



European
University
Institute



MIGRATION
POLICY CENTRE

ROBERT
SCHUMAN
CENTRE FOR
ADVANCED
STUDIES

October 2014
2014/05

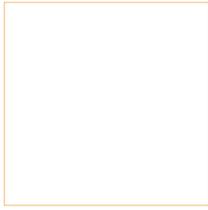
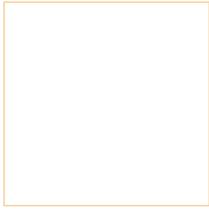
When the best option is a leaky boat: why migrants risk their lives crossing the Mediterranean and what Europe is doing about it.

By Philippe Fargues and Sara Bonfanti, Migration Policy Centre, EUI

Abstract

The Mediterranean Sea is the most porous border between Europe and its neighbours and the world's most dangerous border between countries that are not at war with each other. Three facts emerge: sea routes to Europe are anything but new; places of embarkation and disembarkation have changed in relation to controls; and the risk of dying at sea has considerably increased over the last decade. Two key questions for designing responses must be addressed: to what extent do the root causes of clandestine migration across the Mediterranean lie in the Mediterranean region itself; and how many in these flows are irregular labour migrants and how many are refugees? The Mare Nostrum operation launched by Italy will be discussed in terms of: rescues; compliance with European legislation; and possible pull effects on unauthorised migration. In conclusion, other possible responses will be brought up such as combatting the smugglers and pre-voyage intervention.

POLICY
BRIEF



Introduction

The second week of September 2014, during which around a thousand migrants lost their lives in the Mediterranean saw an incident in which smugglers deliberately sank a boat with more than 500 persons on board.¹ The Mediterranean Sea has become in the last two decades the most porous border between Europe and its neighbours. But it has also become the most dangerous border in the world between countries that are not at war with each other. We estimate, in fact, the risk of dying while crossing this border at close to 2%. Crossing the Mediterranean is more lethal, indeed, than crossing the Rio Grande from Mexico to the USA, the Indian Ocean from Indonesia to Australia, or the Gulf of Aden from the Horn of Africa to the Arabian Peninsula.² What is at stake is the restoration of European States' control on who enters their territory with it being important to ensure that those in need of international protection and others fleeing economic distress will no longer risk losing their lives while travelling to Europe. The challenge is to reconcile the security of the receiving state with the security of the migrant person; there is also the problem of addressing, in the Mediterranean, a problem with roots far beyond the Mediterranean. We will here: review the facts; analyse the processes leading migrants to travel this route; discuss policy

1. 10 September 500, people drowned at sea 300 miles from the shores of Malta. Three days afterwards in the same waters another 300 migrants. The same day fifteen people lost their lives in Egyptian waters and, due to two different wrecks, 48 migrants drowned in Libyan waters. 14 September, the wreck of a boat loaded with 250 migrants led to 224 migrants drowning between Libya and Italy.
2. International Organization for Migration (IOM) 2014. *Fatal Journeys Tracking Lives Lost during Migration*, IOM: Geneva. The facts reported in this publication clearly show that the deaths since 2000 and, in particular in 2014, in the Mediterranean considerably outnumber that recorded along other border crossings. It should be noted, however, that while the number of dead and missing people is underreported for all routes, some itineraries might appear more or less lethal than others due to the different level of accuracy with which deaths are recorded.

responses on the European shore of the Mediterranean; and review possible improvements.

1. One million landings

Starting in the 1980s a few trans-Mediterranean itineraries were replaced by many itineraries crossing the entire Mediterranean basin. The three following facts emerge from data collected from a variety of sources.

Fact n°1: the sea route to Europe is anything but new

7 March 1991, Italy suddenly discovered it was a much sought-after destination. That day 27,000 Albanian migrants landed in the harbour of Brindisi, carried by merchant ships and many other kinds of boats. They were fleeing from the economic distress of what was then the People's Socialist Republic of Albania. Shortly after, on 8 August, 20,000 migrants coming from Durrës-Albania disembarked in Bari.

In the same year, Spain imposed, for the first time, a visa requirement for North African citizens. While migration across the Strait of Gibraltar had taken place since the 1960s, with thousands of Moroccan labour migrants reaching Western Europe via southern Spain, not everyone was eligible for the new visa. Others made their way clandestinely. In a sense, the visa requirement created unauthorized entries.³

The statistics used in the present report start from 1998 and do not cover the early days of clandestine sea journey to southern Europe (Fig.1). From 1 January 1998 till 30 September 2014, 840,904 migrants were recorded by border authorities entering the EU illegally by sea. Until 2013 numbers stood at an annual average of 44,000. Noticeable peaks were recorded in 2006 and 2011, corresponding respectively to the

3. Carling, J. 2007. Migration Control and Migrant Fatalities at the Spanish-African Borders, *International Migration Review*, 41 no 2:316–343.

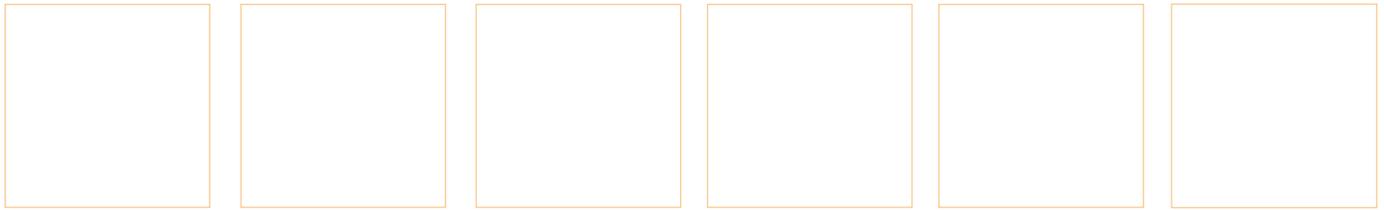
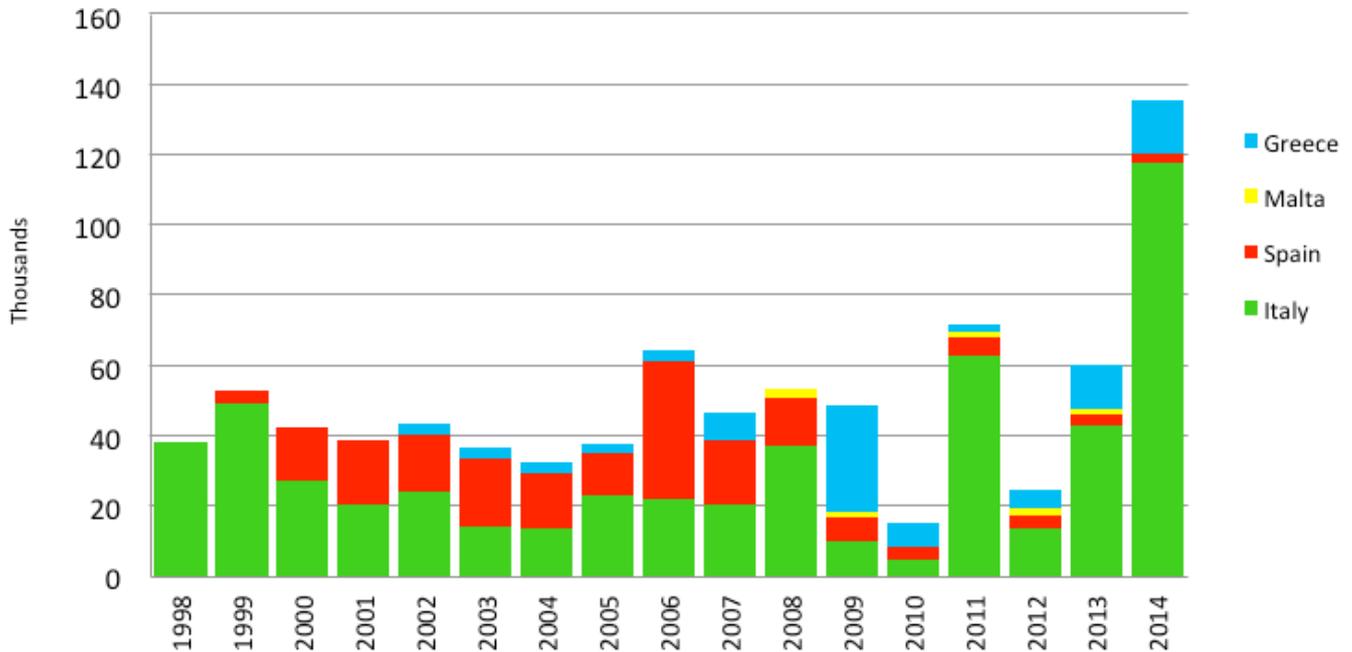


Fig. 1: Migrants smuggled by sea to the EU 1998-2014



Sources: Italy: Ministry of Interior and Italian Navy; Spain: Ministry of Interior for 1999-2013 and UNHCR + press for 2014; Malta: Frontexwatch for 2008-2013 and UNHCR for 2014; Greece: Hellenic Police, Ministry of Public Order & Citizen Protection for 2009-2013 and UNHCR for 2014. For Italy data for 2014 refer to the period 1/1/2014-31/8/2014. For Italy data for 2014 refer to the period 1/1/2014 - 30/09/2014. For Spain, data for 2013 refer to the period 1/1/2013 - 17/09/2013 and data for 2014 refer to the period 1/1/2014- 11/8/2014. For Greece data for 2014 refer to the period 1/1/2014 - 31/7/2014. For Malta data for 2014 refer to the period 1/1/2014 - 22/7/2014.

opening of a new route through Mauritania, and later on Senegal, to the Canary Islands and the revolution in Tunisia. In 2014 a spectacular rise in the number of arrivals occurred, however. It must be attributed to a conjunction of factors: certainly the massive rescue operation launched by Italy starting from October 2013, but also the mounting waves of displaced people in the Middle East and the breakdown of the last barrier between Africa and Europe with the collapse of the state in Libya.

Fact n°2: From marked out routes to wanderings on the high seas

Migrants' countries of origin have changed in recent years with new conflicts emerging and others entering into a process of resolution. Places of disembarkation have also changed, in relation to controls

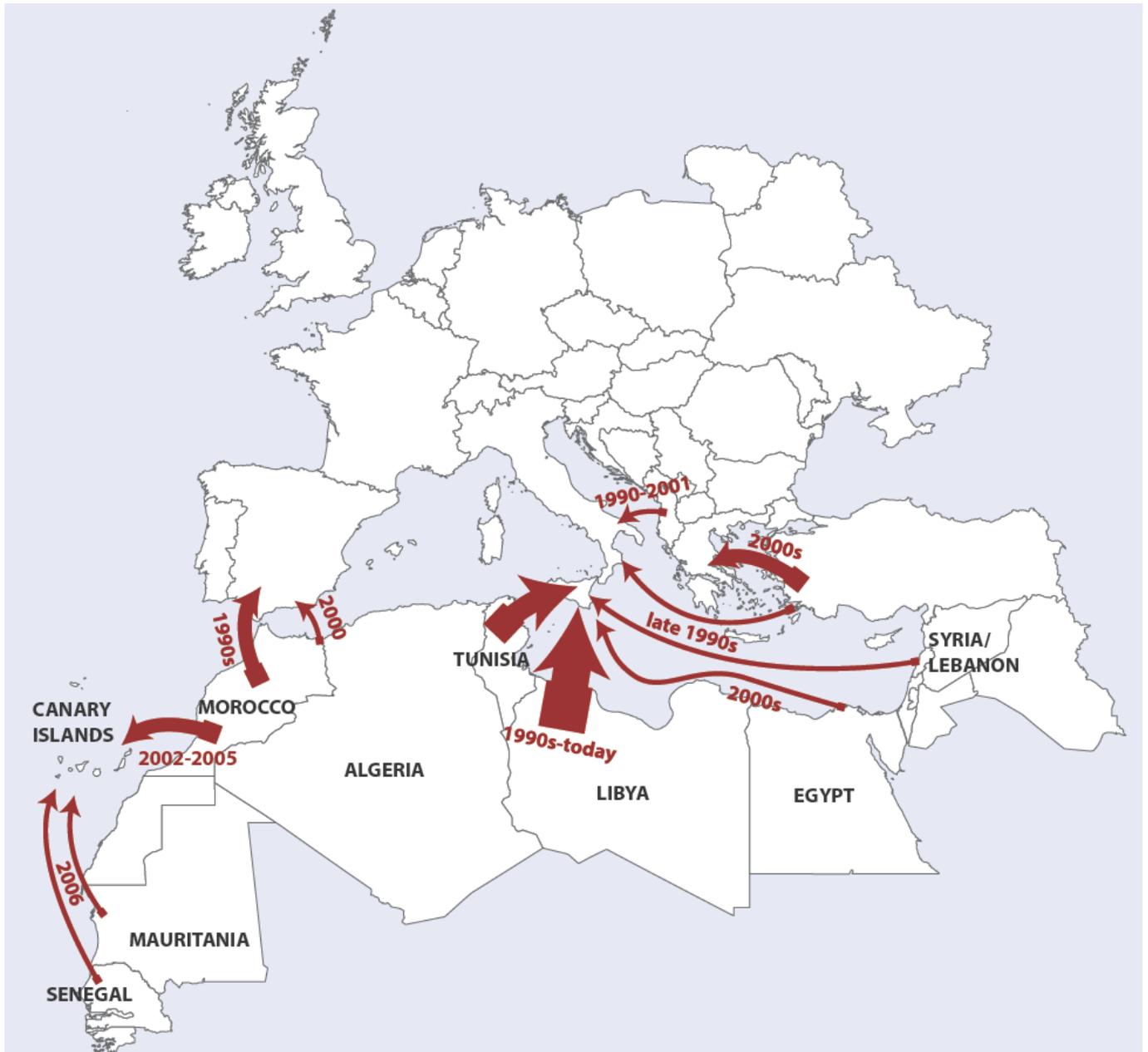
exerted along the journey and at destination. As a general rule, each time a route became more efficiently controlled at embarkation or disembarkation, new routes circumventing controls have been invented. In many cases, however, the new routes were longer, and, therefore, more dangerous, than the older routes.⁴

Routes to Italy: From 1991 through 2001, the channel of Otranto, the shortest route from Italy to Albania (40 miles), was also the most popular. Between 150,000 and 250,000 third-country nationals took

4. Fekete, L. 2003. Death at the border – Who is to blame? *IRR European Race Bulletin*, July. Grant, S. 2011. Recording and identifying European frontier deaths, *European Journal of Migration and Law*, 13 no 2:135–156. Spijkerboer, T.P. 2007. The human costs of border control, *European Journal of Migration and Law*, 9 no 2:127–139.



Fig. 2: Sea routes to Europe 1990s-2014



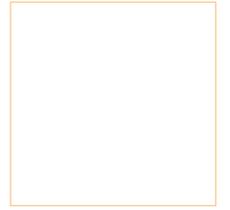
Source: Authors' elaboration

this way to Europe (ICMPD, 2000: 84).⁵ Numbers peaked three times: in 1991 (when Albania was

5. ICMPD (International Centre for Migration Policy Development) 2000. How to halt illegal migration to, from, and through South East Europe? A report on the activities of the Working Group on South East Europe of the Budapest Group, with proposals on further action in the overall framework of the Stability Pact. Prepared by the Secretariat of the Budapest Group for the Meeting of the Working Group in Skopje on 27–28 November.

opened to the world), in 1997 (during the uprising known as the Albanian anarchy), and in 1999 (the Kosovo crisis). Longer but less travelled routes led from Turkey to Italy. Migrants arrived in Puglia. Later on, when Italian border guards intensified controls, migrants were smuggled to more distant Calabria.⁶ The Sicily Channel was always a route. It

6. Monzini, P. 2007. Sea-Border Crossings: The Organization



was in the second half of the 2000s, however, that it became the most travelled route, with Tunisia and Libya as main ports of departure, later on joined by Egypt.

Routes to Spain: The journey across the Gibraltar strait is short (8 miles) but dangerous due to strong currents, due to heavy tanker traffic, and due to the small size of the dinghies typically used by migrants. The high number of victims in the 1990s compelled Morocco and Spain to increase border controls, which simply led migrants to find longer ways around. The Integrated System of External Vigilance (SIVE) put in place by Spain in 1999 on the Strait of Gibraltar was later extended to every new route that migrants would take, first from Morocco to more distant places in Spain, then from Mauritania and Senegal to the Canary Islands. In the Canary Islands themselves, surveillance was gradually extended from the Island of Fuerteventura to Lanzarote (all of them at between 75 and 80 miles from the African shore). In the first nine months of 2006, between 27,000 and 31,000 individuals landed on the Canary Islands – five times the number in 2005 and triple the record in 2002 – and 3,000 drowned along the 1,400 kilometres separating Senegal from the Canary Islands.⁷ Spain managed to substantially reduce flows along this route by establishing readmission agreements with Mauritania and Senegal, and Frontex patrolled the Atlantic coast.

Routes to Greece: By contrast with Italy and Spain, Greece has a land border, in addition to sea borders, with a non-EU country. At a few miles from Turkey, the Greek Islands have been popular points of transit

to Europe since the end of the 1980s.⁸ Unauthorized immigration to Greece increased in the early 2000s for two reasons. First, border controls carried out by Spain and Italy in cooperation with their African neighbours diverted part of the migrant flows from Africa to Greece. Second, flows from Asia and the Middle East considerably increased in this period.⁹ Annual numbers of people intercepted by the Greek Coast Guard had stood at 3,000 since 2002. In 2007, this number peaked at 8,018.¹⁰ Since 2009, as a consequence of the intensified patrols on the Greek coast Guard, unauthorized immigration flows shifted from sea to land borders.¹¹ The trend changed again, at the end of 2012, when Greece built a fence on its border with Turkey. The remarkable drop (95%) in undocumented immigrants entering Greece through the Evros River was offset by a new increase in the flows crossing the Aegean Sea.¹²

Fact n°3: Sea routes to Europe are increasingly lethal

Vast numbers have lost their lives at sea: 15,016 dead and missing persons were counted from January 1998 till 30 September 2014 (Fig. 3)¹³ and there will be many invisible deaths that will remain uncounted.

of Irregular Migration to Italy, *Mediterranean Politics*, 12 no2: 163-184.

7. Wihtol de Wenden C. 2009. Human Mobility in the Mediterranean Basin: An Integral Element of the Euro-Mediterranean Partnership, available on <http://www.iemed.org/anuari/2009/aarticles/a125.pdf> [Accessed 15 September 2014]; Carling (2007).

8. Kasimis, C. 2008. Greece: Illegal Immigration in the Midst of Crisis, MPI. Available on: <http://www.migrationpolicy.org/article/greece-illegal-immigration-midst-crisis> [Accessed on 10 September 2014]

9. Kasimis (2012).

10. United Nations High Commissioner for Refugees (UNHCR) (2007) UNHCR Briefing Notes [online], United Nations High Commissioner for Refugees, Geneva, 5 October 2007, available on: <http://www.unhcr.org/news/NEWS/47060794d.html> [Accessed 20 September 2014].

11. International Organization for Migration (IOM) 2008. Migration in Greece: A Country Profile 2008. Geneva.

12. [Ekathimerini.com](http://www.ekathimerini.com), Monday December 17, 2012 (12:32). http://www.ekathimerini.com/4dcgi/_w_articles_wsite1_1_17/12/2012_474782

13. This number has been calculated drawing on the media reports collected by the Italian NGO Fortress Europe (<http://fortresseurope.blogspot.it/>).

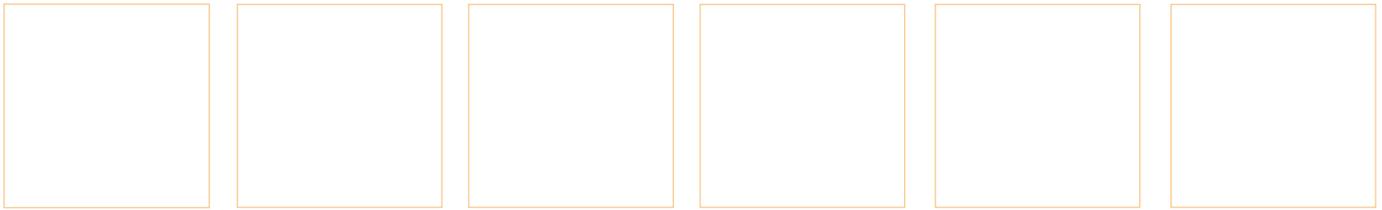
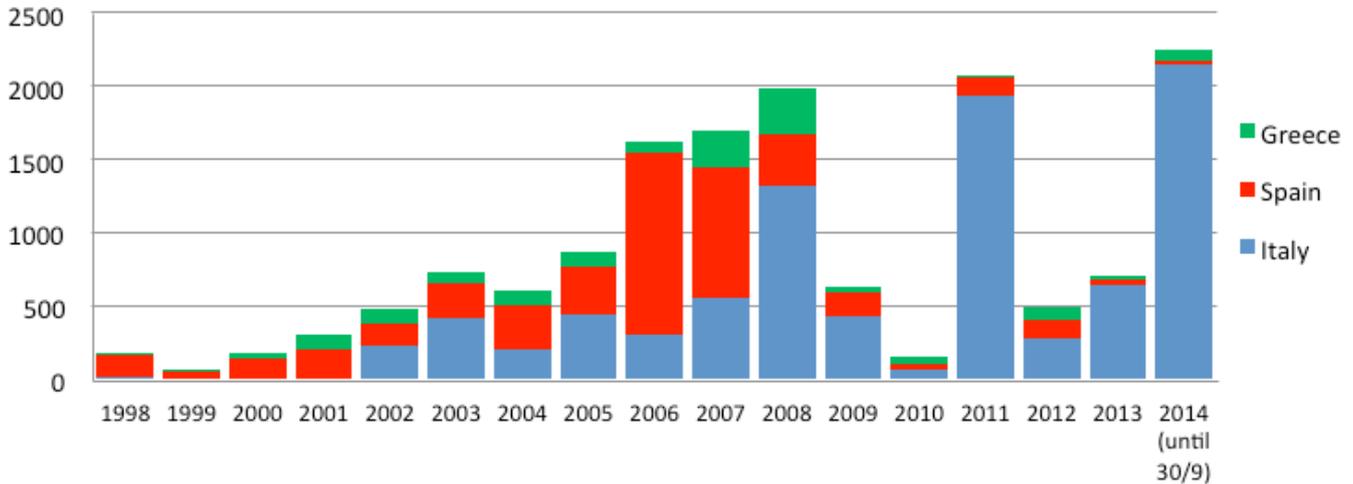


Fig. 3: Dead and missing persons on irregular maritime routes to the EU 1988-2014



Source: Authors' calculation based on data retrieved from Fortress Europe (<http://fortresseurope.blogspot.it/>)

Moreover, the risk of dying at sea¹⁴ has increased from an average of 0.4% between 1998 and 2002 to an average of 2.1% since 2003 (Fig. 4).

Two peaks, both in terms of absolute numbers and risk, occurred in 2006-08 and in 2011. The first one was a consequence of the route to Spain shifting from the Mediterranean (across the Strait of Gibraltar) to the Atlantic (from Mauritania and Senegal to the Canary Islands). The second peak was almost entirely due to an upsurge in migration to Italy (62,692 unauthorized migrants) in the first months of uprising in Tunisia, Egypt and Libya. Not only did the numbers embarking increase, but the risk of dying rose in conjunction with high levels of insecurity at departure. Four wrecks meant enormous death tolls: on 4 April 2011, 213 persons died when their boat capsized during a rescue operation off Lampedusa; 13 April, 495 persons were reported missing 20 days after their boats left the Libyan shore; 28 April, 330 persons lost their lives on the

14. The risk of dying at sea is defined as [dead and missing / (dead and missing + arrivals)]. It must be noted that both numbers of dead and missing persons and numbers of arrivals are under-recorded. This may result in a biased estimate of the risk of dying if one series is more under-recorded than the other.

same route; on 2 June 272 persons went missing after a boat was rescued off the shore of Tunisia.

At the time of writing (October 2014) the present calendar year has already produced a record number of deaths in conjunction with a record number of migrants, but a below-average risk of dying.¹⁵ Many more people have been smuggled at sea (135,602, out of which 118,175 to Italy alone) and many more have been rescued.

2. Seeking life or livelihood?

Key questions for designing adequate policy responses are: to what extent do the root causes of clandestine migration across the Mediterranean lie in the Mediterranean region itself; and how many in these flows are irregular labour migrants and how many are refugees?

15. According to the data contained in the media reports collected by the Italian NGO Fortress Europe, 2,247 people died from 1 January to 30 September 2014. The number of dead and missing people, however, is reported as considerably higher (3072 persons) in a recent publication by IOM (2014), which draws on various sources including media reports, information gathered by IOM Field Offices, data from medical examiner offices and UNHCR.

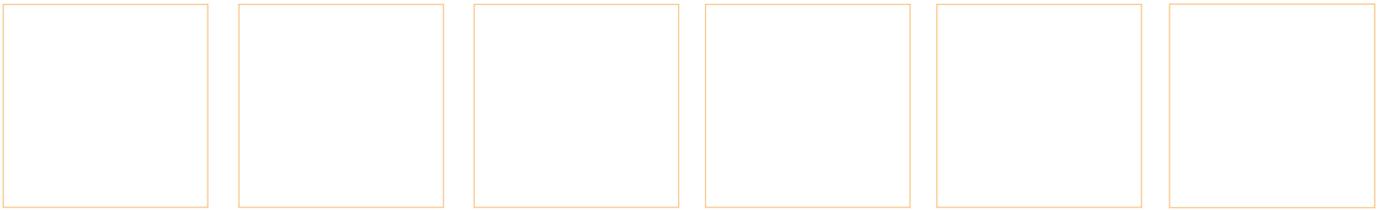
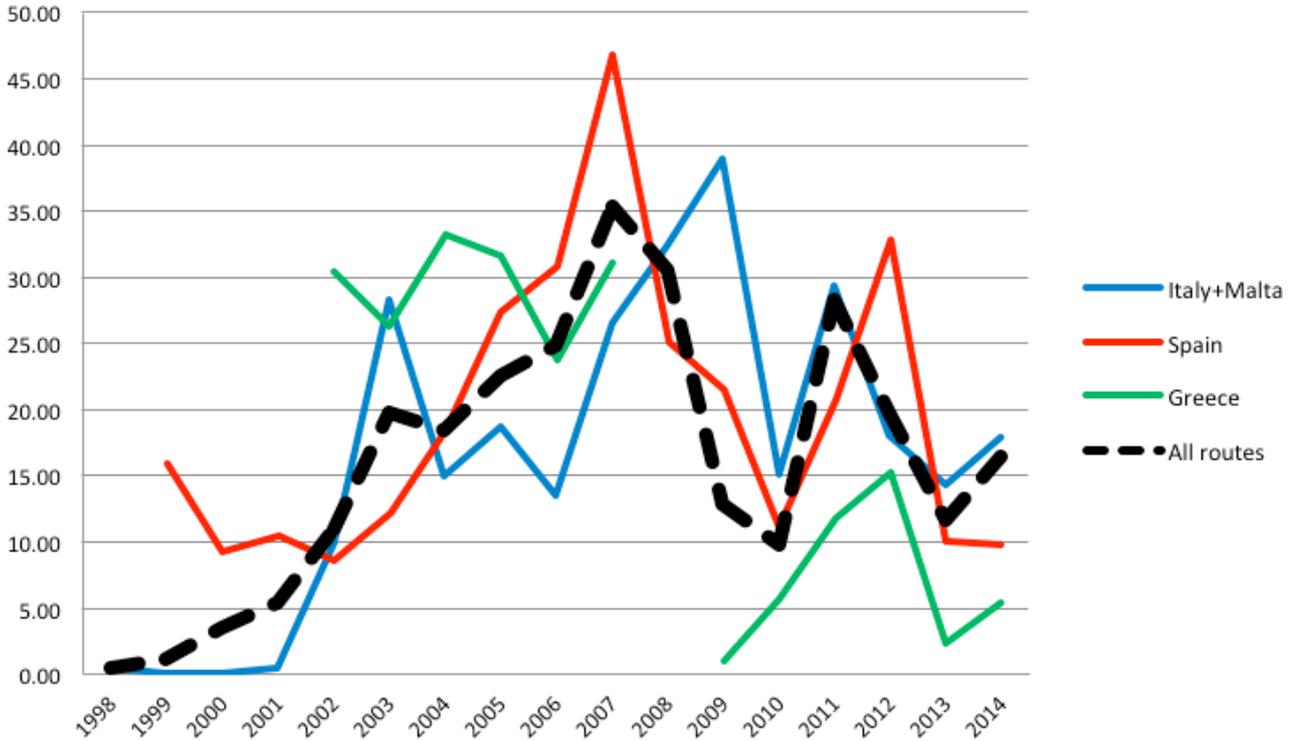


Fig. 4: Probability of dying at sea on maritime routes to EU, 1998-2014



Source: Authors' calculation based on data retrieved from Fortress Europe (<http://fortresseurope.blogspot.it/>); Italian Ministry of Interior and navy; Spanish Ministry of Interior; Hellenic Police, Ministry of Public Order & Citizen Protection; Frontexwatch, UNHCR.

Question 1: Is the Mediterranean an origin or transit zone?

According to the data produced by the Italian Ministry of Interior, 494,555 migrants were smuggled to Italian shores between 1 January 1999 and 31 August 2014. Less than half of them (232,787 persons) citizens of a Mediterranean country, with Tunisia, Syria, Former Yugoslavia, Morocco, Palestine, Egypt and Albania being the most represented in that category (Fig. 5a). A closer look at the data reveals that two countries of origin, Morocco and Egypt, have provided relatively constant, but limited, cross-Mediterranean flows, while flows from the other Mediterranean countries were negligible through the same period. Peaks naturally occur in conjunction with specific political events: the wars of the 1990s in the former Yugoslavia; in Tunisia the brutal repression of social movements in 2008; then

the uprisings in 2011;¹⁶ and in Syria the civil war triggering massive refugee flows starting from 2012. Arrivals of Palestinians, though in smaller numbers, often correspond to particular events such as Israeli bombing in the summer of 2014 that resulted Palestinians fleeing the Gaza Strip through Egypt.¹⁷

Most migrants (261,768 people) who have landed in Italy in the past 15 years were not citizens of any Mediterranean country (Fig. 5b). The southern or eastern shore of the Mediterranean was for them the last leg of a longer journey that began in the Horn of Africa (Eritrea, Somalia, Ethiopia, and Sudan), other Sub-Saharan African countries (in particular

16. Boubakri, H., *Révolution et migration internationales en Tunisie*, MPC Research Report No. 2013/04.

17. Please note that, since data provided by the Italian Ministry of Interior cover up to 31 August 2014, arrivals of Palestinians occurred during the month of September 2014 are not included in Figure 5a.

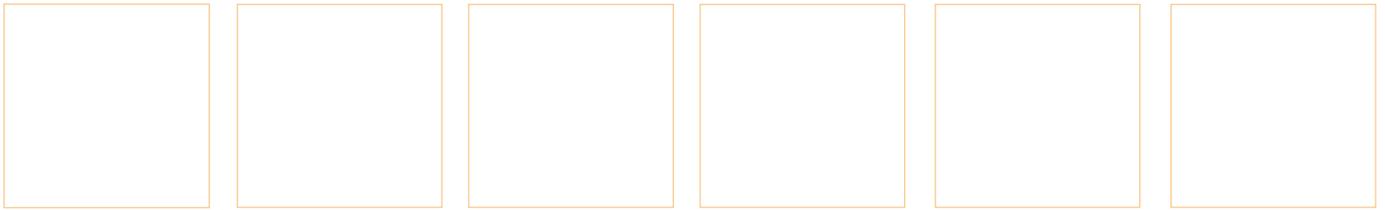
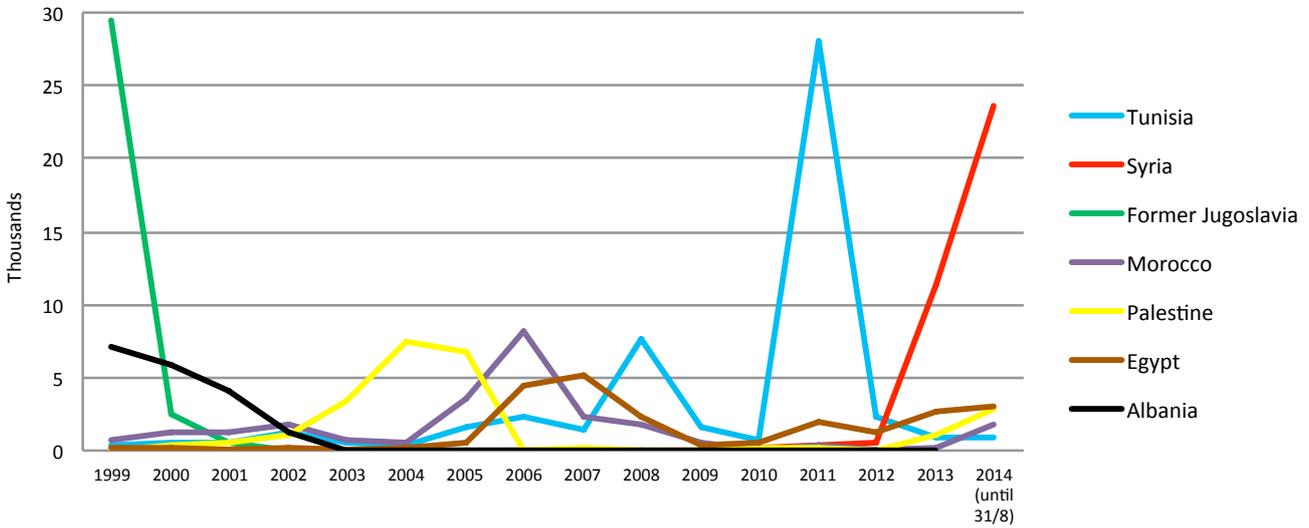
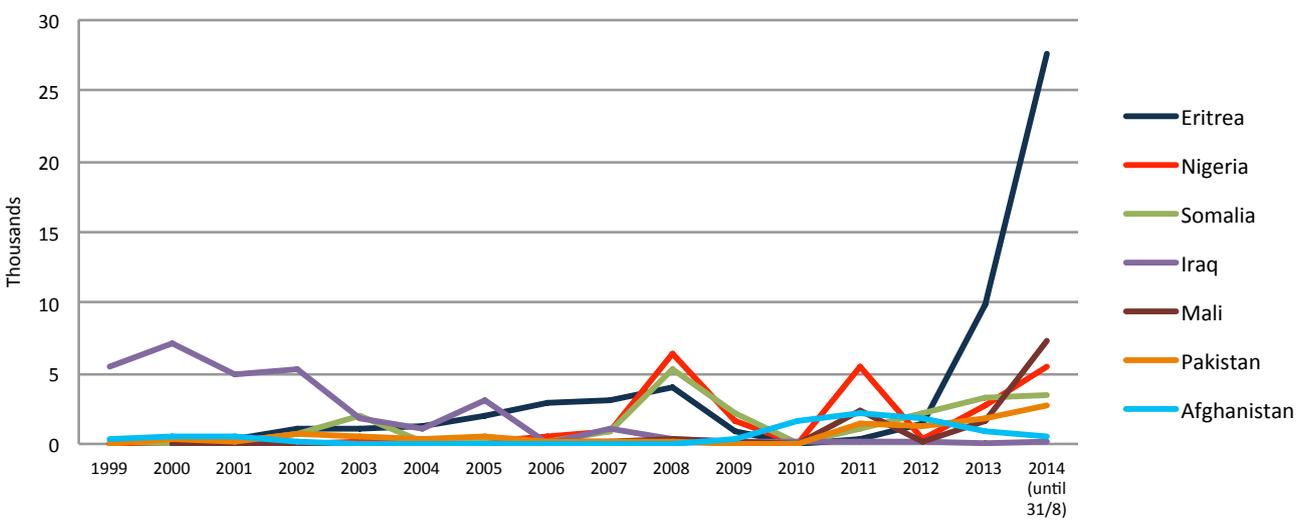


Fig. 5: Arrivals at sea in Italy from 1999 till 2014, by declared nationality

5a: Top seven Mediterranean nationalities



5b: Top seven non-Mediterranean nationalities



Source: Italian Ministry of Interior

Nigeria, Mali, Ghana and Gambia), the Middle East (Iraq), and even further East (Pakistan, Afghanistan, Bangladesh, India...).

Question 2: how many in these flows are irregular labour migrants and how many are refugees?

Those smuggled by sea to Europe typically comprise what UNHCR calls mixed migration flows: i.e. refugees and economic migrants using the same

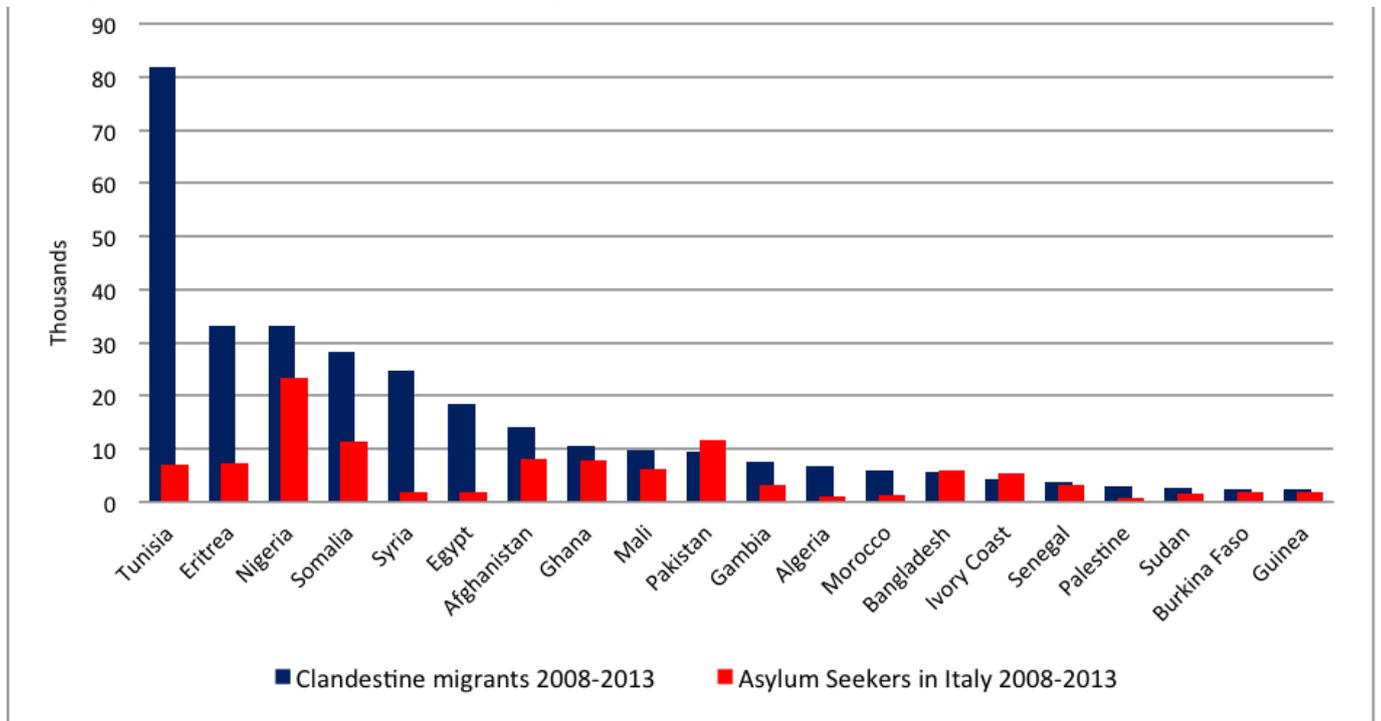
routes and resorting to the same smugglers to reach the same destination.¹⁸ How many of the 49,000 migrants who on average have entered Europe by sea every year illegally since 1998, are persons in

18. United Nations High Commissioner for Refugees (UNHCR) (2007) UNHCR *Refugee Protection and Mixed Migration: A 10-Point Plan of Action* [online], United Nations High Commissioner for Refugees, Geneva, 2007, available on: <http://www.unhcr.org/4742a30b4.html> [Accessed 20 September 2014].

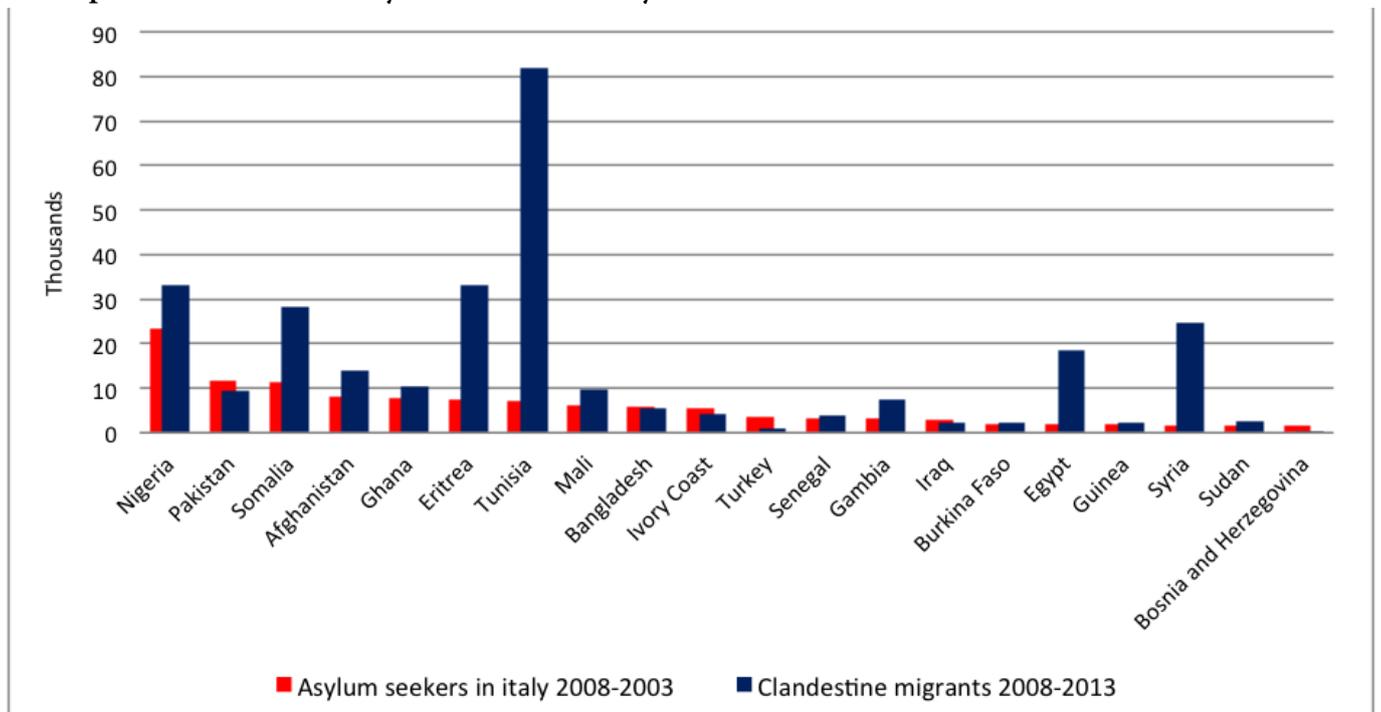


Fig. 6: Migrants smuggled by sea to Italy and asylum seekers in Italy, 2008-2013

6a: Top 20 nationalities of clandestine migrants smuggled to sea to Italy



6b: Top 20 nationalities of asylum seekers in Italy



Source: Italian Ministry of Interior and Eurostat

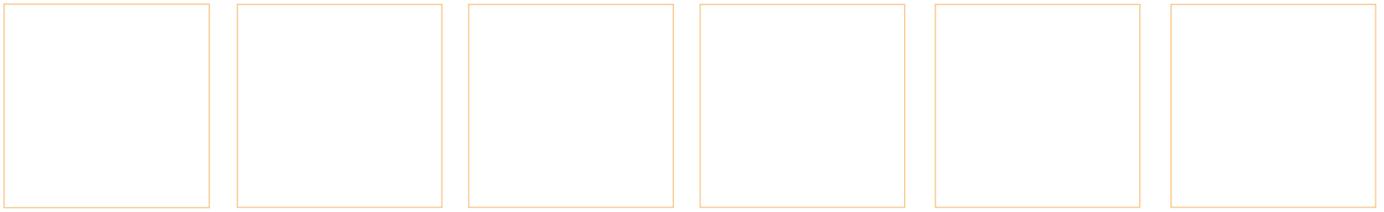
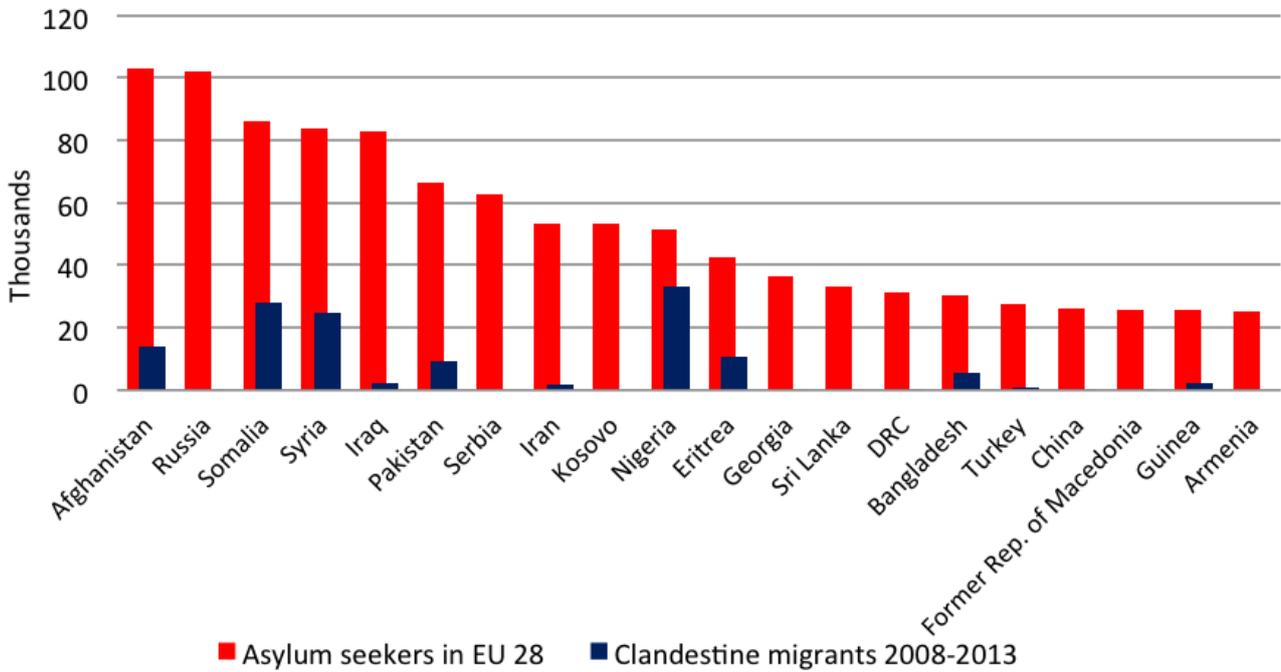


Fig.7: Top 20 nationalities of asylum seekers in EU-28, 2008-2013



Source: Italian Ministry of Interior and Eurostat

need of international protection and how many are economic migrants simply in search of a better life?

Answering this question would require information about the causes of migration, but such information is lacking. Statistics on migrants smuggled at sea to the EU are extremely limited and stop, of course, after the migrants have landed. What has been their fate in Europe? Have they put in claims for asylum in the first Member state they reach, in another Member state, or nowhere? We simply do not know...

An indirect way to address the question of whether refugees or clandestine labour migrants are predominant in trans-Mediterranean 'mixed' flows is to compare the distribution by nationality of migrants smuggled by sea with asylum seekers and regular migrants. Similarities (or differences) in the distributions by nationality will be interpreted as a sign of similarity (or difference) in the kind of flow (asylum vs. economic). Moreover, because Italy is regarded as an entry point to the whole EU, nationalities of migrants smuggled to Italy must be compared with

nationalities of regular migrants and asylum seekers, not only to Italy but also to the rest of the EU.

There is a fairly striking similarity between the nationalities of migrants smuggled at sea and those of asylum seekers. Indeed: 1) only 3 countries – Algeria, Morocco, Palestine – are in the top 20 countries of nationalities of migrants smuggled at sea but not among the top 20 countries of origin of asylum seekers who lodged their applications in the same period (Fig. 6a); and 2) only two countries – Iraq and Turkey – are among the top 20 countries of origin of asylum seekers but not among the main countries of origin of smuggled migrants.

For Tunisia, Eritrea, Nigeria, Somalia, Syria and Egypt clandestine migrants considerably outnumber asylum seekers in Italy. This might be explained in two ways: i) smuggled migrants are asylum seekers but they do not lodge their asylum claim in Italy, which they use only as an entry point; ii) smuggled migrants from these countries are mainly economic



migrants. These two possible situations are discussed in what follows.

First, are migrants smuggled to Italy likely to be asylum seekers lodging their claims in other EU Member States? Figure 7 demonstrates that Somalia, Syria, Eritrea and Nigeria are among the main countries of origin of persons looking for international protection in the EU, as well as among migrants smuggled to Italy, suggesting that Italy is an entry point for refugees who later on go to other member states. By contrast, Egypt and Tunisia are not major countries of origin of asylum seekers in the EU. This suggests that Egyptians and Tunisians who do not apply for asylum in Italy are economic migrants who either stay in Italy or who go elsewhere.

Second, does Italy play a role as an entry point for unauthorised economic migrants, or do these economic migrants intend to stay in Italy? Italy seems to be the final destination for smuggled migrants originating in Tunisia and, to a lesser extent, Nigeria as these two countries are in the top twenty nationalities of both regular migrants and migrants smuggled by sea (Fig. 8a). None of the other nationalities of regular migrants is significantly represented among smuggled migrants, a fact that suggests that smuggling does not bring migrant workers to Italy unless they remain clandestine. If sea smuggling does not bring large numbers of economic migrants to Italy, does it bring them to the rest of Europe? Fig. 8b points again to Tunisia and Nigeria as the nationalities among the top twenty in the two distributions.

In sum, only smuggled migrants from Tunisia and in smaller numbers from Algeria and Morocco seem to be largely migrant workers. Flows from Nigeria, Egypt, Bangladesh and Pakistan appear to be the most mixed. Flows from Eritrea, Syria, Somalia, Afghanistan, Mali, Gambia, Ivory Coast, Sudan and Palestine are largely refugees, with persons fleeing from life-

threatening situations in search of protection in Italy or, more often, in other EU member states.

They undertake a long and dangerous journey across countries that are as insecure as the ones they leave, at the mercy of ruthless smugglers. They do so because the documents which are required at destination are either not available in their countries of origin, or in the countries they cross. The last step of this journey is the southern shore of the Mediterranean. North African countries have long been points of departure to Europe, both for their own citizens and for persons in transit. In recent years Libya has become a major place for boats embarking to Europe. With its huge oil wealth and low population, Libya has been, in fact, a major migrant-receiving country over the last half century. The Libyan route has also always been travelled by migrant workers and refugees trying to reach Europe. When clandestine migration through the Mediterranean picked up momentum at the end of 1990s, containing irregular migrants on the Libyan shore became a bargaining chip for the Libyan government — then under international embargo — in its negotiation with Europe. Even after the embargo was lifted, Colonel Kaddafi continued to use the threat of migration as a scarecrow in his diplomacy with Southern European states (Fargues 2009).¹⁹ Unsurprisingly when the Kaddafi regime was ousted in 2011 with political chaos ensuing, police controls disappeared from most of the Libyan shore, leaving the way clear for migrant smugglers.

3. From push back to rescue: *Mare Nostrum*

Launched by the Letta government in response to the major ship wreck a few miles off Lampedusa in October 2013, the *Mare Nostrum* operation was to

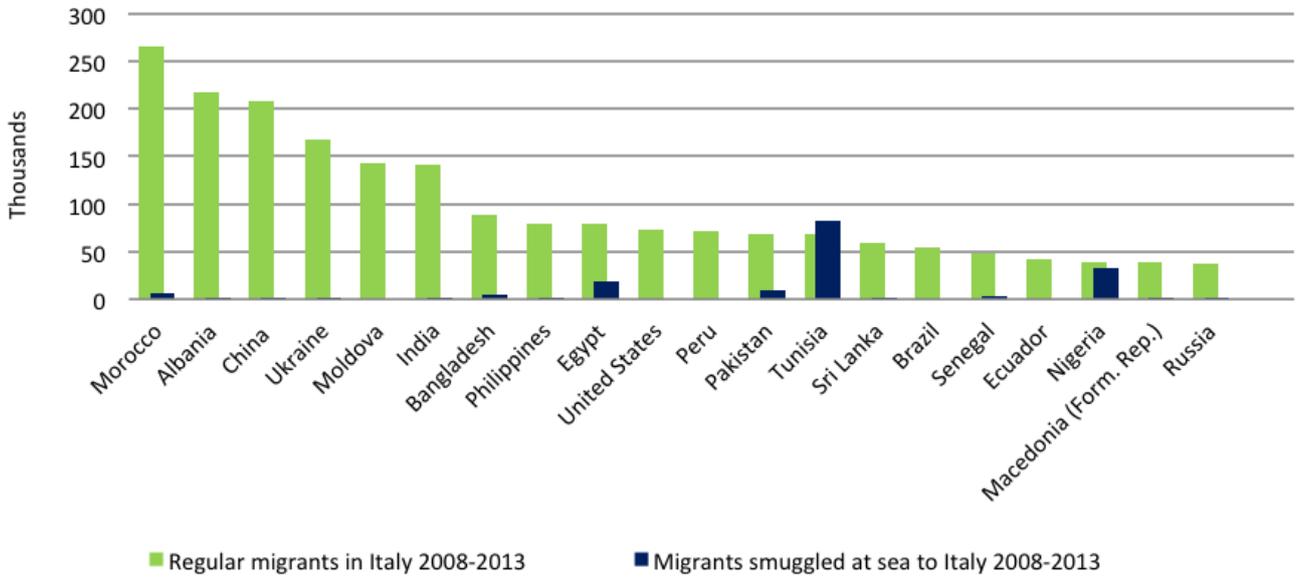
19. Fargues, P. 2009. Work, Refuge, Transit: An Emerging Pattern of Irregular Immigration South and East of the Mediterranean, *International Migration Review*, 43 no. 3:544–577.

11 ■ When the best option is a leaky boat: why migrants risk their lives crossing the Mediterranean and what Europe is doing about it.

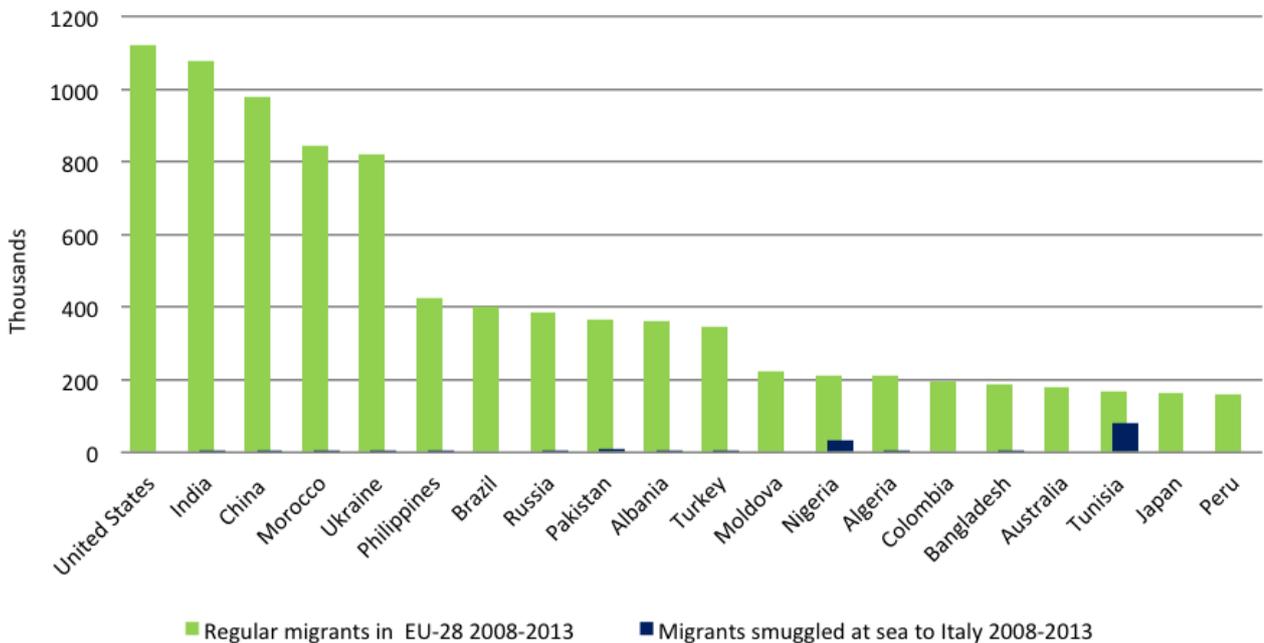


Fig. 8 Regular Migrants in Italy and in EU-28 and arrivals by sea to Italy, 2008-2013

8a: Top 20 nationalities of regular migrants in Italy



8b: Top 20 nationalities of regular migrants in EU-28



Source: Italian Ministry of Interior and Eurostat

deal with “the humanitarian emergency ongoing in the Sicily channel, due to the exceptional inflows of migrants.”²⁰ A year after it began, it is time to eval-

uate this operation which has been at the centre of a harsh debate both in Italy and the EU more generally. For this purpose three issues must be addressed.

20. Ministero della Difesa. Available on: <http://www.marina.difesa.it/attivita/operativa/Pagine/MareNostrum.aspx> [Accessed 25 September 2014]

First, has *Mare Nostrum* achieved its main aim, i.e. reducing the risk of mortality at sea? Figure 10

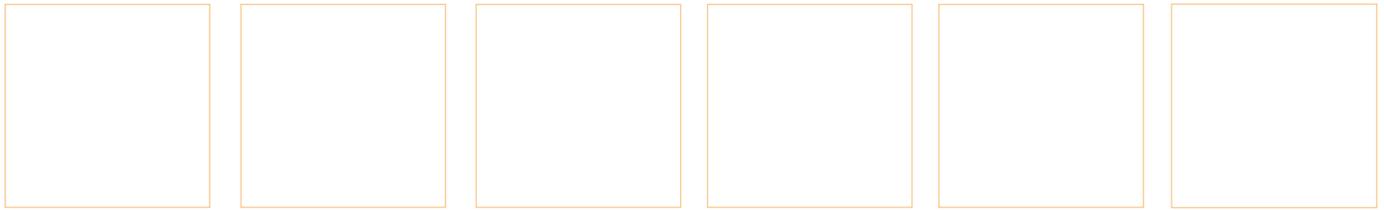
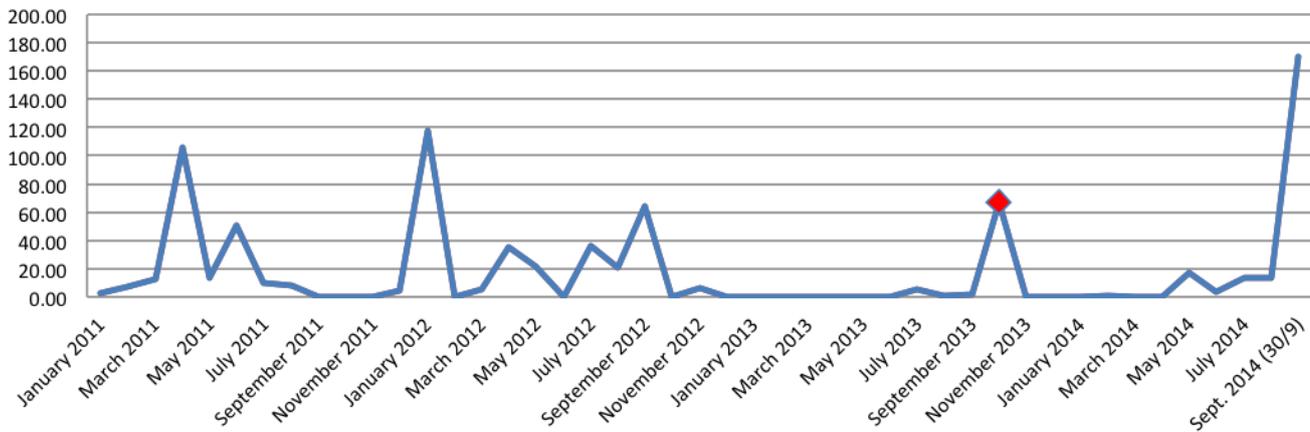


Fig. 9: Probability of dying at sea on irregular maritime routes to Sicily by month, 2011 - September 2014



Source: Authors' calculation based on data from Fortress Europe and the Italian Ministry of Interior.

shows that such risks dropped dramatically after the launch of Mare Nostrum and remained low during the winter and the early spring of 2014. In May, July and August the risk rose but continued to be well below the level reached in October 2013 and during most of 2011, another year of numerous arrivals. However, mortality abruptly rose in September 2014, when it reached a climax never attained 2011-14. Fig. 9, therefore, suggests that, though Mare Nostrum has rescued an impressive number of people (over 100,000 since its launch), it has not reduced the risk taken by individual to die at sea. One can argue that perhaps it is a question of numbers. So many migrants have been smuggled in 2014 that ensuring a proper surveillance of the Sicily strait has become challenging. Moreover, it might be that, searching the sea more systematically, Mare Nostrum found wrecked boats and drowned persons that otherwise would not have been collected.

Second, did Italy manage to reconcile its effort to save human lives with the obligations deriving from the Dublin III regulation, i.e. the duty of registering asylum seekers among those smuggled to Italy and seeking international protection?²¹ Some investiga-

21. "Where it is established, [...], that an applicant has irregularly crossed the border into a Member State by land, sea or air having come from a third country, the Member

tive reports²² have shown that Italian civil servants used to facilitate migrants' attempts to cross Italy from south to north, without leaving administrative traces, so they can lodge their applications in other European countries, where migrants think they will receive better treatment.²³ This was done,

State thus entered shall be responsible for examining the application for international protection. That responsibility shall cease 12 months after the date on which the irregular border crossing took place." Regulation (EU) No 604/2013 of 26 June 2013, Article 13.

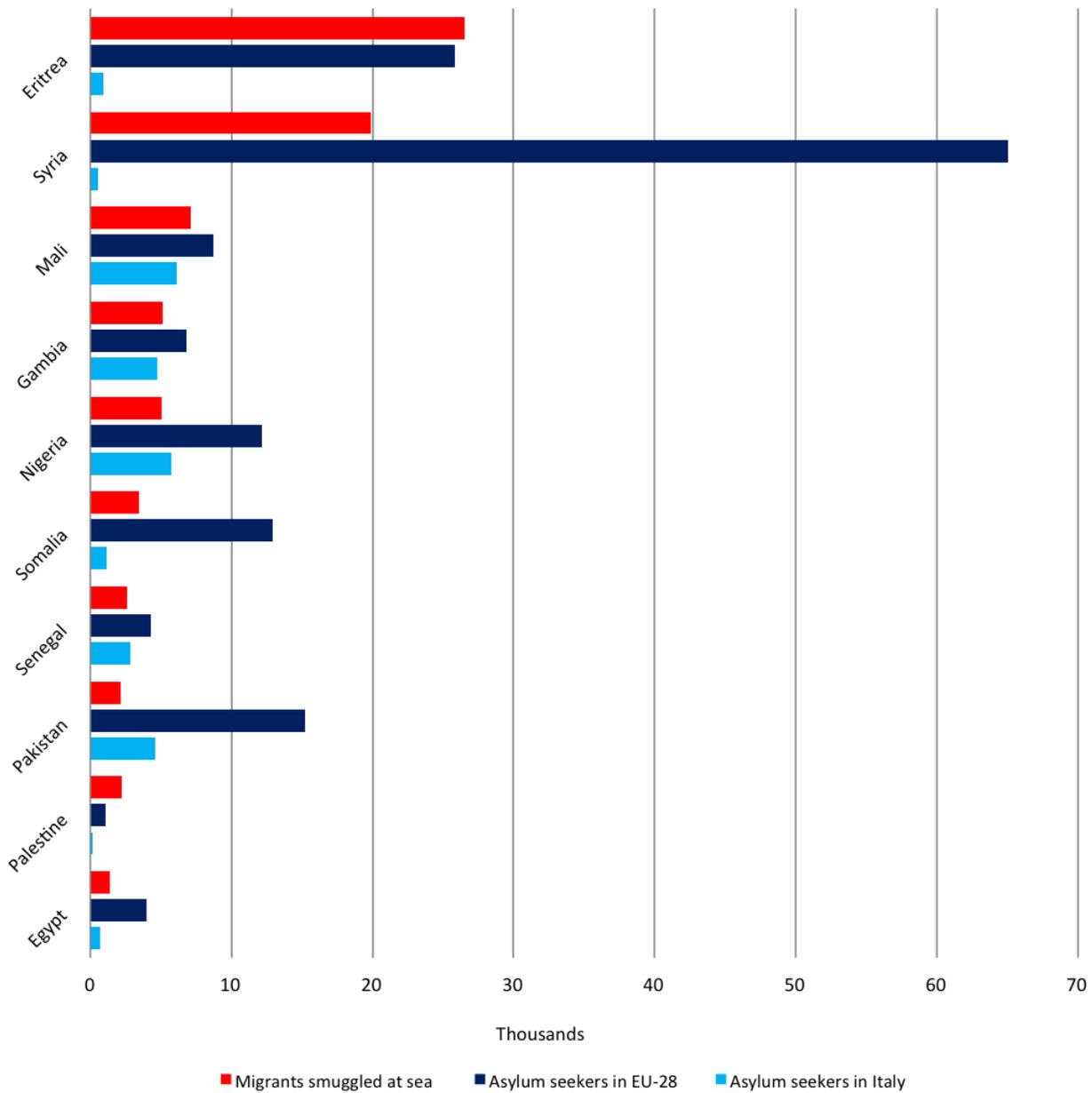
22. Trincia, P. 2014. "L'Odissea dei Migranti", *Anno Zero LA7*, 15 May, <http://www.serviziopubblico.it/2014/05/lodissea-dei-migranti/>

Valesini, G. 2014. "Immigrazione", *Ballaró RAITV*, 6 May, <http://www.rai.tv/dl/RaiTV/programmi/media/ContentItem-e952d6c7-57c7-4e26-a065-f97e3f3c3a3a.html#p=>

23. In the wake of complaints by other European countries, the Italian Ministry of Interior issued a circular in mid-September that made more stringent the modalities and timing of registration for migrants arriving irregularly. The new provisions, however, seems to have resulted in an increased use of violence against migrants who refuse to give their fingerprints. Labrushi, L. 2014. "Immigrazione, senza un piano si rischia il caos", *Avvenire.it*, 29 Sept., http://www.avvenire.it/Cronaca/Pagine/immigrazione-senza-un-piano-si-rischia-il-caos.aspx?utm_content=buffer84bda&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer; Pasta, S. 2014. "Foto e impronte: adesso i profughi vengono schedati", *Corriere.it*, 29 Sept., <http://lacittanuova.milano.corriere.it/2014/09/29/foto-e-impronte-adesso-i-profughi-vengono-schedati/>.



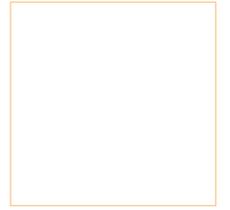
Fig. 10: Top ten nationalities of migrants smuggled at sea to Italy, October 2013 - July 2014



Sources: Italian Ministry of Interior and EUROSTAT

for instance, by communicating to migrants the date when they are due to be registered, thus giving them time to leave the reception centres where they are accommodated before the registration takes place. This would particularly apply to Syrians whose community is better established in western and northern Europe, notably in Sweden.²⁴ Figure 10, 24. In Sweden, since September 2013 all Syrians who have

which compares the numbers of migrants smuggled by sea to Italy with numbers of new asylum seekers, both in Italy and in the whole EU-28 for the period October 2013-July 2014, seems to confirm similar dynamics for Eritreans, Syrians, Palestinians, and Somalis. Indeed, these countries see many of their nationals smuggled by sea to Italy, as well as asylum claimed asylum have been granted refugee status.



seekers in the whole EU-28, with only few lodging an asylum application in Italy.²⁵ Italy is a gateway not a destination.

By not registering migrants as asylum seekers as soon as they are rescued and by not discouraging them from reaching other EU countries, Italy has breached the Dublin III Regulation. On the other hand, it is a legitimate question to ask whether the burden of both rescuing migrants at sea *and* giving them asylum must be born uniquely by one country.²⁶ Answering this question is becoming increasingly urgent as *Mare Nostrum* will be winded up at the end of October 2014 and replaced by Frontex Plus.²⁷ This operation, also called Joint Operation Triton, is due to be carried out by Frontex, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. Triton will merge and expand Hermes and Aeneas, two Frontex surveillance and “early detection” operations already in force in Italy, drawing on the resources that EU member states will make available on a voluntary basis. So far, Spain, France, Finland, Portugal, Iceland, the Netherlands,

Lithuania and Malta have declared their willingness to participate.²⁸ Each country will make available its equipment for a month, in order to share the expenses (Frontex has foreseen a monthly budget of 2,9 millions of euros).²⁹ However, the modality of their participation still needs to be negotiated. In particular, it is not clear whether the countries whose vessels will rescue smuggled migrants will disembark the latter on their territory or on the closest shore and, therefore, it is known which country will take responsibility for any asylum claims.

The third question to be asked is whether *Mare Nostrum* has attracted migrants who otherwise would not have crossed the Mediterranean or whether it is the regional context in which it takes place that has inflated the number of migrants. Right-wing politicians in Italy and in the EU blame *Mare Nostrum* for facilitating the smuggling business, while humanitarian associations tend to attribute the rise to migrants smuggled at sea to the worsening political situation in their countries of departure and to anarchy in Libya. Unfortunately there is no solid data to help us answer this question.

25. A similar situation was observed in Greece in 2013, see Triandafyllidou, A. and Dimitriadi A. 2014. Governing Irregular Migration and Asylum at the Borders of Europe: Between Efficiency and Protection, *Imagining Europe* No. 6, IAI.

26. It should be noted, however, that “Southern countries are exposed to pressures at their borders because of their geographical proximity to zones of instability and conflict. Northern European countries have traditionally been the preferred destinations of asylum seekers from all over the world. Thus, [...] Northern European countries are more “protected” from irregular migration because of their geographical position and hence face mostly the problem of processing applications rather than that of filtering them at their borders. Triandafyllidou, A., *Disentangling the Migration and Asylum Knot. Dealing with Crisis Situations and Avoiding Detention*, EUI RSCAS Policy Papers, No. 2013/19, p.9.

27. Ministero dell’interno 2014, “Strategie per l’immigrazione, Alfano riferisce alla Camera”, 16 October, http://www.interno.gov.it/mininterno/export/sites/default/it/sezioni/sala_stampa/notizie/immigrazione/2014_10_16_informativa_Alfano_Camera_strategie_flussi.html

Conclusion

Resolving the tragedy of migrants smuggled at sea has become a high priority. But how?

Response 1: Combatting the smugglers

Smugglers are responsible for uncountable deaths at sea and, for this reason among many others, elimi-

28. These countries will make available some technical equipment and specialized staff while Romania, Switzerland, Norway, Germany, Sweden, Austria and Poland will provide only specialized staff.

29. Le Soir 2014. “Immigration: huit pays dont la France s’engage dans Triton (Frontex)”, 14 October, <http://www.lesoir.be/680242/article/actualite/fil-info/fil-info-monde/2014-10-14/immigration-huit-pays-dont-france-s-engage-dans-triton-frontex>



nating the smuggling business is a pressing duty. One should make no mistake, however: smugglers are not the root cause of the problem. They are the wrong response to people who are desperate for international protection. Smugglers did proliferate in response to a demand and it is the demand that must be tackled.

Moreover, eradicating sea smuggling should not mean that refugees are maintained in the last step of their journey, which is Libya for most. It requires cooperating with the local authorities and ensuring that the country is a safe country of asylum. This is not the case with Libya, where the state has collapsed leaving the country on the verge of civil war.

Response 2: Intervening at an earlier step of the journey

People fleeing Syria are now seeking shelter in all parts of the Arab world and in Turkey, a vast region, which at the time of writing is host to over three million Syrian refugees. As far away from Damascus as Nouakchott in Mauritania, it has become common to see Syrian refugees forced to beg in the streets. They have travelled 5,500 kilometres across seven

countries and an endless desert to find themselves scraping a livelihood in one of the poorest countries on earth. People fleeing Eritrea and other war-torn parts of the horn of Africa reach the Mediterranean after crossing several countries as insecure as their own. There is no safe haven on their road.

The vast majority of migrants smuggled at sea need international protection. The only way to put an end to their hazardous exodus, while respecting Europe's commitment to protecting lives, requires that we operate at a much earlier step of their journey, possibly in the first country of asylum they reach after escaping their own. Two kinds of action must be contemplated. First, there must be embassies of EU member states to provide people in need of international protection with an opportunity to apply for a visa of whatever kind (humanitarian or not). In order to avoid only a few Member States becoming overwhelmed with refugees, a mechanism for redistributing the persons admitted across the entire EU should also be put in place. A second response might see safe havens secured close to the conflict zone.

Migration Policy Centre

The Migration Policy Centre at the European University Institute, Florence, conducts advanced research on global migration to serve migration governance needs at European level, from developing, implementing and monitoring migration-related policies to assessing their impact on the wider economy and society. The Migration Policy Centre is co-financed by the European Union.

Migration Policy Centre Robert Schuman Centre for Advanced Studies - European University Institute
Via delle Fontanelle 19I-50014 San Domenico di Fiesole (FI) Italy

Tel: (+39) 055 4685 817
Fax: (+39) 055 4685 770
mpc@eui.eu



Complete information on our activities can be found online at: www.migrationpolicycentre.eu/