

February 11, 2022

The French-Italian border: a place where people continue to die

Three more deaths on the French-Italian border. On 1 February 2022, two foreign citizens died in tragic circumstances while trying to cross the border. A month earlier, in early January, another body was found this time on the other side of the border, near Modane. Three stories and three border locations, but the same fate.

If it has been at least possible to trace the identity of Ullah Rezwan Sheyzad, a 15-year-old from Afghanistan, it was not the same for the second body found in Ventimiglia.

Ullah, who had left Afghanistan last June, was found dead near the railway tracks a few kilometers from Oulx, the last transit point before crossing the border to Briançon, in France. He was still carrying his backpack, which contained the more essential goods for living, and some addresses of acquaintances in Paris. After a few weeks spent in the Bosco di Museis Reception Community in Cercivento in the province of Udine, he had decided to continue his journey.

The second tragic event took place in Latte, a small village near Ventimiglia. In order to avoid police controls, a migrant climbed onto the roof of the train headed to France and was electrocuted a couple of kilometers from his destination. The condition of the body did not even allow his identity to be ascertained.

In addition to these, there was [a tragedy at the beginning of January](#): Fathallah Balafhail, a 31-year-old of Moroccan origin, was found dead at the Barrage du Freney, just across the border, not far from Modane.

These are not isolated incidents. Border control policies, intensified in recent years, contribute at least indirectly to the increase in deaths at the border. Since 2015, France has reintroduced internal border controls, continuing to renew them far beyond the time limits set out in the Schengen Borders Code. In addition to border controls, police controls have been significantly reinforced, including through the deployment of bilateral patrols.

The police checks carried out in proximity of the Italian internal border areas, in addition to [raising doubts as to their legitimacy with respect to other principles of the Schengen Borders Code](#), also appear to be of a purely repressive nature; in carrying out these checks, no specific attention seems to be paid to the vulnerability of the persons subjected to the checks and no action appears to be taken to protect minors and victims of trafficking.

Moreover, although the Schengen Borders Code expressly prohibits discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation when carrying out border controls, according to the organization's testimonies, the checks carried out by the Italian and French police are directed exclusively against people with specific somatic characteristics.

In a desperate attempt to reach fellow countrymen and family members or to reach a place that is not only considered safe but also suitable for a dignified existence, people look for increasingly dangerous ways to crossing the border along rough mountain paths or on board of means of transport.

Too often, people disappear, die and are abandoned, without being given a name and identity, and without family members being given clear information about their fate, thus also violating their right to the truth.

Civil society organizations and activists, whose actions are increasingly criminalized by institutions, struggle to provide migrants with effective protection and to stem the presence of unscrupulous people who profit from the hopes and desires of those trying to cross the border.

The violations at the borders are so serious that they violate not only the rights specifically provided for asylum seekers, minors and other vulnerable people, but also fundamental human rights, such as the right to health and the right to have access to even a minimal form of shelter in order to avoid serious forms of marginalization.

It is therefore undeniable that the violations taking place in border areas, which in some cases lead to people dying, are the side effect of precise political choices made at local and national level as well as at European level. The increasing number of deaths at our borders calls for an urgent change of approach to the system of managing Europe's internal and external borders. The protection of fundamental rights and the right to asylum must be the legal principle around which migration policies needs to be rethought.

The future prospects look very alarming. In fact, the European Commission has recently made public its [proposal for a regulation to reform the Schengen Borders Code](#): a document which, on the same line with the whole package of planned reforms contained in the policy document 'A strategy towards a fully functioning and resilient Schengen area', seems to be strongly focused on strengthening border control actions through the promotion of bilateral readmission agreements and pushing forward police cooperation agreements.

The signatory organisations express their sincere and unconditional support to the families of the deceased and call on civil society organisations to promote all useful actions to

oppose the current border control policies as well as the changes envisaged by the Schengen Strategy (or the Schengen Borders Code) that are potentially detrimental to the fundamental rights of foreign citizens.

They also call on

the Italian and French authorities:

- **to change the policies relating to the management of internal borders, with particular reference to the way in which police and border controls are carried out, ensuring full respect for fundamental rights and the principles envisaged, in particular, by the Charter of Fundamental Rights of the European Union as well as the obligations on international protection and non-refoulement;**

to local authorities:

- **to provide adequate services to meet the needs and protection requirements of migrants present at border locations, ensuring first and foremost reception also to persons in transit.**

List of signatory organizations:

- ASGI
- Push-back Alarm Austria
- Progetto Melting Pot Europa
- Médecins du Monde
- Roya Citoyenne
- Diaconia Valdese
- WeWorld Onlus
- Pays de Fayence Solidaire
- Border Violence Monitoring Network
- Danish Refugee Council Italy
- No Name Kitchen
- RiVolti ai Balcani

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