

The first safe country

Raffaella Puggioni

The Dublin II Regulation makes the first safe country of refuge solely responsible for refugees and asylum seekers. In the case of Italy, the first responsible country has not been acting responsibly.

While the reception capacity of the Italian asylum system has always been very limited, the situation has deteriorated since the uprisings in North Africa. The protection offered continues to be inspired by the original rationale of very short-term assistance. Settlement policies are completely missing and those granted refugee status are in effect left to fend for themselves. This has led to the paradoxical situation where people have escaped to Italy – and then seek to escape from Italy. Some simply attempt to move towards other European countries without going through any identification process after landing. Others apply for asylum and move on soon after when they find themselves abandoned by local institutions. And still others do move on even if in possession of an official piece of paper that grants them international protection. In Italy that recognition, in the vast majority of cases, offers nothing in terms of living facilities and of a dignified life.

On 12th February 2011, given the large number of people reaching its shores, Italy declared a state of humanitarian emergency. In 2011, 28,542 'African' asylum requests were received, mostly people fleeing from the Horn of Africa and Sub-Saharan Africa, who made their journey via Libya and across the Mediterranean. This figure includes 24,854 Tunisians who were granted six months' protection on humanitarian grounds. Apparently, some 11,800 of these moved away from Italy towards other EU countries with documents issued by the Italian authorities which deliberately allowed free circulation within the Schengen area. Their fate is not known. The Italian government decided to renew the temporary protection permit for those who remained in Italy, of whom only some 700 have been given assistance and accommodation. No information is available on the legal or socio-economic conditions of all the others. Presumably, they are all living in the EU without legal recognition, and thus without any legal protection. The same uncertain fate might be awaiting the approximately 15,000 who later fled from and/or via Libya as no protection has so far been offered to them.

Protection in Italy simply means accommodation, for some but not for all, for up to six months. Italy has very few accommodation facilities for such people in

comparison to the need. The recognition of refugee status is a piece of paper which does not offer any concrete social protection. Basic needs are often not met, including a roof, meals and health care.

Italy's policy of (non-)reception should be considered alongside its policy of maritime border patrols in the Mediterranean. Patrolling, rescue and send-back policies have all been conducted with the intention of preventing and/or reducing unwanted influxes as much as possible. The 2008 Friendship Agreement with Libya



An Italian coastguard vessel prepares to dock in Lampedusa's port, carrying people who had been rescued before their boat sank at sea.

allowed Italy to shift all the protection responsibility to a country which was known for its degrading and violent policies, paying little or no attention to the fate of all those escaping other African countries via Libya. In a recent judgment by the European Court of Human Rights, Italy was criticised for earlier actions in forcibly returning to Tripoli those whom it had intercepted on the Mediterranean; the Court stated that Italy could not shift its international obligations onto countries whose human rights records were extremely poor.

Although the agreement is currently suspended, the Italian government is looking to reactivate the bilateral 'cooperation', which has for some time been effective in reducing its migration problem but at great cost.

Raffaella Puggioni Raffaella.PUGGIONI@nottingham.edu.cn is Teaching Fellow in the University of Nottingham, Ningbo, China.