

# REGISTRATION IN THE CITY OF MELILLA

3 YEARS DODGING THE FIRST ACCESS TO BASIC RIGHTS

3 YEARS IGNORING THE REALITY OF ITS CITIZENS

3 YEARS OF VIOLENCE

20.10.2022

One year ago, in September 2021, [more than 150 children were, for the first time, enrolled in the Spanish educational system](#) after 20 years of tireless struggle by their families with the support of different organizations in Melilla (mainly the Prodein Foundation). In defense of the fundamental right of minors to receive an education and denouncing the violation of their right to schooling, the Ombudsman, the Committee on the Rights of the Child, the Association of Foreign Lawyers and the Children's Platform, as well as the creation of a petition on change.org where more than 10,000 signatures of support were obtained.

During all these years, to obstruct the schooling of Moroccan minors, the authorities of Melilla claimed that they could not prove their residence in the city, however, after the closure of the border due to the pandemic, the effective residence of these families has become more than evident. It took a worldwide pandemic and a total closure of the border between Spain and Morocco for the right to schooling of minors to be protected and guaranteed. During the time prior to the easing of the requirements, a multitude of children have grown up without schooling. As happened to [Ikram, an unrecognized Melilla native](#), born in the city but invisible to the Administration. Children whose right to the best interest of the child was repeatedly violated in the city.

The best way to prove residence in a place is the census of the population, an administrative registry in which the residents of a municipality must be registered. Therefore, the simplest way to prove the effective residence of minors in the city where they must attend school is by registering them on the census. However, access to this simple registration is systematically forbidden under the pretext that their parents are in an irregular administrative situation (unjustified requirement to require a visa for people with documentation from Nador).

[The Ombudsman had already made a statement a year earlier on this issue](#), recommending the proper registration of minors in the city; a recommendation that, to date, has had no practical effect in the city of Melilla.

Faced with this opportunity to guarantee the rights of minors and families actually residing in the city, -more so evidently after the closure of the border-, the authorities preferred to look the other way and dodge a basic right. Instead of guaranteeing the registration of minors in order to give them access to their fundamental rights, the schooling requirements were made more flexible, no longer requiring registration to

prove the minors' residence in the city. A bitter victory. [A victory that also brought with it the persecution and criminalization of the parents who had fought to get their children into school.](#)

Last month marked three years since the aforementioned recommendation of the Ombudsman to the city of Melilla regarding the obligation to register all citizens living in the city. Three years of violence and omission of the rights of Moroccans living in the city. A city that invisibilizes its own residents. Three years avoiding basic rights.

[This same institution made another statement on the subject in April 2021,](#) this time in relation to the city of Ceuta but reaching conclusions equally applicable to Melilla. The Ombudsman recommended to the autonomous city to assess *the opportunity to approach the competent administrations requesting the elimination of the visa requirement for nationals who enjoy a specific visa exemption regime for small border traffic.* The main reason being that, in addition to being a discriminatory requirement, it was rendered totally meaningless since the borders were closed.

In the same sense as the Ombudsman's recommendations, [the Supreme Court has recently issued Ruling 473/2022](#) by which it made clear the existing dichotomy of the minor as a migrant, violating the superior right of the minor by putting the condition of migrant status in first place. It makes it clear that the requirement of a visa implies a discrimination of foreign minors in an irregular administrative situation with respect to their peers with regular documentation in Spain. The padrón is not a simple registry, it is the gateway to access the main rights of our Social State: health, education, social services, etc. In spite of the fact that these rights derive from norms with legal rank, in reality they are being obstructed by regulatory norms, which has led to the flagrant violation of the rights of the minors of the city.

Neither the recommendations of the Ombudsman, nor the ruling of our High Court have meant, to date, any real change in the practice of registration in the cities of Ceuta and Melilla.

In the same way as with schooling, when families have tried to register their minor sons and daughters in order to protect their rights and guarantee their future, they have been met with threats and repressive violence on the part of the Administration.

As a result, we can strongly affirm that the population registry in Melilla fails as a means to observe the reality of the population at any given moment. The municipal register of inhabitants of Melilla does not accurately reflect the number of people living in the city, and therefore is an instrument incapable of fulfilling its purpose. **At Solidary Wheels we once again demand the importance of an administrative change in the practice of registering the population. The authorities must stop looking the other way, stop ignoring the regulations and dodging rights, and must begin to visibilize the reality of all residents of this city.**

# World Mental Health Day

The violence of waiting and the repressive bureaucratic shortcomings, which materialise in institutional and administrative violence as well as the absence of safe and legal channels, mean that the migratory process and the necessary obtention of documentation to be able to leave the cage-city that is Melilla for some people, becomes the direct cause of a problem that is rarely talked about: **the mental health of migrants**.

10.10.2022

This is the case, among many other existing realities, of people who were formerly under the care of the Melilla administration and find themselves, age 18, on the street, without resources to turn to while they obtain the necessary documents to continue their procedure to be able to travel to the peninsula to continue their migratory project.

After spending years in a centre for minors, where they suffer from systemic shortcomings and rights violations, psychological and physical violence, and a latent dichotomy around the concept of being a migrant and a minor, they have to face the streets, with all that entails.

In a border city like Melilla, living on the street as a racialised person becomes even harder. For this reason, many of the people who have been under the care of the administration, some of whom Solidary Wheels has met through its work in the field, end up in a spiral of consumption and survival from which many more problems derive: the hidden part of the iceberg. These are problems that many of them must face, directly affecting their mental health.

This is the case of several people that we know, who, after waiting a long time and developing their resilience in the process, manage to travel to the peninsula, obtain their residence permit and start working. After fulfilling their objective, everything seems to begin to improve, and that is when the mind relaxes, adapts to a less hostile reality, and mental health problems begin to develop and become tangible, caused by the adjustments that their brains had to make to adapt to a reality so painful that it became unbearable.

The defence mechanisms that these people developed in a **moment of trauma**, gradually dissolve when in more tranquil environments (although discrimination and racism are still present in their day-to-day lives).

For all these reasons, it is necessary to give greater visibility to migrants' mental health struggles. It is important to recognise that these people, throughout their transit process to the Peninsula, have developed issues and disorders that have their own specific characteristics. For the most part, they arise as a result of the uncertainty they experience during the long administrative wait until they are

regularized, in the best of cases. Also, on numerous occasions, the expectations they have and the reality they encounter end up initiating or reinforcing consumption problems.

It is necessary to generate more spaces and facilitate greater access to treatment and follow-ups for these people. Including greater institutional training, from an approach that recognises their problems, as their own.