

The daily odyssey of migrants in the Sicily Channel



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“But in the morning some of us drew our ships into the water and put our goods with our women on board...”

(Homer, Odyssey, Book III)

The Mediterranean sea, a historical crossroads of migrations and space of big cultural and business trades, is becoming nowadays a fortified area for different reasons, as to escape war, hunger, poverty and political persecutions. Every month thousand of migrants disembark along the wide coastlines of Spain, France, Italy and Malta, that are the preferred options for entering Europe in an irregular way, since they remain permeable despite stricter controls.



The common entry points in Europe are: Malta, the island of Lampedusa and Sicily, the Canary Islands (Spanish territory) and Ceuta and Melilla (Spanish territory in Morocco). Italy, especially Sicily and the little island of Lampedusa (the Italy's southeast point, 205 kilometres far from Sicilian coasts, 167 kilometres from Tunisia and 355 kilometres from Libya), has registered an increase in the arrival of irregular migrants from Libya and Tunisia. Due to its position, in fact, Sicily represents the preferred option for entering Europe in an irregular way from Libya and Tunisia.



Migrants usually use very small boats (especially rubber dinghies) to cross the Sicily Channel.



The migrants traffic is managed by criminal organizations of smugglers who, generally, ask about 2.000 dollars for a travel by sea.

Table I shows the numbers of the landings on Italian coastlines between 2003 and 2006: at the last 2 years, 22.939 people disembarked in Italy in 2005 (22.824 in Sicily, 14.855 in Lampedusa), 22.016 disembarked in 2006 (21.400 in Sicily, 18.096 in Lampedusa).

Table I - Landings

	2003	2004	2005	2006
Total	12.512	12.021	22.939	22.016
Sicily	10.011	11.994	22.824	21.400
Lampedusa	2.501	1.027	14.855	18.096

The origin nations of the migrants coming to Sicily are especially: Egypt, Morocco, Eritrean, Tunisia, Sudan, Ethiopia, Bangladesh, the Ivory Coast, Pakistan and Togo.

Why are Egyptian and Moroccan migrants in the first places?
Egypt:

1. increase of relationships between Libyan and Egyptian organizations (because of high presence of the Egyptian community in Libya);
2. closeness between two countries;
3. easiness for Egyptian migrants to go to Lybia (45 days without visa).

Morocco:

1. closing of normal irregular emigration ways (Gybraltar's strait and the Canary islands);
2. growing of Libyan routes.

From 1998 to 2007 (up to 1st September) 917 persons along the way from Libya or Tunisia have drowned and 1.503 are still missing in the Sicily Channel.

Table II - Drowned and Missing Migrants in the Sicily Channel

Year	Drowned	Missing	Total
1998	10	10	20
1999	10	10	20
2000	10	10	20
2001	10	10	20
2002	10	10	20
2003	10	10	20
2004	10	10	20
2005	10	10	20
2006	10	10	20
2007	10	10	20
Total	917	1.503	2.420

But let us take into regard that migrants must cross great distances before travelling the sea and crossing the sea is not the only danger they have to face; the also have to cross deserts, to deal with guerrillas, etc.

Here are the major causes of migration:

- Warfare, persecution, repression and violence;
- Ethnic discrimination;
- Income and jobs and/or working conditions;
- Economic decline and lack of opportunities;
- Prostitution and slavery;
- Family reunification;
- Health and HIV (increasing mortality);
- Environment degradation (vulnerability of local economies, drought, climate change, etc.);
- Lack of investments and financial services;
- Lack of access to education;
- Poor governance;
- Criminal reasons;
- Etc.

Who succeeds to catch up Lampedusa or the Sicilian coasts, is immediately entering a public structure. In Italy there are: Temporary Holding Centers (in Italian CPTA), where foreigners are retained subordinated to expulsion provision, waiting for additional assessments on their identity or nationality, or to acquire documents for repatriation; Housing Centers (CPA), that guarantee first aid for the necessary time to get the provision to stay in Italy or leaving; Identification Centers (CID), where foreigners asking asylum are retained.

At the moment in Italy there are:

- 14 CPTA for maximum 1.940 free places (Bari-Palese, the airport area – 200 free places; Bologna, Caserma Chiarini – 95 places; Brindisi, Contrada Restinco – 180 places; Caltanissetta, contrada Pian del Lago – 96 places; Catanzaro, Lamezia Terme – 75 places; Crotona, Località Sant’Anna – 129 places; Foggia, Borgo Mezzanone – 220 places; (Foggia is a CPTA, but used like CPA and CID); Gorizia, Gradisca d’Isonzo – 252 places; Milano, Via Corelli – 140 places; Modena – Località Sant’Anna – 60 places; Ragusa, ex stabilimento Somicem – 60 places; Roma, Ponte Galeria – 300 places; Torino, Corso Brunelleschi – 96 places; Trapani, Serraino Vulpitta – 57 places);
- 5 CPA for maximum 2.394 free places (Bari-Palese, airport area – 600 places; Crotona, località Sant’Anna – 678 places; Caltanissetta, Contrada Pian del Lago – 310 places; Foggia, Borgo Mezzanone – 290 places; Siracusa, Cassibile – 200 places);
- 4 CID for maximum 730 free places (Milano – 20 places; Crotona – 300 places; Foggia – 200 places; Trapani – 210 places).

On February 2006, the centre of Lampedusa (that can contain at most 190 people) turned into a first aid and assistance Centre, in order to guarantee an effective first aid to landed people: this centre is a neuralgic point where lots of migrants often arrive in bad health conditions (in 2005 2.474 people have been journeyed in Lampedusa, 15,3% of Italian total). After 24/48 hours they are transferred to the other kind of Centres.

In the political-legislative debate, there are a lot of polemics concerning the opportunity of maintaining, closing or modifying these Centres.

Here are some problems:

- the national law is insufficient;
- people are being held for a too long time (between 20 and 30 days) without an effective jurisdictional control over this measure limiting individual freedom;

- malfunctioning and insufficient protection of the fundamental rights;
- delays and inefficiencies;
- no defence and legal assistance or information on the possibilities to ask for asylum;
- violation of the right to seek asylum;
- violation of the right to health;
- overcrowding;
- lack of hygienic and sanitarian conditions;
- too expensive (more than 34 millions of euros in 2004);
- no transparency.

Usually the entrance to the associations and agencies for assistance and protection of rights is not allowed: in march 2005, Italian authorities denied access to the UNHCR (The United Nations High Commissioner Refugees Agency) in Lampedusa; just in 16 may 2007, after an order of the Ministry of Domestic Affairs, media could enter for the first time in the Centre Lampedusa.

The European Parliament, with the resolution on Lampedusa of 14 April 2005, called on the Italian authorities to refrain from collective expulsions of asylum seekers and “irregular migrants” to Libya as well as to other countries and to guarantee that requests for asylum are examined individually and the principle of non-refoulement adhered to; took the view that the Italian authorities have failed to meet their international obligations by not ensuring that the lives of the people expelled are not threatened in their countries of origin; called on the Italian authorities to grant the UNHCR free access to the Lampedusa detention centre; called on the Commission to ensure that the right of asylum is respected in the European Union, to put a stop to the collective expulsions and to insist that Italy and the other Member States comply with their obligations under EU law; recalled the need for a Community immigration and asylum policy based on an opening up of legal immigration channels and on the definition of a common standard of protection of the fundamental rights of immigrants and asylum seekers throughout the European Union; called for a delegation of members of the relevant committees to be sent to the Lampedusa refugee centre.

And in 15-16 September 2005, a delegation of 12 members of the LIBE Committee on Civil Liberties, Justice and Home Affairs of the European Commission was allowed to visit the centre of Lampedusa. Here are its conclusions:

- The delegation expressed its concern regarding the Italian Government’s expulsion of migrants to Libya;
- The living conditions at the centre were makeshift and totally inadequate considering the great flow of migrants to Lampedusa;
- The Italian authorities had not shown sufficient transparency in providing access to documents certifying the legal situation of the people housed at the centre.

Lampedusa and Sicily are preferred options to enter in Italy for asylum seekers: in 2006 over 60% of asylum seekers (about 6.000 of 10.300) entered from Lampedusa. Italy is the only Country of European Union who hasn’t an organic law on the right of asylum to guarantee an international standard procedure (in 2006 in the European Union have been collected 200 thousand applications). The procedures in order to demand and to obtain asylum, in fact, are too complex: the national law is from 1990, modified from the so called “Bossi-Fini” in 2002, and the implementation regulation is in force from 21 April 2005. There is the concern that with this procedure thousand of migrants and asylum seekers arrived in Italy by sea, especially from Libya, have been enforcedly refused to Countries where there is violation of

human rights.

But, besides the art. 10 of the Italian Constitution that recognizes the right of asylum to anyone hasn't "the effective exercise of the democratic freedoms" in his Country, a lot of international declaration guarantee it: art. 14 of the Universal Declaration of Human Rights of General Assembly of 1948 ("Everyone has the right to seek and to enjoy in other countries asylum from persecution"); art. 33 of the 1951 Geneva Refugee Convention ("No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion"); art. 18 of the Charter of Fundamental Rights of The European Union of 2000 ("The right to asylum shall be guaranteed with due respect for the rules of the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and in accordance with the Treaty establishing the European Community").

From October 2004 to June 2005 more than 3.000 people were expelled from Lampedusa to Libya on military airplanes, with the suspicion that there may have been breaches of international refugee law. Destiny of these migrants is unknown. The deportation from Italy to detention camps in Libya followed the signing in August 2004 of an agreement between these two Countries on combating illegal migration into EU, signed in a tent in Tripoli by Berlusconi and Ghaddafi. Despite European Parliament, in the resolution on Lampedusa of 14 April 2005, UN Human Rights Committee and NGO's requests to make it public, the content of this bilateral agreement remains still undisclosed. With this bilateral secret agreement, the surveillance is entrusted of the migratory flows to the Libyan authorities and Libya is engaged to readmit the expelled people from Italy.

On 11 May 2006, the European Court of Human Rights of Strasbourg accepted eleven appeals from a group of 79 migrants disembarked in March 2005 in Lampedusa, stopped for some weeks in the CPTA of the island and, subsequently, almost all expelled to Libya. The Court ordered to Italian authorities to stop these deportations: in fact the violation of the prohibition to undertake collective expulsions, is provided in art. 4 of the 4th Protocol of the European Convention for Human Rights.

Which are the new proposals in the present?

1. The European Union and African States agreed on concrete cooperation on migration at the first "high-level" conference on Migration and Development held on 22-23 November 2006.
2. In Sicily a permanent "task force" has been constituted to get informations about the ways of migrations flow.
3. In Libya a National Operating Unit has been constituted where Italian police collaborates with the Libyan one to investigate and destroy local criminal organizations.
4. The EU agency called "Frontex", created as a specialised and independent body tasked to coordinate the operational cooperation between Member States in the field of border security. On may 2007 has started a new sea patrolling in Sicily Channel and Italy has managed a "Frontex" team to patrol borders between Libya and Niger to monitor sub-saharian migrants flows. This is the first time that an EU agency goes out of their borders, because of the instances to de-localize the migration controls to North Africa.
5. Reformation project of migration law, of 24 April 2007 to, e.g.:
 - modification of planning of migration flows to admit in Italy: no more annual but triennial;

- conversion of Temporary Holding Centres on Expulsion Centres just for strangers who don't allow their identification and who are waiting to be expelled.
- 6. On 7 June 2007 The Ministry of Domestic Affairs signed an agreement with UNHCR to extend to all Sicily the "PRAESIDIUM" project managed by UNHCR, the International Organization for Migration and Italian Red Cross, with the goal to enforce services and the power of admission for migrants and asylum seekers.

But are these good strategies to solve or reduce the problems?

The odyssey still continues every day: big and uncontrollable migrant flows and tragedies have begun again this year. On 27 June 2007, for example, after a shipwreck in the Sicily Channel, 27 migrants held on a tuna-fishes cage waiting for help for 24 hours.



What should be solved are the primary causes of migration: poverty, demographic increase, war, persecution and so on. More or less any strictness in policies of migration flows hasn't any resolute effect.

*"Stranger, though a still poorer man should come here, it would not be right for me to insult him, for all strangers and beggars are from Jove".
(Homer, Odyssey, Book III)*

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