smuggling, their migration policies drive refugees into the hands of criminal smuggling networks, thus supporting the market they wish to destroy.<sup>27</sup>

At the end of the month, Rudd herself announced another £36m "to maintain the security of [the joint] controls, to support the camp clearance and to ensure in the long term that the camp is kept closed." This funding came with the condition that the French government keeps the clearance of the camp "full and lasting". 28

As could be expected, the destruction of the 'Jungle' camp did not result in a migrant-free Calais. The number of refugees there dropped considerably, with many refugees dispersing to other places and therefore less public, press and political attention on the situation in Calais.

However, various factors, including the remaining number of refugees at Calais, complaints from the transport sector, the dispersal of refugees to other places along the French coast and not least Brexit negotiations, put the spotlight back on Calais, resulting in the adoption of a new treaty in January 2018.

#### Sandhurst Treaty

Even though the Sandhurst Treaty commits
France and the UK to "continuing strong
migration pressure", it does not focus on
increased security measures. It does, however,
lay down several new cooperation measures,
including the exchange of liaison officers to
facilitate operational cooperation between
France and the UK and the establishment of a
joint centre which should act "as an operational
crisis management centre [...] in the event of
acute migratory pressure". The Treaty also
strengthens cooperation on deportations and

- UNITED, List of 36 570 documented deaths of refugees and migrants due to the restrictive policies of "Fortress Europe", Documentation by UNITED as of 1 April 2019
- UK Home Office, Joint statement by the governments of France and the United Kingdom, press release, 30 August 2016
- UK Home Office, Joint press statement from Bernard Cazeneuve and Amber Rudd, news story, 11 October 2016
- Arras Solidarité Réfugiés et al., Meurtre d'un exilé à Norrent-Fontes: quand l'État ment afin de contourner une décision de justice, press release, 20 October 2016
- See for example: Thomas Spijkerboer, High risk, high return: how Europe's policies play into the hands of people-smugglers, The Guardian, 20 June 2018
- 28 UK Home Office, Statement on Calais, 24 October 2016

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21

joint actions in "illegal immigration source countries".<sup>29</sup>

Vague words in the treaty about accelerating the processing of migrants led people to falsely believe it would be easier to reach the UK, initially resulting in a sharp increase in refugees coming to Calais. There they were confronted with increased tensions and a lack in food and shelter.<sup>30</sup>

The implementation of the Sandhurst Treaty was overseen by the UK-France Migration Committee, a body of "policy experts and senior officials" from both countries.<sup>31</sup>

This committee meets bi-monthly to discuss "ongoing co-operation on migration and border security, including how agreed funding should be spent."<sup>32</sup>

Not much else is known about it as the UK government refused to give a list of its members, telling MPs: "The membership is not fixed, attendees vary over time and correlate to the issues being discussed." Usually, the Director General responsible for migration policies from the host, so either the UK or France, is chairing meetings.<sup>33</sup>

Following the concluding of the Sandhurst Treaty Home Secretary Rudd hailed the agreement as a "long-term commitment to the future of the juxtaposed controls" by both countries. She reiterated that the treaty broadens the geographical scope of the cooperation between the UK and France to "to reduce the illegal flows into France" by "joint practical measures in countries upstream".<sup>34</sup>

In November 2018, the new UK-France Coordination and Information Centre was opened, as agreed in the Sandhurst Treaty. At the centre the UK Border Force and the French Police Aux Frontières would work together to "assist with preventing illegal attempts to cross the shared border" and performing other tasks related to that and to combating cross-border criminality. As well as the main partners, other law enforcement agencies, such as Immigration Enforcement and the Kent Police from the British side and their French counterparts, would be involved in the coordination effort through the newcentre.<sup>35</sup>

#### **New target: Boats**

In January 2019 the UK and France agreed on a "Joint action plan on combating illegal migration involving small boats in the English Channel."

The action plan came in response to the perceived shift to the use of boats "[d]ue to the success of the measures already taken to secure the principal ports and means of embarkation on the French coast."

With this statement, both countries admit that their control and security policies have pushed refugees to more dangerous ways of attempting to cross to the UK, with Home Secretary Sajid Javid calling the maritime route a "dangerous journey across one of the busiest shipping lanes in the world" where refugees "are putting their lives in grave danger". 37

According to the action plan, the UK and French border forces will reinforce surveillance by air and maritime means and increase land

Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning reinforcemt of cooperation for the coordinated management of their shared border (Sandhurst Treaty), 18 January 2018

Mark Townsend, Border treaty blamed for Calais migrant surge that has led to violence, The Guardian, 3 February 2018

31 UK-France Migration Committee, Home Office written question, answered on 19th February 2019; also see: Ministère de l'Intérieur/UK Home Office, Managing migratory flows in Calais: joint ministerial declaration on UK/ French co-operation, 20 August 2015

UK-France Migration Committee, Home Office written question HL6692, answered on 11 April 2018

UK-France Migration Committee, Home Office written question, answered on 19th February 2019

House of Commons Hansard, Migration, Volume 634, 19 January 2018

35 UK Home Office, Joint UK-France centre opens in Calais to tackle criminality at border, press release, 27 November 2018

Home Office and Border Force, Joint Action Plan by the UK and France on Combating Illegal Migration Involving Small Boats in the English Channel, 24 January 2019

37 BBC News, Channel migrants: 'Record number' of boats and 74 people intercepted, 1 June 2016

#### Annex A: Cost profile of juxtaposed ports infrastructure and security work

Com	mitted Joint Fund Activity	Estimated cost (€m)
1	Redesign of the Calais port tourism zone (including relocating BF into 14 new booths, up from 10 currently)	2.45
2	Rocade fencing along the entry road to protect the approaches to Calais port	5.10
3	Additional cameras or Calais port perimeter	0.50
4	Extension of Calais port coach hall controls and offices (+ UK VAT). Increases coach controls from 8 to 13 in the coach hall (13–17 overall including the secondary coach hall)	3.10
5	Coquelles perimeter security (complete)	0.93
6	Ecluse Carnot fencing for the lock area in Calais port	0.06
7	Grant offer for security measures at Dunkerque (complete)	0.25
8	Communications work including Op Eros and translators to support PAF	0.165
9	Contingency for trafficked migrants (as agreed at the Migration Committee on 11 June)	0.75
10	Secure freight queueing at Calais port (truck buffer zone)	2.50
	Committed expenditure	15.81

		Additional Activity (not currently part of Joint Fund)			
I	11	Additional security infrastructure at Coquelles to secure Channel Tunnel	Final costs TBC		
	12	Additional funding for Calais Truck Buffer Zone to meet the total €4.5m	2.00		

patrols in the harbours of Calais and Boulognesur-Mer. Their efforts will be coordinated through the Joint Information and Coordination Centre. The UK also pledged up to €7m from the Sandhurst funds, including €3.6m of new funding for new security measures and equipment, such as CCTV, night goggles and automatic number plate recognition capability (ANPR).

Minister for Immigration Caroline Nokes told the House of Commons that migrants picked up in the channel will be taken to the nearest port.<sup>38</sup>

Without taking individual circumstances of the people involved and their right to ask for asylum into consideration, this could lead to illegal pushbacks, violating the principle of nonrefoulement in human right treaties such as the European Convention on Human Rights.<sup>39</sup>

Several refugee support organisations criticised the 'Joint action plan' as "a symptom of the desperation, untenable conditions and lack of safe and effective routes to seek asylum faced by displaced people in Northern France", noting that it "ignore[s] international law" by "sending asylum-seekers back to France without allowing them to have their claims assessed adequately in Britain."<sup>40</sup>

In August 2019 Home Secretary Priti Patel visited her French counterpart Christope Castaner to discuss the follow-up of the action plan. They agreed "tougher action was needed". This resulted in an enhanced action plan a month later, including a doubling of patrols on French beaches to prevent crossings to the UK.

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House of Commons Hansard, English Channel: Illegal Seaborne Immigration, Volume 653, 30 January 2019

https://www.ecchr.eu/en/glossary/push-back/; see also for example: UNHCR, Landmark judgment of the Strasbourg Court on push-backs in the Mediterranean Sea, press release, 23 February 2012

Refugee Rights Europe et al, Open letter: Home Office's 'Joint Action Plan' ignores international law, 25 January 2019

#### **Further externalisation: from Calais to Africa**

As described the cooperation between France and the UK does not only focus on Calais. Increasingly, both countries also look to prevent migration from countries of origin, therefore preventing refugees from reaching Calais in the first place. In July 2015 a conference was held in London, which focused on the migration crisis in the Mediterranean and beyond. The French and British governments committed to more cooperation on deportations and closer engagement with countries outside the EU.<sup>42</sup>

Three days later, there was a meeting of the UK government's emergency committee (Calais COBR meeting), where extra funding for more security fences and sending more search and dog teams to Calais was agreed. However, the official statement also explicitly mentions UK funding for joint deportations and "joint flights to countries like Sudan."

Singling out Sudan – one of the main countries of origin of migrants in Calais at that time<sup>44</sup> – is exemplary for the lack of respect for human rights: in 2015 the dictatorial regime of Al-Bashir – wanted by the International Criminal Court for crimes against humanity, war crimes and genocide in Darfur – was still in full command of the country.

The UK does not stand alone with this attitude. In April 2016, Neven Mimica, European Commissioner for International Cooperation and Development, visited Sudan and declared: 'The EU and Sudan have a unique opportunity to move its sometimes complicated relationship forward. Sudan is now at the forefront to fight irregular migration and human trafficking and smuggling in Sudan and the Horn of Africa.'<sup>45</sup> And indeed, since then Sudan has been

one of the EU's and UK's most controversial partners in its border externalisation efforts, signalling that they are happy to work with and strengthen authoritarian regimes for their own migration control purposes.<sup>46</sup>

During a UK-France Summit in March 2016, both countries published a new statement on migration.<sup>47</sup>

A large part of this statement focuses on joint UK-France efforts to cooperate with "migrants' countries of origin and transit, both in Sahel and Horn of Africa Countries" on border security and taking back deported refugees, signalling a further shift to border externalisation, in line with EU migration policies.<sup>48</sup>

It is also noted that the deployment of hotspots in Italy and Greece should prevent refugees from travelling further into Europe. In other words: the UK and France are increasingly seeking to shift responsibilities regarding refugees to other states, thereby pushing the European border into countries with often abysmal human rights records.

The cooperation between the UK and France in stopping refugees at Calais has been overwhelmingly positive for both governments. There have been some instances where French officials have demanded more money from the UK for border security and control work or the UK has said France should be doing more to stop migration. In parliamentary debates MPs, mostly from the Conservative Party, have criticised French efforts to stop irregular migration, which can largely be ascribed to political posturing.

42 UK Home Office, Joint action between the UK and France on migrant pressure, news story, 29 July 2015

43 UK Government, Calais COBR meeting 31 July 2015: statement, press release, 31 July 2015

44 All Party Parliamentary Group for Sudan and South Sudan, Engagement Beyond the Centre: An Inquiry Report on the Future of UK-Sudan Relations, February 2017

Neven Mimica, EU and Sudan to strengthen dialogue and cooperation, Sudan Tribune, 6 April 2016

See for example: Suliman Baldo, Border control from hell: how the EU's migration partnership legitimizes Sudan's 'militia state', Enough, April 2017; Rebecca Lowe, 'Deals with the devil always unravel': the UK blind spot for Sudan's abuses, The Guardian, 24 April 2018

34th Franco-British summit, Statement on migration, Amiens, 3 March 2016

See: Mark Akkerman, Expanding the Fortress: The policies, the profiteers and the people shaped by EU's border externalisation programme, Stop Wapenhandel/TNI, March 2018

## **UK FUNDING**

In the last decade alone, the UK has thrown millions of pounds into funding border control and security measures in and around Calais. Though the exact amount is not clear, the UK Home Office claimed to have spent £315.9m (see table below) "to deter illegal immigration in Calais and the surrounding region" from 2010/11 to 2015/16, in response to a Freedom of Information (FOI) request. It clarified that this includes "investing in security infrastructure at the juxtaposed controls, supporting the French Government in providing migrants from Calais with suitable alternative accommodation elsewhere in France, tackling the people smugglers, encouraging migrants to claim asylum in France and returning those not in need of protection to their home country", but refused to give a detailed breakdown of the budget and measures funded, because such "disclosure may jeopardise national security". 49

Other totals have since been put forward. In February 2018, Minister for Immigration Caroline Nokes said that "[s]ince 2014 the United Kingdom has invested approximately

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£200m to fund joint co-operation on illegal migration in northern France".<sup>50</sup> In January 2019, Conservative Party MP Philip Hollobone said during a parliamentary debate that the government had spent £148m on extra security at the port of Calais since 2014.<sup>51</sup> This figure was mentioned in a news story the week before by the Russian state-owned press agency Sputnik, covering "fencing around the Eurotunnel, lighting on motorways, CCTV and private security guards", but its source is unclear.<sup>52</sup>

The British government has made it no secret that any funding given to the French authorities regarding Calais is clearly focused on security. James Brokenshire, Minister for Security and Immigration said in January 2015: "Our financial support is focused on security at Calais and on confronting the organised criminality that seeks to take advantage of those trying to come to the UK. The juxtaposed controls absolutely benefit this country and we have no plans to change that." 53

<sup>49</sup> UK Home Office – Border, Immigration & Citizenship System Policy and Strategy Group, FOI Reference: 41250, 28 April 2017, found at: https://fullfact.org/media/uploads/foi\_response\_41250\_-r.pdf

House of Commons Hansard, Security Spending (Calais), Volume 636, 26 February 2018

House of Commons Hansard, English Channel: Illegal Seaborne Immigration, Volume 653, 30 January 2019

<sup>52</sup> Sputnik News, UK to Spend Over \$7MIn on High-Tech Equipment in Calais to Stem Migrant Tide, 24 January 2019

House of Commons Hansard, Border Security (Calais), Volume 590, 5 January 2015

Total annual costs for the Border Force at Calais and surrounding locations from 2010/11 to 2015/16 to secure the border



£315.9<sub>M</sub>

**Total spent between** 2010 and 2016

Consequently, most money is spent on expanding border security measures and introducing new technology. When it comes to bigger funding packages, it is often not possible to an exact funding breakdown, given the government's reluctance to provide more detailed figures. Some insight can be obtained from a Freedom of Information request and a more specific breakdown of expenditure the UK government gave in the case of the joint intervention fund announced in September 2014. From the £12m the UK contributed to this fund. £10.5m had been committed as of Mav 2018. Of this, £2.38m would go to government departments, while the other £8.12m would likely be allocated to "the private, public and voluntary sector".54 To protect 'commercial interests' the Home Office refused to name the companies.

In July 2015, Minister for Immigration James Brokenshire provided a detailed breakdown of the joint intervention fund spending to parliament, showing most funding went towards perimeter security (fences and cameras) and a rehaul and extension of control

At the end of that month, then UK Home Secretary Teresa May pledged up to £7m for extra security at the Channel Tunnel railhead at Coquelles during a meeting with French Interior Minister Bernard Cazeneuve.55

Another £3m was spent on new scanners and detection technology for searching of freight vehicles and dog searching by contractors. At Coquelles perimeter security was upgraded. 56

In March 2016 the UK government pledged £17m more for "priority security infrastructure work, alternative accommodation outside Calais and returning people to their home countries."57

One year later Minister for Immigration Robert Goodwill said he UK would spend up to £36m for the same goals.58

The UK has also co-funded the clearance of refugee camps at Calais. According to Goodwill, "the site of the former Calais camp remains clear and there is ongoing work, supported by UK funding, permanently to remove all former camp infrastructure and accommodation and to restore the site to its natural state. That work will help to prevent any re-establishment of squats or camps in the area."59

The border security and control infrastructure at and around Calais has rapidly expanded in recent years, mostly due to pressure by the UK. In her thesis 'Borders, Industry, Logistics: Reflections on the Securitarization of Calais', Kelly Bescherer paints a picture of the security situation at Calais and the diverse actors involved, which include the UK Border Force, French national, regional and local security authorities, private security companies and the

transport industry.60

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SECURITY INFRASTRUCTURE

The infrastructure consists of a combination of measures to stop refugees and measures to detect them. Not only are there information campaigns to deter refugees from attempting to cross the Channel, security fences, sniffer dogs, heartbeat detectors, private security guards, CCTV technology, thermal cameras, infrared barriers, X-ray technology, biometric controls, armed riot police, intrusion detection equipment, vehicle scanning, razor wire, surveillance drones, detention centres and deportation jets are all used on people attempting to make the crossing.61

The temporary deployment of a naval vessel to patrol the Channel in early 2019 signals a step towards militarisation of the border. On the French side, the use of drones from the French Naval headquarters for the Channel and North Sea to detect refugees before setting off from the shore shows an increasing will for military intervention.62

At several places in and around Calais border walls and fences are built to stop refugees from entering certain zones, such as the entrances to the port and to the tunnel. In early 2019, French authorities built a 10ft high security fence around one specific petrol station, which was known as a place where refugees would try to climb into lorries. 63 These barriers are part of a rapidly expanding amount of border walls and fences in the EU. Member States of the EU and/or the Schengen Area have constructed almost 1,000 kilometres of walls by 2018, the equivalent of more than six times the total length of the Berlin Wall.64

UK Home Office, Letter to LP Brooks regarding Freedom of Information request, CR34419, 19 May 2015 Rt Hon James Brokenshire MP, Minister for Immigraon, to the Committee Chair, Annex A, 21 J

UK Home Office, Joint action between the UK and France on migrant pressure, 29 July 2015 House of Commons Hansard, Border Management (Calais), Volume 597, 24 June 2015

UK Prime Minister's Office, Speech at UK-France Summit: 3 March 2016, 3 March 2016

House of Commons, Refugee Camp: Calais, Oral Answers to Questions, 6 March 2017, as further clarified by Minister of State Baroness Williams of Trafford in a debate in the House of Lords: House of Lords Hansard, Calais: Refugees, Volume 785, 2 November 2017

House of Commons Hansard, Refugee Camp: Calais, Volume 622, 6 March 2017

Kelly Bescherer, Borders, Industry, Logistics: Reflections on the Securitization of Calais, Masterarbeit, Institut für Sozialwissenschaften, Humboldt-Universität zu Berlin, April 2017

Also see: BBC News, Calais migrants: How is the UK-France border policed?, 3 March 2016

Jamie Johnson, Calais police using drones to arrest migrants before they cross Channel, The Telegraph, 5 December 2018

Romina McGuinness, Migrant crisis: Calais builds wall around petrol station to protect UK-bound Iorries, Daily Express, 25 January 2019

Ainhoa Ruiz Benedicto and Pere Brunet, Building walls: Fear and securitization in the European Union, Centre Delàs/TNI/Stop Wapenhandel, September 2018



#### **UK Border Force**

Based on the agreements with France, the UK Border Force is actively operating in Calais. The number of officers varies but is at least in the hundreds. They perform additional border control checks and search for refugees hiding in vehicles. In July 2015, Theresa May, then Home Secretary, described the way such border controls are carried out: "Freight vehicles entering Calais, the Eurotunnel site at Coquelles and Dunkirk underwent intensified screening for clandestine illegal entrants, using some of the best techniques and technologies in the world, including sniffer dogs, carbon dioxide detectors, heartbeat monitors and scanners, as well as visual searches to find and intercept stowaways."65

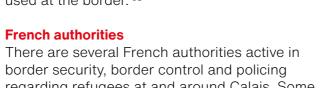
Until a few years ago, the British Home Office regularly published 'success stories' about

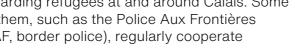
detecting refugees and handing them over to the French border police. Press releases from April and July 2013 see the Home Office bragging about having detected "would-be illegal immigrants" in lorries, with the use of "sniffer dogs, [...] heartbeat detectors, carbon dioxide probes and physical searches to find people hiding in vehicles". Most of those found were handed over to French authorities, including two Syrian refugees fleeing the escalating civil war.66

The UK authorities frame desperate people like these as a security threat. Paul Morgan, UK Border Force Director for South East & Europe, said in June 2013: "Our strong presence in French ports like Calais and Dunkerque, and close collaboration with French authorities, helps protect the whole of the UK from people attempting to enter the country illegally". He was speaking about three Afghan refugees, including a 12-year-old child, hiding in a caravan waiting to board a ferry at the port of Dunkerque.67

In 2016, then Home Secretary Theresa May predicted that British involvement in security measures in France would eventually move beyond Calais: "One of the challenges we face is that, because of the extra security measures we have taken, particularly at Calais and Coquelles, it is obviously much harder for people to get on lorries at those places. We are now having to work with the French Government—it is not just about searching lorries; it is about working upstream as wellto try to identify places further afield where people may be trying to get on the lorries, so that we can catch them at that stage, rather than relying on searches or techniques that are used at the border."68

border security, border control and policing regarding refugees at and around Calais. Some of them, such as the Police Aux Frontières (PAF, border police), regularly cooperate





House of Commons Hansard, Calais, Volume 598, 14 July 2019

UK Home Office, Would-be illegal immigrants caught in Calais by Border Force, 10 April 2013; UK Home Office, Immigration Minister sees Border Force in action, 26 July 2013

UK Home Office, Border Force find stowaways hiding in caravan, 28 June 2013; also see: UK Home Office, Illegal immigrants found in Dover-bound lorry, 1 August 2011

House of Commons Hansard, Migration (Africa to Europe), Volume 608, 11 April 2016



with the UK Border Force in Calais. Another important, and very visible, player is the French riot police, the 'Compagnies Républicaines de Sécurité', armed with guns, batons and body armour.<sup>69</sup> Calais is one of the few places in France where this police force is on permanent duty. It is often joined by the 'Gendarmes Mobiles', a part of the French Gendarmerie, for guarding security fences and carrying out ID checks.70

Other than the work carried out in Calais on British territory, the UK government otherwise thinks of border security and control at Calais as an arrangement in which they provide money and leave the details of implementation to French authorities.<sup>71</sup> This closely resembles the way EU border externalisation efforts towards African countries work, where large

sums of money and other favours, are allocated to non-EU countries in exchange for stopping refugees from travelling towards Europe (see section below). There are also similarities in how the British externalisation policy regarding Calais is expanding its focus from only stopping refugees at Calais to stopping them before they reach Calais, on their way in France or before entering France or even Europe, just like the EU is gradually pushing its border externalisation efforts southwards in Africa.

There is however one significant difference. The EU is able to put pressure on third countries in Africa because of their unequal relationship in terms of power and economic development, to such an extent that it can almost enforce them to cooperate, for example through threatening to withhold development cooperation money

BBC News, Calais migrants: Work to start on UK-funded wall, 7 September 2016 Kelly Bescherer, Borders, Industry, Logistics: Reflections on the Securitization of Calais, Masterarbeit, Institut für Sozialwissenschaften, Humboldt-Universität zu Berlin, April 2017

For example: in a parliamentary debate in July 2015 Home Secretary Theresa May said: "I would expect it [secure zone] to be policed by the French police, because the British police do not police in other member states. We are providing £12m, and the security arrangements we are putting in place in Calais will be paid for from that sum of money"; House of Commons Hansard, Calais, Volume 598, 14 July 2015

or to worsen trade relations. Of course, the relationship between the UK and France is much more equal in these aspects, putting equal blame on their handling of the situation at Calais.

#### The policies of EU border externalisation<sup>72</sup>

While disagreements about migration policies within the EU are getting stronger, such as those over the 'distribution' of refugees between member states, and the consensus about strengthening the security at the external borders is sometimes undermined by member states' reluctance to provide money, personnel and equipment to put this into practice, there is a strong agreement about cooperation with non-EU-countries to stop refugees earlier on their way towards Europe.

This externalisation of the European border means that if these refugees do not reach European territory, individual member states do not have to process them, nor do they have to respect their rights to claim asylum. By placing third countries in the role of border guards, the EU is absolved of its moral and legal obligations towards refugees. Countries in northern Africa are forced to act as outpost border guards via a system of rewards and threats. If they cooperate, they receive favourable trading rates, international development funding and favourable visa conditions for their own citizens; if they choose not to cooperate and turn sub-Saharan African migrants away, development aid and other benefits are cut back.

Though not new, there has been a growth in border externalisation measures and agreements since 2005 and a massive acceleration since the November 2015 Valletta Europe – Africa Summit. Using a plethora of new instruments, in particular the EU Emergency Trust Fund for Africa (EUTF), the Migration Partnership Framework and the Refugee Facility for Turkey, the European Union and individual member states are now providing millions of euros for an array of projects.

This includes collaboration with third countries in terms of accepting deported persons, training of their police and border officials, the development of extensive biometric systems, and donations of equipment including helicopters, patrol ships and vehicles, surveillance and monitoring equipment. Whilst many projects are carried out through the European Commission, a number of individual member states, such as Spain, Italy and Germany, also take a lead in funding and supporting border externalisation efforts through bilateral agreements with non-EU-countries.

What makes this collaboration particularly problematic is that many of the governments receiving the support are authoritarian, with horrific human rights records, and thatthe support they are receiving often goesto precisely the state security organs most responsible for repression and abuses ofhuman rights. There seem to be no limits to the EU's willingness to embrace dictatorial regimes as long as they commit to preventing 'irregular migration' reaching Europe's shores. Currently, there are EU agreements with regimes as infamous as Chad, Niger, Belarus, Libya and Sudan, providing EU taxpayers' funds to support brutal human rights repressions.

A lesser recognised part of this externalisation is the increasing military presence of EU and member states in third countries, such as Niger, Libya, Tunisia and Mali. For the EU missions in Niger and Mali, stopping migration has been added as a goal. In Niger, for example, next to this EUCAP Sahel mission there are Italian, French and German troops present to assist in border security, while Germany has donated vehicles and communications equipment, and Germany and the Netherlands funded the establishment of a new special border force to stop migration.<sup>73</sup>

TO THE EU'S WILLINGNESS TO EMBRACE DICTATORIAL REGIMES AS LONG AS THEY COMMIT TO PREVENTING 'IRREGULAR MIGRATION' REACHING EUROPE'S SHORES TO THE TO

The dual policy trends of militarisation and externalisation of the European borders has devastating consequences. Foremost for refugees, who are forced to look for other, often more dangerous, migration routes, are confronted with ever more violence or remain trapped in dire circumstances, whether in refugee camps in- or outside Europe or living in illegality. But especially the consequences of externalisation reach much further, from strengthening dictatorships and repression to undermining political and economic stability in the countries concerned as well as diverting and abusing development cooperation money. This all will highly probably end up in more refugees in the future, thereby even contradicting the stated interests of the EU itself.74

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#### **Private security companies**

A proportion of the border security and control work at Calais, predominantly on the British side, is outsourced to private companies. This includes searching, initial detention and transport of detained refugees. More information on this, and the companies involved, can be found in the next chapter.

#### **Transport industry**

In principle all vehicles passing the border need to go through X-ray scans carried out by the UK Border Force. The UK imposes hefty fines against lorry drivers for each person found hiding in their vehicle attempting to cross the border. In March 2019, for example, one driver was fined £12,000 after 20 refugees were discovered in his truck in September 2016.

Based on: Mark Akkerman, Expanding the Fortress: the policies, the profiteers and the people shaped by EU's border externalisation programme, Stop Wapenhandel/TNI, May 2018

<sup>73</sup> Die Zeit, Deutschland und Niederlande geben für Polizeitruppe im Niger zehn Millionen Euro, 1
November 2018

While the EU is focused on lowering the number of migrants entering or staying in Europe, on the other hand economic realities play a role in which migrants are wanted: the capitalist EU economy needs migration to keep running. This ranges from certain parts of the market being somewhat dependent on cheap labour by exploiting undocumented migrants, with not having to worry about their labour or human rights, to the looming ageing of the European population and the need to have migrants fill the foreseen holes in the labour market in the future

House of Lords Hansard, Calais: Illegal Immigrants, Volume 757, 27 November 2014
BBC News, Dudley lorry driver fined £12k over Calais migrants, 5 March 2019



Whilst the UK government presents this policy as cooperation with the haulage industry, it is essentially a specific form of forced outsourcing, which has led to growing dissatisfaction amongst drivers.<sup>77</sup>

It has prompted the transport industry to implement its own security measures to stop refugees from getting on board. Apart from drivers visually checking their vehicles and avoiding places and moments where refugees can climb in, this has resulted in an increase in sales of security technology aimed at individual drivers, such as cameras and intruder detection products.

Unsurprisingly given British policy to shift part of the responsibility for border security to them, the trade association of the British Road Transport Operators, the Road Haulage Association (RHA), thinks the elaborate security infrastructure at Calais is still not enough. Spokesperson Rod McKenzie called for the deployment of the French military to "bring the situation under control", where "fencing and concrete walls are only a very small part of the solution."

Catrin Nye, 'I'm a trucker not an immigration officer', BBC News, 10 June 2015 Note that the EU, in its Action Plan Against Migrant Smuggling (2015-2020), also raises this issue: "Prevention measures should target businesses most affected by smuggling. Establishing partnerships with business operators in the sectors most at risk transport and shipping - is crucial for enabling them to take adequate measures." (European Commission, EU Action Plan against migrant smuggling (2015 - 2020), COM(2015) 285 final, 27 May 2015). In 2019 Commissioner Avramopoulos writes in answer to MEP questions: "In this context, in May 2018, the Commission launched an online resource for the use of drivers, owners and operators of road freight vehicles. It provides users with a comprehensive reference toolkit to assist in securing their vehicles including from the risk of hidden irregular migrants. The resource was developed and designed in close collaboration between the Commission, Member States and representatives of the road haulage sector, including freight companies and industry organisations. Over 2000 users have been recorded in its first 6 months of operation. Moreover, as a follow-up to the study on safe and secure parking places for trucks, the Commission has put into place an expert group and envisages to contribute to the funding of parking areas." (European Parliament, Assault on Bulgarian lorry driver in Calais, Answer given by Mr Avramopoulos on behalf of the European Commission, E-000366/2019, 16 May 2019

79 Road Haulage Association, Is Caen the new Calais? The RHA gives Victoria Derbyshire the full story, press release, 30 May 2018

## **PROFITEERS**®

In 2016 the Calais Research Network published a list of companies involved in the border security infrastructure at Calais, including those shown overleaf.

One of the biggest profiteers is Eamus Cork Solutions (ECS), which provides "freight searching detention and escorting services at Dunkirk and Calais in the British Control Zones", essentially carrying out core tasks of the UK Border Force. Such privatisation of public security tasks comes with its own risks in terms of accountability and democratic control.

ECS was founded in 2004 by a former policeman from Calais and received its first contract for port security in 2011, comprising £7.1m for three years' work. This contract and ECS' role has been extended and expanded since, culminating in a new December 2016 contract worth €26.8m for the provision of a total of forty Authorised Search Officers, 24 hours per day, 365 days per year", who "will search vehicles by using detection technology or by working collaboratively with another

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Contractor which provides detection dog teams and undertake escorting functions which may require the detention of an individual pending the arrival of a Border Force Officer". The contract runs for three years (2017–2019), with the possibility of two one-year long extensions.<sup>81</sup>

ECS often cooperates with dog handlers from Wagtail from Holywell in Wales, which also saw its role expanded since its first contract for work in Calais in 2008. Currently Wagtail works under a £9.3m contract running from March 2015 to March 2020.82 Many of its dog handlers have a military background, with service in conflict zones such as Afghanistan, Iraq and the Balkans.83

In the summer of 2015, then PM DavidCameron suddenly announced the use of moresniffer dogs at Calais, prompting a franticsearch for more dogs by Wagtail. Meanwhile,the managing director of another sniffer dog called the step useless: "You can see thehordes of people approaching the fences.

For this part, extensive use has been made of the research done by the Calais Research Network, https:// calaisresearch.noblogs.org/contractors/

Contract award notice: https://ted.europa.eu/udl?uri=TED:NOTICE:39786-2017:TEXT:EN:HTML&tabld=1

<sup>82</sup> Contract award notice: https://www.contractsfinder.service.gov.uk/Notice/ef402d0f-aa43-404d-b5c6-6cf9f8c46c16

Graham Henry, Wagtail sniffs out opportunities after Border Agency deal, WalesOnline, 11 August

Company	Description
AMG Systems	CCTV Technology for Eurotunnel
ATMG	Security on the Container Camp construction site
Biro Sécurité	Biometric technology and security guards in the Container Camp / Jules Ferry Centre
Buzzlines Travel	Transport of UK Border Officers
Chess Dynamics Ltd	Day/night vision systems for UK Border Force boats
Clearview Communication	Eurotunnel CCTV
Eamus Cork Solutions	Freight searching, detention and 'escorting' in the Calais, Dunkirk & Boulogne ports
FLIR Systems	Thermal cameras
Groupe CW (Clôtures Michel Willoquaux)	Fences at the Container Camp
Jackson's Fencing	Fences and gates at the Eurotunnel site
L-3 Communications Ltd	X-ray scanning equipment
Logistic Solutions	Containers for the Container Camp
Mondial Protection	Port and rail freight security
Rapiscan Systems Ltd / OSI Systems	X-ray technology
Roke Manor Research / Chemring Group	PMMWI (Passive Millimeter-Wave Imaging) and vehicle scanning
Scan-X Security Ltd	X-ray technology
Smiths Detection	X-ray technology
Sorhea	Infrared barriers along the port fence
Tascor	Holding facilities and detainee transport in the UK, Calais & Coquelles
Thales	Organising port security and (possibly) producing Eurotunnel surveillance drones
Twin Jets	Renting private jets for deportation
Vinci	Clearing of 'The Jungle', building of the 'Great Wall of Calais'
Wagtail	UK Border Force detection dogs
Zaun Ltd	Fence surrounding the port of Calais

No-one's hiding. Body-detection dogs are null and void at this stage."84

As the list above shows, many companies have delivered technological goods for search and detection, such as X-ray and CCTV technology. Among the providers of X-ray equipment are large international military companies as L-3 Communications (US) and Smiths Detection (UK).

Fences and other physical barriers are another important part of the security infrastructure. While clearly meant to keep refugees out, many companies prefer to reframe the use of their goods in more acceptable vague terms of safety and protection. Peter Jackson, of Jackson Fencing, stated about its company building of 8.5 kilometres of security fences at Calais: "I don't believe that any of us involved in the higher end of the perimeter security industry subscribe to the idea of creating an 'anti-immigration' fence as it has been dubbed by some but rather to providing a 'protect and defend barrier' which serves to keep everyone safe and Eurotunnel operating efficiently." 85

Vinci, a French company and the largest construction company in the world, has played a particularly worrying role at Calais by being responsible for both the demolishing of the 'Jungle' camp and part of the building of the security wall between the former 'Jungle' and the motorway to the busiest port. The UK funded the building of this £2.3m wall, which was overseen by French authorities.<sup>86</sup>

In two instances in 2016, Vinci subsidiary Sogea Nord Hydrolique bulldozed shelters in the 'Jungle' camp, trying to cover up its involvement by ordering the employees to refrain from wearing company uniforms. Trade union workers at Vinci revealed the company's involvement.<sup>87</sup>

Eurovia, another subsidiary of Vinci, was one of the construction companies involved in the building of the 4m high security wall, also known as the 'Great Wall of Calais'. This wall was completed two months after the demolition of 'The Jungle', raising questions about its usefulness. Calais mayor Natacha Bouchart had tried to stop the building, arguing that it had become unnecessary, but was blocked in court.<sup>88</sup>

Home Secretary Amber Rudd refused to take responsibility, stating that the UK did give France money to increase border security at Calais, but that it was up to France to decide how to do this and how to spend the money.<sup>89</sup>

French company Thales is one of the largest arms producers in the world and a main player in the European border security market and is also deeply involved in industrial lobbying in this area. 90 Thales Security Systems provides the security system for the port in Calais. This surveillance and access control systems includes revolving doors, IP cameras along the fence, and a monitoring station. 91 Two FLIR thermal imaging cameras were integrated in this system. According to Hervé Couret, Port Facility Security officer: "The thermal imaging cameras [...] help us to comply with the [...] 'Le Touquet Treaty". 92

Thales is also the most likely producer of two military drones that carry out surveillance over the Eurotunnel site. Though the contractor for this hasn't been publicly announced, pictures of the drones in use closely resemble the Thales

Gillian Orr, Calais crisis prompts a recruitment drive for police sniffer dogs and handlers, The Independent, 3 August 2015

<sup>85</sup> Security News Desk, Building security for border control, 16 March 2016

Calais Research Network, The Calais Wall: Vinci and the other profiteers making a killing from building an anti-migrant barrier, 16 October 2016

<sup>87</sup> Reporterre, Vinci est l'entreprise qui détruit la « jungle » de Calais, 26 October 2016

Matt Broomfield, Calais Jungle wall is completed two months after all the refugees were driven out, The Independent, 13 December 2016

BBC News, Calais migrants: Work to start on UK-funded wall, 7 September 2016

<sup>90</sup> Mark Akkerman, Border Wars: the arms dealers profiting from Europe's refugee tragedy, Stop Wapenhandel/TNI, 2016

Kelly Bescherer, Borders, Industry, Logistics: Reflections on the Securitization of Calais,
 Masterarbeit, Institut für Sozialwissenschaften, Humboldt-Universität zu Berlin, April 2017
 http://www.flirmedia.com/MMC/CVS/Appl\_Stories/AS\_0004\_EN.pdf

Spycopter 'fully autonomous mini multi-role VTOL [vertical take-off and landing]' drones. 93

The UK Border Force fleet consists of five patrol boats, known as cutters, and six smaller coastal patrol vessels (CPVs), which are sometimes (and increasingly often) used to patrol the Channel for irregular migrants on (small) boats.<sup>94</sup>

Welsh company Holyhead Marine built the CPVs. Four of the five cutters were delivered by Dutch shipbuilder Damen Shipyards, a well-known company in the global maritime border surveillance market, while the fifth was built by the Rauma shipyard in Finland and originally in service with the Finnish Border Guard. The cutters are equipped with Day/Night Vision Systems by Chess Dynamics, under a £1m contract agreed in 2015.95

The total market for border security and control at Calais encompasses many goods and services. For example, in December 2018, French company Axialys got a 42,000 GBP contract for the provision of two rigid highspeed roller doors for a vehicle search shelter. because the existing doors were "found to be lacking the ability to minimise vibration to hard sided doors". According to the UK Border Force, the "search shelters located at juxtaposed ports [...] require a sterile environment to minimise false readings" in the officers' "search for people that are attempting to enter the UK."96 Another French company, Agenor, received a two year-contract in February 2018 for industrial cleaning of the shelters at Calais, Coquelles and Dunkerque.97

As is the case with the continuing boost of border security, and the development of increasingly advanced technologies, presented

by the industry itself as indispensable to stop refugees, the future of border security at Calais looks promising for the military and security industry. In April 2016, then Home Secretary Theresa May told the House of Commons that the Government would "continue to look at improvements in technology that may enable [it] to put in place equipment that is even better at detecting people when they try to stow away in [...] vehicles", adding: "[W]e cannot do that once and expect it to cover everything; we have to keep going at it, which is exactly what we are doing." "98"

In 2018, the Home Office launched two 'requests for information' to get an idea which companies could offer the '[s]upply and maintenance of radar coastal surveillance technology for the detection of small boats' and 'a next generation fast screening technological solution to screen between 200 to 250 freight vehicles per hour which is capable of responding to changing patterns on concealment where persons illegally stowed are increasingly hidden deeper within trailer loads' (for an estimated value of £20m).<sup>99</sup>

These requests have not led to tenders or contracts as of yet, but it is clear that the British government is looking into more surveillance equipment to boost border security, both at land and at sea.

#### Consequences

The awful situation of refugees trapped in and around Calais and the repression by French police against them have been widely documented. In July 2017, Human Rights Watch released a report on the situation in Calais, concluding that "police in Calais, particularly the riot police (Compagnies républicaines de sécurité or CRS), routinely use pepper spray on

- https://calaisresearch.noblogs.org/contractors/; Peter Burt, Off the leash: the development of autonomous military drones in the UK, Drone Wars UK, November 2018
- Jamie Johnson and Charles Hymas, Border Force ships ordered to patrol the Channel for migrants are still in the Mediterranean, The Telegraph, 21 January 2019
- 95 Contract award notice: https://www.contractsfinder.service.gov.uk/Notice/53f1fae3-af4e-4123-82a3-9ef148dfe848
- Ontract award notice: https://www.contractsfinder.service.gov.uk/Notice/cb5a5dcf-2174-4c42-b61a-563bebe30f30? p=@FQxUIRRPT0=NjJNT08=U
- 97 Contract award notice: https://www.contractsfinder.service.gov.uk/Notice/401be6a0-9ece-47f1-8bf3-209e2617a058? p=@FQxUIRRPT0=NjJNT08=U
- House of Commons Hansard, Border Force Budget 2016-17, Volume 608, 20 April 2016
- Prior information notice: https://ted.europa.eu/udl?uri=TED:NOTICE:170992-2018:TEXT:EN:HTML&tabld=1; prior information notice: https://ted.europa.eu/udl?uri=TED:NOTICE:173430-2018:TEXT:EN:HTML&src=0



child and adult migrants while they are sleeping or in other circumstances in which they pose no threat; regularly spray or confiscate sleeping bags, blankets, and clothing; and sometimes use pepper spray on migrants' food and water. Police also disrupt the delivery of humanitarian assistance."

Amnesty International pointed out that many refugees in Calais and Dunkirk had solid legal claims to be reunited with their families in the UK, but due to lack of access to information were unaware of their rights and options.<sup>101</sup>

In April 2019, Leilani Farha, the United Nations' special rapporteur for housing, called on France to stop evicting people from tents at Calais in violation of the right to adequate housing and to work on bettering their living conditions.<sup>102</sup>

According to Farha, "the systematic and repeated nature of these forced evictions during winter suggest they also constitute cruel, inhuman or degrading treatment of one of the most vulnerable populations in France".

The increasing repression and expanding security infrastructure at Calais has led to a dispersion of refugees, resulting in increasing groups of refugees at embarkment points to the north, notably to Dunkirk (France), Oostende (Belgium) and Hoek van Holland (The

Netherlands). This is a common phenomenon: once border security at certain migration routes is boosted, refugees are forced to look for other, mostly more dangerous, routes. This also often leads to heightened security at new routes, pushing refugees to look even further afield.

Neighbouring countries immediately increased their own security measures in reaction the clearing of the 'Jungle' camp. When the clearance was first announced by French authorities, the Belgian government sent over 250 officers and a helicopter to the border with France to prevent the inflow from refugees leaving or passing Calais. The Dutch government deployed armed forces personnel to Hoek van Holland and other harbours to support the military police in searching for migrants that try to travel to the UK.

Prior to this measure, then Home Secretary Theresa May had been talking to Belgian and Dutch authorities about migration to the UK.<sup>105</sup> A year earlier Minister for Immigration James Brokenshire had already spoken highly about the cooperation with The Netherlands, which had resulted in "a joint action plan that will embed regular data and intelligence sharing between Border Force and its Dutch equivalent".<sup>106</sup>

CALAIS & THE EU

The developments at Calais follow the same discourse that the EU and the majority of its member states has taken: securitisation of migration, militarisation of the border and more emphasis on border externalisation.<sup>107</sup>

Regarding the latter, Minister for Immigration Caroline Nokes said in February 2018: "An important component of the recent [Sandhurst, MA] treaty looks at the whole route of migration. It is critical that we understand we cannot solve this solely by working with France." 108

At the European level, there has been little attention paid to the situation in Calais. In August 2015, the European Commission approved funding for member states' national programmes under the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF).<sup>109</sup>

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For France and the UK part of their programmes are concerned with the situation in Calais.<sup>110</sup>

That same month, European Commissioners Frans Timmermans and Dimitris Avramopoulos praised the cooperation between the UK and France as "put[ting] into practice the common approach agreed in the European Council."

Shortly thereafter both Commissioners visited Calais and pledged €5.2m in emergency assistance funding, under the AMIF, "to set up a tent site offering humanitarian assistance to around 1,500 illegal migrants residing in the area surrounding the day centre 'Jules Ferry' and to support the transport of asylum seekers from Calais to other locations in France." 'Jules Ferry' was established with €3.8m emergency funding the European Commission had

Human Rights Watch, "Like Living in Hell": Police Abuses Against Child and Adult Migrants in Calais, 26 July 2017; in reaction to this report an inquiry was carried out on request of the French Ministry of the Interior, largely confirming the findings of Human Rights Watch; Human Rights Watch, France: Inquiry Finds Police Abused Migrants in Calais, 24 October 2017

Amnesty International, UK and France must cooperate to ensure swift transfer of refugees and migrants with family links to UK, public statement, 15 February 2016

Angelique Chrisafis, UN urges France to act on 'dire' living conditions of refugees, The Guardian, 12
April 2019

HLN, Opgedreven grenscontroles leiden tot verdubbeling opgepakte vluchtelingen, 26 February 2016

<sup>104</sup> Volkskrant, Militairen zoeken in havens mee naar illegale migranten, 6 June 2016

House of Commons Hansard, Border Force Budget 2016–17, Volume 608, 20 April 2016

House of Commons Hansard, Clandestine Migrants (Harwich), Volume 596, 8 June 2015

See: Mark Akkerman, Border Wars: the arms dealers profiting from Europe's refugee tragedy, Stop Wapenhandel/ TNI, July 2016; Mark Akkerman, Border Wars II: an update on the arms dealers profiting from Europe's refugee tragedy", Stop Wapenhandel/TNI, December 2016; and Mark Akkerman, Expanding the Fortress: the policies, the profiteers and the people shaped by EU's border externalisation programme, Stop Wapenhandel/TNI, May 2018

House of Commons Hansard, Security Spending (Calais), Volume 636, 26 February 2018

European Commission, Managing migration and financing a safer and more secure Europe: €2.4 billion to support Member States, press release, 10 August 2015

Reuters, European Union approves 2.4 billion euros funding for migration crisis, 10 August 2015
European Commission, Joint statement by First Vice-President Timmermans and Commissioner
Avramopoulos on Calais and European migration priorities, 20 August 2015

# WINTER CONSTITUTE CRUEL, INHUMAN OR DEGRADING TREATMENT OF ONE OF THE MOST VULNERABLE POPULATIONS IN FRANCE

Leilani Farha, UN Special Rapporteur for Housing, 2019

granted in 2014.<sup>112</sup> The implementation of the emergency assistance ended in April 2016.<sup>113</sup>

Three months later, a delegation of members of the Committee on Civil Liberties, Justice and Home Affairs from the European Parliament went on a mission to Calais, visiting the joint control offices at the port. A representative of the UK Border Force told them about the cooperation with France and the common strategy to deal with migration, divided into "political" ("two joint ministerial security commitments; "strategic" ("upstream and intelligence-led organization") and "operational" ("measures to prevent, protect and detect attempts") steps.<sup>114</sup>

In parliamentary questions, several MEPs have insisted on more EU involvement in dealing with migration at Calais, particularly referring to the situation of lorry drivers and showing concern about the threats to the free movement of goods within the EU. In December 2015, for example, Dutch GUE/NGL MEP Dennis de Jong asked the European Commission to invite France to submit a request for Commission assistance because of the "specific and disproportionate migratory pressure, arising from mixed migration flows, which are largely linked to the smuggling of migrants".<sup>115</sup>

Commissioner Avrampoulos answered that "the French authorities have not requested their support so far". This is in line with responses to likewise questions: the EU sees the situation in Calais as a French problem unless the French government asks the EU to intervene.

European Commission, European Commission in Calais: €5.2 million in emergency assistance funding, 31 August 2015

European Parliament, Financial aid for the refugee situation in the Nord-Pas de Calais region,
Answer given by Mr Avramopoulos on behalf of the Commission, P-001508/2016, 8 June 2016

European Parliament – Committee on Civil Liberties, Justice and Home Affairs, Mission report following the LIBE mission to Calais, France 13 July 2016, 18 October 2016

European Parliament, Resolving the escalating situation at Calais, Question for written answer to the Commission, P-015443-15, 4 December 2015

European Parliament, Resolving the escalating situation at Calais, Answer given by Mr Avramopoulos on behalf of the Commission, P-015443/2015, 27 January 2016

## FUTURE DEVELOPMENTS

Given the development of border and migration policies across the EU, it is safe to say that the future for Calais will be characterised by increasingly militarised border security. At the moment of writing it is still highly uncertain how Brexit negotiations will continue, making it hard to predict what extra impact this will have on the border security and control situation in Calais. Given the current high levels of cooperation between the UK and France, Brexit is unlikely to alter the course of British migration policy or fundamentally change the security infrastructure at Calais, though even stricter controls could be expected. 117 The French government has also stated that it has no plans to change agreements with the UK after a Brexit.<sup>118</sup>

In February 2016, Minister for Europe David Lidington gave a stern warning about "the extent of domestic French opposition to and protest against the juxtaposed controls", foreseeing that Brexit would mean the end of the Le Touquet Treaty.<sup>119</sup>

However the Sandhurst Treaty, concluded after the 2016 referendum, factored in the UK's exit from the EU. In January 2019, Minister for Immigration Caroline Nokes said: "If a deal is secured and finalised with the EU, we will continue to participate in all EU asylum directives we are part of, including the Dublin III regulation, throughout the implementation period [...]."120

From a broader perspective, it can be expected that UK foreign and trade policies will continue to fuel the reasons that people are forced to flee their home countries, although a very small proportion of these refugees will end up in Calais. Ongoing British arms exports to countries with internal conflict, repressive regimes and widespread human rights abuses are just one example of this. While the government makes a mockery of international arms export regulations by claiming that "the UK operates one of the most robust export control regimes in the world", Andrew Smith from the Campaign Against Arms Trade (CAAT) warns: "The policy of arming dictatorships and pouring weapons into war zones has been pursued by governments of all political colours. [...] The arms sales that are being promoted today could be used to fuel atrocities for years to come."121

7 See also: Martin Kuiper, Nederland is nu 'transitland voor mensensmokkel, NRC, 26 mei 2019

BBC News, Calais migrants: How is the UK-France border policed?, 3 March 2016

House of Commons Hansard, Topical questions, Volume 606, 23 February 2016

20 House of Commons Hansard, English Channel: Illegal Seaborne Immigration, Volume 653, 30 January 2019

21 Karen McVeigh, One-third of UK arms sales go to states on human rights watchlist, say analysts, The Guardian, 21 December 2018



## CONCLUSION

Calais is another example of the complete failure of Western migration policies. In Calais, the British and French governments cooperate to implement policies associated with EU border security and externalisation in general: an ever-expanding process of boosting and militarising border security, pushing responsibility to others; and attempting to stop refugees at earlier points in their journeys. This leads to violence against refugees, refugees stuck living illegally in precarious circumstances, refugees forced to look for other, more dangerous, migration routes and refugees being driven into the hands of criminal smuggling networks.

Calais is also a unique place in the EU itself, where the UK has externalised its border to France and buys its cooperation with hundreds of millions of funding for security measures. This is not the only case of EU countries assisting other member states with border security. In October 2015, for example, the Slovak and Czech governments sent police officers and soldiers to help neighbour Hungary with border security and control at its border with Serbia. 122

However, Calais is the sole spot where there is such a longstanding cooperation and where officers from one country are actively working on border security and control in another on such a large scale.

For the UK, Calais represents two sides of border politics: it is both an important economic hub, the port for imports of goods and desired business and leisure travellers to the UK, and the place where it wants to stop refugees from coming to its shores. This showcases the dire contrast of the international neoliberal order, where money and goods are freely crossing borders, while at and beyond those same borders, refugees are being stopped, hunted, abused, exploited, detained and deported.

For these purposes, a whole border security and control infrastructure has been built, with walls, fences and other high-tech military and security devices. This infrastructure is continuously expanding, geographically and technically, as the military and security industry develop new tools. The industry promotes itself as indispensable to deal with the perceived threat of migration, and a security obsessed

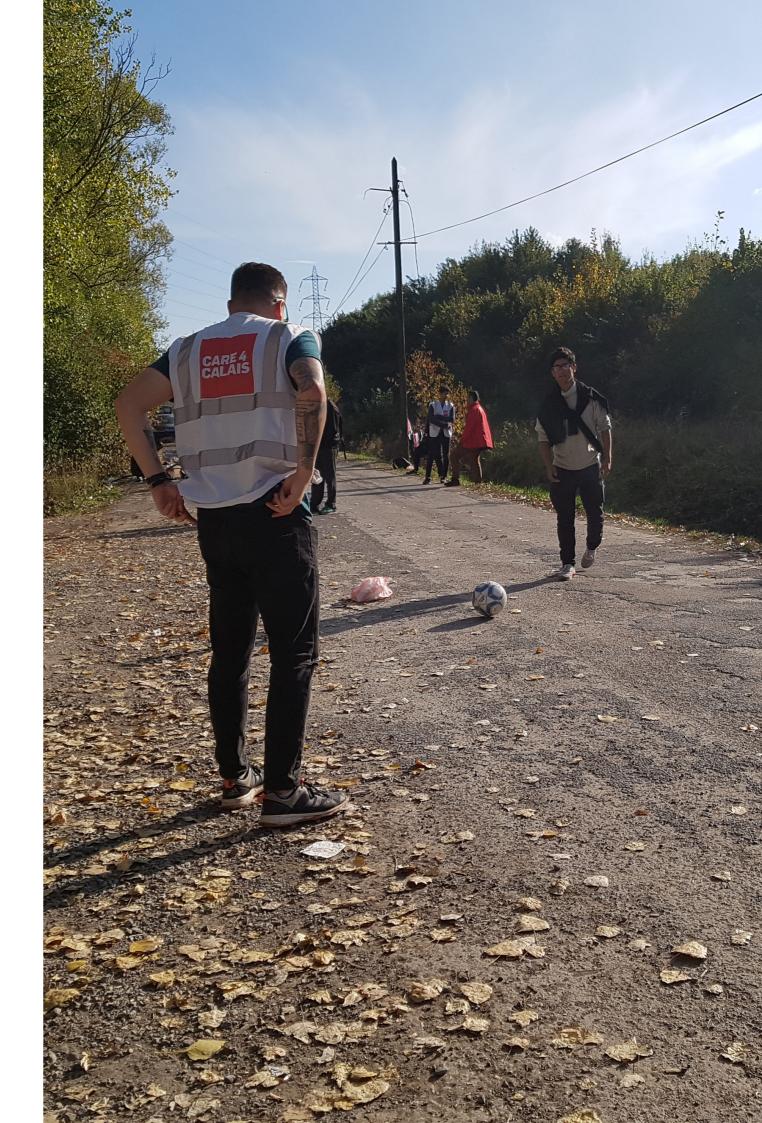
## THE POLICY OF ARMING DICTATORSHIPS AND POURING WEAPONS INTO WAR ZONES WILL FUEL ATROCITIES FOR YEARS TO COME ...

**Andrew Smith, Campaign Against Arms Trade (CAAT)** 

British government has eagerly responded to these claims. This industry is one of the few winners of the modern Western focus on preventing and deterring refugees, having received orders worth millions and millions of pounds in the last decade alone.

As is the case with all Western migration policies, the situation at Calais – and the UK and French policies that maintain the

inhumane controls, security measures and dire living situations there – is untenable. Instead of maintaining a constant cycle of increasing border security, the UK and France should change their course to welcoming and supporting refugees, providing safe and legal routes to the UK and most of all: to take a critical look at their international politics and stop fuelling the reasons people are forced to flee in the first place.





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