

## Italy: Lampedusa, the island of Europe's forgotten promises

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May 2005 -- hundreds of people arrive in Lampedusa, the southernmost strip of inhabited territory belonging to Italy. They are packed on board old tubs, which have unexpectedly succeeded in crossing the Mediterranean Sea. Some of them are fleeing from persecution or war; others are merely in search of a better life.

They are not the first; nor will they be the last. In March 2005, December 2004 and October 2004, the story was almost the same; and so was the outcome. People arrived in Europe seeking protection or economic independence and Italy deported them to Libya without even knowing who they were, or giving them access to a proper asylum procedure. A rejection, not only from Italy, but from the whole of the EU.

Although Lampedusa is nearer the coast of Tunisia than it is to mainland Italy, crossing the Sicilian Channel is not easy: the water is shallow and the sea has a marshy bottom, so it is very easy for a boat to become trapped in the middle of nowhere, or be wrecked by the unpredictable weather. This is one of the reasons why hundreds of people die each year in their attempt to reach Europe. The latest episode was at the end of May 2005, when 27 people were shipwrecked. Only 11 were rescued by two Sicilian fishing boats, 155 miles south of Lampedusa, just 60 miles off the coast of Libya.

The good fortune of those eleven survivors faded when they saw what awaited them and all others who managed to reach Lampedusa. The island's centre, where foreign nationals are held, is designed to host 190 people, but, when the weather is good and many people try to cross the Channel, the number of people arriving in the space of a few hours can easily reach 1,000. Consequently, the overcrowded centre becomes an unhygienic, unhealthy place, with only eight improperly functioning toilets and insufficient sleeping pallets.

Inside the centre, a written announcement in a variety of languages is the only piece of information available to those who arrive: "Dear guests, you are now in the First Reception Centre of Lampedusa (Italy). You shall remain here until you are transferred to another centre to be properly identified, where you will have the opportunity to explain the reason for your arrival in Italy. During your stay here, you will receive primary medical assistance and a barber is at your disposal. To respect those who will arrive in this centre after you, please take care of all supplies and structures you use. To preserve your health and that of others, wash yourselves and keep your clothes clean. We ask you to be patient, to respect and collaborate with the personnel working for you through-out your stay. For further assistance or information, please contact a staff member dressed in yellow and sky-blue." [Translated from Italian]

The most striking aspect of this announcement is that many of those deported from Lampedusa to Libya in the past months were not even aware of the real destination of their flight and believed that they were being sent to "another centre" on mainland Italy to be "properly identified". In fact, one thing is for sure: people are not properly identified in Lampedusa. Despite what the Italian government claims, it is implausible that hundreds of migrants were identified within a few hours of their arrival (in October, December, March and May).

The authorities state that they decide who will be sent to mainland Italy and who will be deported to Libya. However, the individuals' physical appearance and language spoken are reportedly the only factors being considered when seeking to determine the nationality of those who have arrived in Italy. This procedure is highly questionable, not only because of its inherent inaccuracy at a practical level, but also because it may lead to a discrimination of potential asylum seekers according to their nationality. The very idea that an Egyptian has no right to seek asylum in Italy and is therefore denied access to the procedure because of his/her nationality disrupts the entire international protection system, and violates article 3 of the UN Refugee Convention that prohibits discrimination according to country-of-origin.

The Italian government has refused to grant the UNHCR access to the Lampedusa Centre during these "emergencies" due to alleged "security reasons". However, in March 2005, Libyan investigators had access to foreign nationals in Lampedusa, breaching the confidentiality of Libyan and non-Libyan asylum-seekers present in the centre, potentially leading to valid *sûr place* refugee claims (claims arising after the time of a claimant's arrival in the country-of-asylum).

After this dubious identification, over a thousand migrants have been handcuffed and put on military or charter flights in recent months. Destination: Libya, a country where refugees' rights are not respected. Italy has acted contrary to its international obligations, including the European Convention on Human Rights and Fundamental Freedoms which forbids the return of anyone to a country where s/he would be at risk of torture

and other ill-treatment and Protocol 4 of the same Convention, which forbids the collective expulsions of non-nationals. Libya, in its turn, is also known to have violated its international obligation not to send anyone to a country where they are at risk of serious human rights violations on several instances in the past.

On two occasions last year, in July and August, Libya deported hundreds of Eritreans back to their country of origin. Many of those returned to Eritrea are now believed to be detained incommunicado in a secret prison where conditions are harsh. It is known that at least one flight from Libya to Eritrea, in July 2004, was financed by the Italian government, under the same special bilateral agreement with Tripoli's government under which deportations are carried out.

Despite mounting criticism of the Italian government, their policies remain the same. Two days after World Refugee Day (20 June), when Amnesty International issued a report revealing the range of human rights abuses to which foreign nationals are subjected while detained in "temporary stay and assistance centres", the Italian authorities forcibly returned at least 45 people to Libya, reportedly without having given them an effective opportunity to apply for asylum and have their claims assessed in a fair and satisfactory asylum procedure. The government responded to AI's report by accusing it of slander.

Lampedusa stands as a blight on Europe -- an outpost of the European Union where normal rules do not apply. Increasingly, governments around the world appear to be adopting an "out of sight, out of mind" approach to these kinds of outposts -- whether in the Australian desert, a military base on Cuba or small islands across the Mediterranean Sea. This situation cannot be allowed to continue -- international law and obligations based on treaties which governments have voluntarily signed should be respected. Persons arriving in Lampedusa should be able to enjoy their human rights, including the right to seek asylum, under commitments made by the Italian government.