

## English Channel Migrant Boat Crossings

### Summary

In December 2018, there was an increase in the number of migrants attempting to reach the UK by crossing the English Channel in small ill-equipped inflatable boats.<sup>1</sup> This, in addition to the fact that the English Channel contains some of the busiest shipping lanes in the world and has unpredictable weather conditions, were factors that combined to pose a danger to lives.<sup>2</sup> It led to the Home Secretary, Sajid Javid, declaring the crossings a “major incident” on 28 December 2018.<sup>3</sup> This briefing provides some wider context to the migrant crossings in the channel, principally through examining why migrants appear to be taking more risky and extreme measures to cross the channel on small boats. It also outlines what the Government’s response has been to this recent rise in crossings and considers views on the effectiveness of this response.

This briefing, when using the term migrant, uses the following UN Migration Agency (IOM) definition of a migrant:

Any person who is moving or has moved across an international border or within a state away from his/her habitual place of residence, regardless of (1) the person’s legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movements are; or (4) what the length of the stay is.<sup>4</sup>

### Background

#### *Migrants in Northern France*

There have been migrant camps in northern France for around 20 years, with the first migrant centre being opened in Sangatte, one mile from the Eurotunnel entrance, in 1999 (it later closed in 2002).<sup>5</sup> The number of individuals occupying makeshift shelters in the area began to increase steadily over the years and by February 2016, a census conducted by the charity Help Refugees found that 5,497 people were occupying the Calais camp; this figure did not include those individuals occupying government-run facilities in Calais.<sup>6</sup> Despite initial efforts from the authorities to clear the camps, another census of the Calais camp conducted by Help Refugees found that 9,106 people were living there by August 2016, which was up 29% since early July 2016.<sup>7</sup> These figures contrast to those provided by the local authorities who claimed that 6,901 migrants were living in the Calais camp by August 2016.<sup>8</sup> In October 2016, the Calais camp was cleared and many migrants were moved to temporary reception centres across France.<sup>9</sup> Further, Government transparency data published in November 2017 outlines that 769 children were transferred to the UK following the Calais camp clearance.<sup>10</sup> There are currently reported to be almost 1,000 displaced people sleeping in Calais and Dunkirk and, of these, 150 are unaccompanied children.<sup>11</sup>

Charities and organisations operating in northern France have continued to highlight the poor living conditions these migrants live in. Léo Heller, the UN special rapporteur on the human rights to water

and sanitation, said on 4 April 2018:

Migrants and asylum-seekers along the northern French coast [...] are facing an inhumane situation, with some living in tents without toilets and washing themselves in polluted rivers or lakes.<sup>12</sup>

Mr Heller was one of a group of UN special rapporteurs who called on the French Government to provide water, sanitation services, and emergency shelters for migrants living on France's northern coast.<sup>13</sup> In addition, Help Refugees has recently said that conditions are "dire" with, amongst other hardships: "a near-total lack of shelter; poor access to water, sanitation and hygiene facilities; freezing temperatures".<sup>14</sup> In response to a written question on the accommodation, medical treatment and legal support for asylum claims offered to refugees in the Calais and Dunkirk regions, the Immigration Minister, Caroline Nokes, said that funding had been provided to "improving access to French domestic asylum centres and ensuring that vulnerable migrants are provided with the support and care that they require".<sup>15</sup> She went on to say that the centres "provide essential medical, legal and other necessary support in secure accommodation".<sup>16</sup>

### ***Wider Border Security Measures***

With many migrants having repeatedly attempted potentially life-threatening channel crossings stowed away in vehicles, the governments of the UK and France responded by, amongst other measures, strengthening border security. In 2003, the Treaty of Le Touquet was signed by the UK and France. It provided for the two countries to erect juxtaposed border controls; this meant that both countries were entitled to carry out immigration controls in each other's territories at sea ports.<sup>17</sup>

The Immigration Minister, Caroline Nokes, in response to a written question on 12 February 2019 outlined how the UK had continued to support work to maintain the security between the UK and France. Talking about funding provided to the French Government, she said:

The first payment to support this work was made by the UK to France in September 2014, totalling £14.7 million. These funds were dedicated to security improvements at the port of Calais. In 2015, both countries signed a joint declaration which committed £10 million towards security reviews of the juxtaposed controls and to moving migrants into reception centres across France. This was followed by payments in 2016 (£17 million) and 2017 (£36 million) to further strengthen the border and maintain the operation of the juxtaposed controls.<sup>18</sup>

The Government has said that its approach to strengthening juxtaposed controls was working with a drop from over 80,000 recorded attempts to enter the UK from northern France in 2015 to just over 30,000 in 2017.<sup>19</sup>

During the UK-France summit held on 18 January 2018 at the Royal Military Academy Sandhurst, the Prime Minister, Theresa May, and the French President, Emmanuel Macron, signed a treaty that agreed to strengthening cooperation and coordination at the border, building on the 2003 Treaty of Le Touquet. To implement the agreed actions under the treaty, the UK committed to spend 50 million euros.<sup>20</sup> Payments from this package have been made across the course of the 2018/19 financial year when demanded by specific projects.<sup>21</sup> The actions from the agreement are designed to improve security at the border, reduce illegal migration flows towards northern French ports, and support France in the return of migrants.<sup>22</sup> Within the funding package, £3.6 million was allocated to funding the process to

support the transfer of eligible children to the UK.<sup>23</sup> This process is part of the Dublin III regulation that came into force in July 2013 and establishes procedures for the protection of asylum applicants.<sup>24</sup>

Article 6 of the Sandhurst Treaty stated that a Joint Coordination and Information Centre (CCIC) would be established to aid in the coordination of cross border security and “intensify cooperation in the fight against organised crime”.<sup>25</sup> It became operational on 23 November 2018 and was formally opened by the Immigration Minister, Caroline Nokes, and the French Interior Minister, Christophe Castaner, on 25 January 2019.<sup>26</sup> The centre enables Border Force to work closely with Police Aux Frontieres as part of a 24/7 operation to:

- Assist with preventing illegal attempts to cross the shared border.
- Facilitate the circulation of information between UK and French agencies to combat cross-border criminality.
- Work on the prevention of threats to public order on cross-border infrastructure.
- Provide analysis of cross-Channel traffic flows.<sup>27</sup>

The CCIC also aids with the identification, prosecution and dismantling of criminal gangs that are involved in people smuggling and wider cross-border crime.<sup>28</sup> Caroline Nokes said that the real-time intelligence from the close cooperation “has already enabled the French authorities to stop migrants and arrest suspected facilitators on the beaches of northern France prior to departure”.<sup>29</sup>

## **Small Boat Crossings**

### ***Data on Migrants Crossing***

According to figures published by the Home Office, 539 migrants attempted to travel to the UK on small boats in 2018.<sup>30</sup> Of these migrants, 434 (around 80%) attempted the crossing since 1 October 2018 and 227 (42%) were intercepted by the French authorities before making it to the UK.<sup>31</sup> Caroline Nokes, in response to a written question on 4 March 2019, broke down the figures and said that around 250 individuals attempted to cross in December 2018 and 90 individuals attempted to cross in both January and February.<sup>32</sup> In a 2019 House of Commons Home Affairs Committee oral evidence session on the English Channel crossings on 26 February 2019, the figures provided were:

- 110 individuals crossing in November;
- 250 crossing in December;
- 90 crossing in January and
- 40 having crossed as of the morning of 26 February 2019.<sup>33</sup>

Putting the figures into a wider context, in the year ending September 2018, there were 27,966 asylum applications to the UK.<sup>34</sup> Data on those who entered illegally is not available because Border Force do not routinely publish such information as it “could compromise immigration controls and impact on national security”.<sup>35</sup> A report by the Independent Chief Inspector of Borders and Immigration estimated that the number of “clandestine entries” to the UK were 2,366 in 2016–17, down to 1,832 in 2017–18.<sup>36</sup> During an oral evidence session at the Home Affairs Committee, Steve Rodhouse, Director General of the National Crime Agency, highlighted that from those people detected entering the UK through “clandestine migration” (in the back of lorries, through air routes, through not being documented or having the correct documentation, or via general maritime) only 1.5% of the total represented general

maritime crossings.<sup>37</sup> Mr Rodhouse went on to explain that even amongst the Iranians, who represented a large majority of those who crossed the channel by boat, only 7% of all Iranians entering the country made the journey through general maritime.<sup>38</sup>

Further, Clare Mosely, the founder of the charity Care4Calais, suggested at the Home Affairs Committee evidence session that there had been no real change in numbers reaching the UK and, instead, the crossings of migrants had become more visible in boats rather than being stowed away in trucks.<sup>39</sup>

### ***Why was there a Rise in Boat Crossings?***

The Home Secretary, in an oral statement to the House of Commons on 7 January 2019, provided three explanations as to why there has been an increase in boat crossings:

First, instability in regions such as the middle east and north Africa are driving people out of their homes in search of better lives in Europe. Secondly, organised crime groups are preying on and profiting from these vulnerable and often desperate people. They are falsely promising them safe crossings to the UK, even though the journey is one of the most hazardous and most dangerous possible. Thirdly, strengthened security at the French-UK border has meant that it has become increasingly difficult for stowaways illegally to enter the UK in trucks and cars, leading to more reckless attempts by boat.<sup>40</sup>

Caroline Nokes, during a Westminster Hall debate on 30 January 2019, highlighted that 80% of those making the crossings were Iranian.<sup>41</sup> Steve Rodhouse of the National Crime Agency, in explaining why a higher proportion of Iranians were reaching the UK on boats, noted that Serbia began offering visa-free access to Iranians in August 2017, and by the time it had ended in October 2018, 10,000 to 12,000 people had not returned to Iran (out of an estimated 40,000 people).<sup>42</sup> He suggested that the visa route through Serbia had led to a proportion of those Iranians travelling to northern France.

There have been several media reports that have suggested that smuggling gangs have been using Brexit “as a weapon” telling migrants that they would have to enter the UK before “the borders are shut properly”; this has reportedly led to some paying around £2,000 for places on boats.<sup>43</sup> The fact that there has been milder weather over the Christmas period was also used to explain the greater number of crossings.<sup>44</sup>

Written evidence submitted by Help Refugees to the committee outlined additional reasons for the increase in crossings. By first caveating its response by noting that a relatively small number of individuals attempt such crossings due to their prohibitive cost, the charity said:

- “From the majority of testimonies taken by Refugee Rights Europe (RRE) in October and December 2018, it seems that people’s willingness to take the journey is but a symptom of the desperation felt among the displaced community in northern France”.
- “A team of human rights observers based in Calais suggest that a recent increase in arrests and detention has prompted greater fears of deportation among the community, prompting people to take greater risks. They also note that police violence has increased in recent months, and evictions of people’s living spaces are occurring more frequently”.<sup>45</sup>

## Government Response

### *Declaration of a Major Incident*

On 28 December 2018, with the rising number of migrants crossing the English Channel in small boats, the Home Secretary declared the crossings a major incident, as well as appointing a dedicated gold command structure to coordinate his department's response to the situation.<sup>46</sup> In response to a statement made to the House of Commons on 7 January 2019 by Sajid Javid on the migrant crossings, both the Shadow Home Secretary, Diane Abbott, and the SNP spokesperson on Immigration, Asylum and Border Control, Stuart McDonald, questioned why the Home Secretary had declared a major incident. Diane Abbot said that "people might think that describing this as a major incident is an overstatement", and Stuart McDonald followed by saying that the situation was "better described as a human tragedy than a major incident".<sup>47</sup> Sajid Javid replied to their comments by saying:

Declaring something a major incident allows us to bring more focus, more control and more resources. It is a well-established procedure in government, and I hope the whole House can support it. Bringing in more resources allows us to protect more human life as well as to protect our borders. I am sure he agrees that if one life were lost in this situation, that would be one life too many.<sup>48</sup>

On 31 December 2018, Sajid Javid announced that two Border Force cutters were to be redeployed from overseas to aid the two cutters and two patrol vessels already patrolling the channel.<sup>49</sup> Border Force currently has a total of five cutters and six coastal patrol vessels (CPVs).<sup>50</sup> On 3 January 2019, it was announced that the Royal Navy patrol vessel, HMS Mersey, would support Border Force and the Maritime and Coastguard Agency in the channel to "keep the UK border secure and prevent loss of life".<sup>51</sup> Sajid Javid explained that the redeployment of the navy vessel was an interim measure while the two Border Force cutters returned to UK waters.<sup>52</sup> The deployment of HMS Mersey was funded by the Home Office and, as of the 6 February 2019, had cost £700,000.<sup>53</sup>

Sajid Javid, in a written statement to the House of Commons on 28 January 2019, said that through the re-deployment of Border Force assets, the use of aerial surveillance and the continued cooperation with French officials on land and sea, the numbers crossing the channel had been reduced.<sup>54</sup> He cited a reduction in attempted crossings and outlined that roughly half of the January attempts had been intercepted by French authorities before the UK's waters were reached.<sup>55</sup> However, Maddy Allen, of Help Refugees, stated that the deployment of the Border Force assets in the channel was not acting as a deterrent to the individuals they were working with.<sup>56</sup> She gave the example of one Iranian man she had met who had unsuccessfully attempted the crossing, was returned back to France, but was planning to attempt the journey again to succeed in his goal of reaching the UK to join his son.<sup>57</sup>

### *Joint Action Plan*

On 24 January 2019, the UK and France agreed to a joint action plan to prevent migrants attempting to cross the English Channel illegally on small boats, following talks between Sajid Javid and the French Interior Minister, Christophe Castaner.<sup>58</sup> The plan came into force with immediate effect and they agreed, amongst other points, that:

- Migrants rescued at sea would be taken to a port of safety in accordance with international maritime law.

- Up to 7 million euros (around £6 million) would be invested into reinforcing preventative security measures that would include CCTV, night goggles and number plate recognition.
- The return of migrants would be “carried out expeditiously in accordance with our international obligations and national law”.
- A strategic communication campaign designed to inform migrants of the risks of illegal migration and to deter them from using the sea route would be expanded.<sup>59</sup>

Speaking on the joint action plan, Sajid Javid said:

We will not allow illegal migration and its facilitators to flourish, and we will continue to work closely with France and other countries to provide a strong deterrent against these dangerous crossings. This includes making it clear that those fearing persecution should claim asylum in the first safe country they reach, and my officials are looking to strengthen our inadmissibility guidance for claims made by those who have travelled here through countries that are internationally recognised as being safe.<sup>60</sup>

An open letter signed by nine non-governmental organisations (NGOs) and charities including, Refugee Rights Europe, Help Refugees, Refugee Infobus, Refugee Youth Service, Utopia 56, L’Auberge des Migrants, Refugee Community Kitchen, School Bus Project, and Refugee Women’s Centre, in response to the joint action plan argued that the approach taken ignored international law, the wider context of asylum in Europe, and asylum seekers’ individual circumstances.<sup>61</sup> First, the letter argued the return of asylum seekers to France “without allowing them to have their claims assessed adequately in Britain [would] violate both their rights and the UK’s obligations”.<sup>62</sup> Second, citing several sections of the action plan, the letter highlighted that the plan’s focus on fortifying the border “perpetuates the British Government’s prioritisation of a buttressed concept of state security over the rights and protection of vulnerable individuals”.<sup>63</sup> Finally, the letter called on the strategic communication campaign to be designed in collaboration with aid groups operating in northern France, and that it ensures “any information is presented in an accessible, sensitive and child-friendly manner”.<sup>64</sup>

## Further Information

- House of Commons Home Affairs Committee, [Written Evidence Submitted by Care4Calais \(ECM0002\)](#), 26 February 2019.

- <sup>1</sup> [Statement by the Home Secretary, Sajid Javid, on 'Migrant Crossings'](#), HC Hansard, 7 January 2019, col 85.
- <sup>2</sup> *ibid.*
- <sup>3</sup> *ibid.*
- <sup>4</sup> International Organisation for Migration, '[Key Migration Terms](#)', accessed 6 March 2019.
- <sup>5</sup> Refugee Rights Europe and Help Refugees, '[Refugees and Displaced People In Northern France: A Brief History of the Human Rights Situation in the Calais Area](#)', 17 October 2018, p 6.
- <sup>6</sup> Help Refugees, '[Calais Camp: Total Number of Residents Revealed for the First Time—423 Unaccompanied Minors](#)', 22 February 2016.
- <sup>7</sup> Help Refugees, '[Latest Calais Census](#)', 24 August 2016.
- <sup>8</sup> Fullfact, '[Counting the Number of Migrants in the Calais Jungle](#)', 31 August 2016.
- <sup>9</sup> Angelique Chrisafis, '[Refugees Exchange Squalor of Calais for Vineyards of Burgundy](#)', *Guardian*, 29 October 2016; House of Commons, '[Written Question: Refugees: Calais](#)', 11 November 2016, 51831; and Refugee Rights Europe and Help Refugees, '[Refugees and Displaced People In Northern France: A Brief History of the Human Rights Situation in the Calais Area](#)', 17 October 2018, p 17.
- <sup>10</sup> Border Force, '[Transfers of Children to the UK from the Calais Operation: November 2017](#)', 30 November 2017.
- <sup>11</sup> House of Commons Home Affairs Committee, '[Supplementary Written Evidence Submitted by Help Refugees \(ECM0001\)](#)', 29 January 2019, p 2.
- <sup>12</sup> United Nations, '[UN Rights Experts Urge France to Provide Essential Services to Migrants, Asylum Seekers](#)', 4 April 2018.
- <sup>13</sup> *ibid.*
- <sup>14</sup> Refugee Rights Europe and Help Refugees, '[Refugees and Displaced People In Northern France: A Brief History of the Human Rights Situation in the Calais Area](#)', 17 October 2018, p 8.
- <sup>15</sup> House of Commons, '[Written Question: Refugees: Calais and Dunkirk](#)', 6 December 2018, 198321.
- <sup>16</sup> *ibid.*
- <sup>17</sup> Refugee Rights Europe and Help Refugees, '[Refugees and Displaced People In Northern France: A Brief History of the Human Rights Situation in the Calais Area](#)', 17 October 2018, p 8.
- <sup>18</sup> House of Commons, '[Written Question: Human Trafficking and Immigration](#)', 12 February 2019, 217556. For the 2015 UK-France joint declaration, see: Home Office, '[Managing Migratory Flows in Calais: Joint Ministerial Declaration on UK/French Co-operation](#)', 20 August 2015 For further information on the 2016 joint action, see: Home Office, '[Further Joint Action between UK and France in Calais Region](#)', 3 March 2016. To see the then Home Secretary's announcement of the £36 million, see: Home Office, '[Calais Migrant Camp: Home Secretary Statement](#)', 24 October 2016.
- <sup>19</sup> House of Commons, '[Written Question: Undocumented Migrants: Calais](#)', 7 September 2018, 167883.
- <sup>20</sup> House of Commons, '[Written Question: UK-France Migration Committee](#)', 6 February 2019, 215158.
- <sup>21</sup> *ibid.*
- <sup>22</sup> *ibid.*
- <sup>23</sup> *ibid.*
- <sup>24</sup> European Commission, '[Country Responsible for Asylum Application \(Dublin\)](#)' accessed 5 March 2019.
- <sup>25</sup> Prime Minister's Office, '[Treaty Between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic Concerning the Reinforcement of Cooperation for the Coordinated Management of their Shared Border](#)', 18 January 2018, pp 6–7.
- <sup>26</sup> Home Office and Border Force, '[Joint UK-France Centre Opens in Calais to Tackle Criminality at Border](#)', 27 November 2018; and Home Office, '[Immigration Minister Visits Joint Co-ordination Centre](#)', 25 January 2019.
- <sup>27</sup> *ibid.*
- <sup>28</sup> *ibid.*
- <sup>29</sup> *ibid.*
- <sup>30</sup> *ibid.*
- <sup>31</sup> Home Office, '[Home Secretary Bolsters Border Force Fleet in the Channel](#)', 31 December 2018.
- <sup>32</sup> House of Commons, '[Written Question: Undocumented Migrants: English Channel](#)', 4 March 2019, 226586.
- <sup>33</sup> House of Commons Home Affairs Committee, '[Oral Evidence: English Channel Migrant Crossings HC 1900](#)', 26 February 2019, Q91–186.
- <sup>34</sup> Home Office, '[How Many People do we Grant Asylum or Protection To?](#)', 29 November 2018.
- <sup>35</sup> House of Commons, '[Written Question: Undocumented Migrants](#)', 19 February 2019, 221669.
- <sup>36</sup> Independent Chief Inspector of Borders and Immigration, '[An Inspection of Border Force Operations at South Coast Seaports](#)', 12 November 2018, p 26.
- <sup>37</sup> House of Commons Home Affairs Committee, '[Oral Evidence: English Channel Migrant Crossings HC 1900](#)', 26 February 2019, Q91–186.
- <sup>38</sup> *ibid.*
- <sup>39</sup> House of Commons Home Affairs Committee, '[Oral Evidence: English Channel migrant crossings, HC 1900](#)', 22 January 2019, Q1–90.

- <sup>40</sup> [Statement by the Home Secretary, Sajid Javid, on 'Migrant Crossings'](#), HC Hansard, 7 January 2019, col 85.
- <sup>41</sup> [Debate on 'English Channel: Illegal Seaborne Immigration'](#), HC Hansard, 30 January 2019, cols 420–29WH.
- <sup>42</sup> House of Commons Home Affairs Committee, [Oral Evidence: English Channel Migrant Crossings HC 1900](#), 26 February 2019, Q91–186; and William McLennan, ['Why are Iranians Crossing the Channel in Dinghies?'](#), BBC News, 26 November 2018.
- <sup>43</sup> Telegraph (£), ['Analysis: Why the Number of Migrants Travelling across the Channel has Soared at Christmas'](#), 27 December 2018; and Colin Campbell, ['Migrants Rush to Cross Channel by Boat before Brexit'](#), 27 November 2018.
- <sup>44</sup> *ibid.*
- <sup>45</sup> House of Commons Home Affairs Committee, [Supplementary Written Evidence Submitted by Help Refugees \(ECM0001\)](#), 29 January 2019, p 2.
- <sup>46</sup> Aamna Mohdin, ['Sajid Javid: Channel Migrant Crossings 'A Major Incident''](#), *Guardian*, 28 December 2018.
- <sup>47</sup> [Statement by the Home Secretary, Sajid Javid, on 'Migrant Crossings'](#), HC Hansard, 7 January 2019, cols 87–89.
- <sup>48</sup> *ibid.*
- <sup>49</sup> Home Office, ['Home Secretary Bolsters Border Force Fleet in the Channel'](#), 31 December 2018; and Home Office, ['Navy Vessel to be Sent to the Channel'](#), 3 January 2019.
- <sup>50</sup> Home Office, ['Home Secretary Visits Channel Operations'](#), 2 January 2019.
- <sup>51</sup> *ibid.*
- <sup>52</sup> *ibid.*
- <sup>53</sup> [HL Hansard, 6 February 2019, cols 1515–1517.](#)
- <sup>54</sup> House of Commons, ['Written Statement: Migration'](#), 28 January 2019, HCWS1280.
- <sup>55</sup> *ibid.*
- <sup>56</sup> House of Commons Home Affairs Committee, [Oral Evidence: English Channel migrant crossings, HC 1900](#), 22 January 2019, Q1–90.
- <sup>57</sup> *ibid.*
- <sup>58</sup> Home Office and Border Force, ['UK and France Sign Action Plan to Tackle Small Boat Crossings'](#), 24 January 2019.
- <sup>59</sup> 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; and Home Office and Border Force, ['UK and France Sign Action Plan to Tackle Small Boat Crossings'](#), 24 January 2019.
- <sup>60</sup> House of Commons, ['Written Statement: Migration'](#), 28 January 2019, HCWS1280.
- <sup>61</sup> Help Refugees, ['Open Letter: Home Office's 'Joint Action Plan', Ignores International Law'](#), 25 January 2019, pp 1–3.
- <sup>62</sup> *ibid.*, p 1.
- <sup>63</sup> *ibid.*
- <sup>64</sup> *ibid.*, p 2.

---

House of Lords Library briefings are compiled for the benefit of Members of the House of Lords and their personal staff, to provide impartial, politically balanced briefing on subjects likely to be of interest to Members of the Lords. Authors are available to discuss the contents of the briefings with the Members and their staff but cannot advise members of the general public.

**Any comments on briefings should be sent to the Head of Research Services, House of Lords Library, London SW1A 0PW or emailed to [purvism@parliament.uk](mailto:purvism@parliament.uk).**