



## EMERGENCY IN LAMPEDUSA

**In view of the deterioration in the situation on the island of Lampedusa, the Italian authorities, supported by the European authorities, must make every effort to stop an intolerable situation for migrants, who are affected in their rights and their dignity, and for the island's inhabitants who showed their solidarity.**

In the beginning of this year 2009, tension does not stop growing on Lampedusa Island, where is installed a detention centre. Last week, some demonstrations associated, in a spirit of solidarity, local representatives, inhabitants, migrants and asylum seekers living in centres of primary reception<sup>1</sup> (CPA). They demonstrated against a situation which has become unbearable for everyone. In 2008, 31.700 persons arrived on Lampedusa's coasts. Today 1.800 persons are squeezed into a reception centre which, at the origin, was supposed to welcome 381 persons. In order to deflect the influx of arrivals, the Italian government is willing, at the same time, to harden the legislation on expulsions, increase the legal period of retention, maintain newcomers on the island, and create for this purpose a new detention centre (Identification and Expulsion Centre, CIE) that could welcome 2.000 people. Those decisions have crystallised discontents.

In the wake of these measures, since January 24, the Territorial Commission, in charge of the examination of refugee claims, was transferred directly to the island<sup>2</sup>, under the pretext of examining quickly claims for international protection and expel the persons who are not recognized as refugees. As underlined by the UNHCR office, in this situation, asylum seekers won't have access to legal assistance; there are no lawyers on the island who could take care of an appeal in the case of dismissal of a refugee claim. For those who do not obtain the refugee status and thus who are waiting for expulsion, imprisonment would become the rule in a new centre which is under construction on the island. Foreseeing long delays of deportation, a new decree on security is to be approved by the House of Representatives; it would allow a detention up to 18 months, whereas today the maximum is 60 days. We can only see here the regressive effect of the return directive<sup>3</sup>.

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<sup>1</sup> For details about the different retention centres in Italy, please consult our file in appendix.

<sup>2</sup> Until now, after a few days in the reception centre, migrants were transferred to a CIE, elsewhere in Italy, where they could ask for asylum and rely on a lawyer.

<sup>3</sup> Directive 2008/115/EC European Parliament and Council, December 16, 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals.

The limitations on the rights and liberties of migrant persons, the use of detention to manage human beings who left their countries, therefore considered as criminals, the intensification of police controls in the territorial waters of North-African countries, by means of agreements with Libya<sup>4</sup> for instance, will not prevent those who try to come to Lampedusa and Europe. On the contrary, the obsession of safety and border control can only encourage those who flee their countries to take even more risks.

Beyond Italy, the situation in Lampedusa is the typical example of the failure of European policies. The policy of confinement of migrants arriving without documents at the European borders, borders which are often insular, like in Malta, the Canaries or Lampedusa, is not only inefficient to limit arrivals in Europe, but causes intolerable situations of breach of human dignity, denounced in several recent reports<sup>5</sup>. The right to claim asylum and the right for everyone to leave their country, written in article 13 of the Universal Declaration for Human Rights, are as well infringed.

*Therefore, AEDH, in association with LIDU,*

- *asks to put an end to the inhuman situation of the concentration and detention of asylum seekers and irregular migrants in Lampedusa ; to quickly take measures in order to allow these people to recover dignity and live in decent sanitary conditions;*
- *asks that legal assistance and effective appeals for asylum seekers are respected and that European and national authorities, in solidarity, become the guardian of the Conventions and rules of International law ;*
- *asks the Italian MPs not to pass the executive order which reflects the securitarian culture for border closure and the stigmatization that stirs up xenophobia, and which could results in an infringement of Human Rights ; its implementation would lead to worsen the current tensions, which could have tragic evolution.*

Besides the emergency of the situation, what is currently happening in Lampedusa underlines the failure and inefficiency of domestic and European policies of border closure and confinement of migrants, - including asylum seekers, which is a violation of the Geneva Convention. This confirms the necessity of a different asylum and migration policy in Europe, welcoming and respectful of Human dignity and Rights.

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<sup>4</sup> On January 30, the Italian House of Representatives ratified the bilateral agreement of friendship with Libya, which plans the use of six speedboats in the sea, and Home Secretary Maroni reached with its Tunisian counterpart an agreement on repatriations, to be done in the next 2-3 months.

<sup>5</sup> On this subject, cf. last reports of the UNHCR, Council of Europe, missions of the EP in retention centres.

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