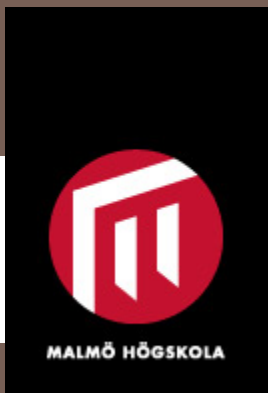


Creating space for human rights within a securitised-crisis domain:

The EU's reception system for irregular
migrants entering through maritime routes

Daniela DeBono





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Outline

- The crisis
- Using risk as a vulnerability gauge
- Reception systems for irregular migrants: the Italian case study
- The 'cumulative' trumping of human rights
- The need for multi-pronged strategies

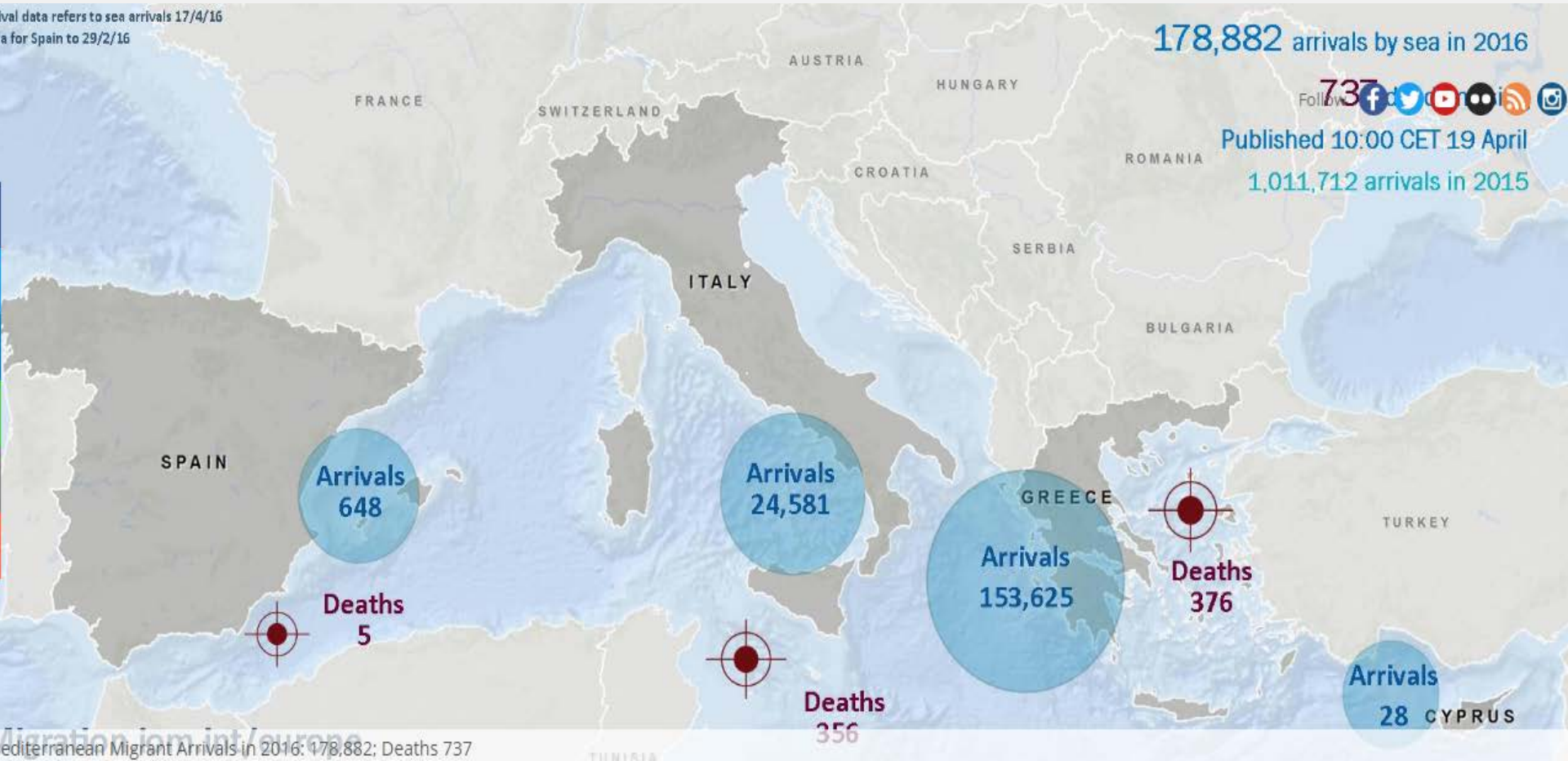


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The EU/‘migrant’/‘refugee’ crisis

Migrant sea arrivals Jan – 17 April 2016 (IOM)

Arrival data refers to sea arrivals 17/4/16
Arrival data for Spain to 29/2/16





AFP / GUARDIA CO



Migrants disembark from the Italian Navy vessel Cigala Fulgosi in the Sicilian harbour of Augusta, Italy, September 3, 2015. REUTERS/Antonio Parrinello



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James Politi in Rome

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Italy quietly rejects asylum seekers by nationality, advocates say

Some arrivals from Africa quickly deemed economic migrants and issued refusal-of-entry documentation

October 19, 2015 5:00AM ET



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A human rights crisis?

“It is concluded that the picture that emerges from the evaluation of existing and planned EU policies and actions is a mixed one. While it cannot be denied that policies of sea border surveillance and instruments of cooperation with third countries have gradually included human rights safeguards, the primary aim of EU policies remains to protect external borders, rather than develop effective strategies to protect the human rights of migrants and save lives in the Mediterranean Sea. Implementation in particular is key, and effective monitoring mechanisms should therefore be established to deal with breaches of fundamental rights throughout sea borders surveillance and cooperation arrangements with third countries.”

European Parliament, *Migrants in the Mediterranean: Protecting human rights*,
29 Oct 2015



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Using risk as a (human rights) vulnerability gauge

Regular migrant

Irregular boat migrant



Low risk

High risk

Safe

Clear legal-political status

Low financial risks

Healthy

Social welcome likely

Cultural preparedness

System welcome/tourist info

Dangerous journey

Problematic legal-political status

High financial risks

May need medical attention

No social welcome

No cultural preparedness

Securitized system



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Does the system increase vulnerability?

- Irregular entry: questions by Immigration Police
- Detention in hotspots
- Fingerprinting and photos – registration of biometrical details
- Interviews of asylum seekers
- New culture, new way of doing things, new food, new climate



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Case study: The Italian reception system

- Rescue at sea
- Disembarkation at port
- Pre-identification by Immigration Police at shore
- Medical visit
- Transportation to hotspot
- First identification by Imm. Police
- Photograph
- Fingerprints
- UNHCR and EASO information sessions



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Case study: The Italian reception system

Asylum-seeker Italy

- Transfer to reception centre (CAS)
- Asylum application
- Photographs
- Fingerprints
- Interview by asylum-determination body
- Decision (Protection: residence permit/others: expulsion order or appeal)

Asylum-seeker – relocation EU

- Transferred to a relocation hub
- EASO Assessment interview
- Photographs
- Fingerprints
- Transfer to Rome (pending)
- Transfer to new country
- Start asylum process

Economic migrants

- Pushback/Expulsion order
- Expelled (forced)
- Leave territory voluntarily
- Appeal expulsion order



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Reception: Different characteristics

Registered

Fear

Identified

**Irregular
migrant's
reception**

**Categoris
ed**

**Controlle
d**

Managed

**Welcome
d**

Curiosity

Hosted

**Regular
migrant's
reception**

Educated

Free

**Empower
ed**

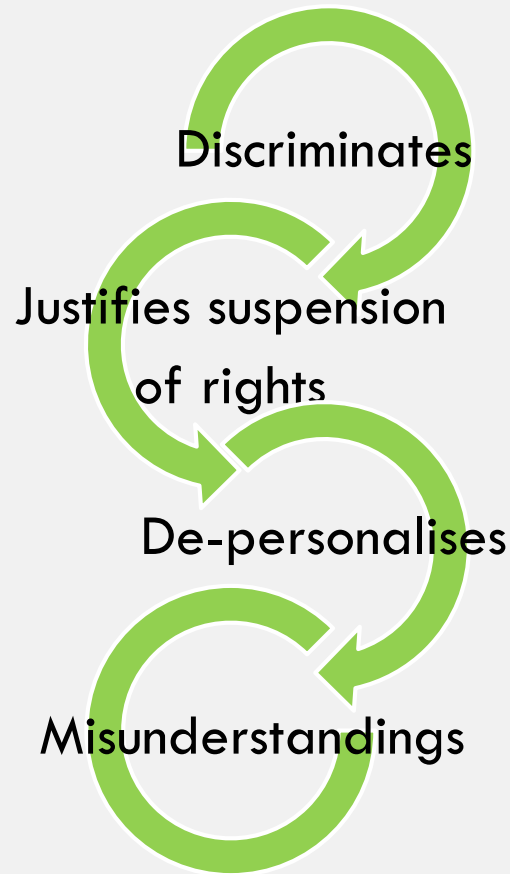


The *cumulative* trumping of human rights

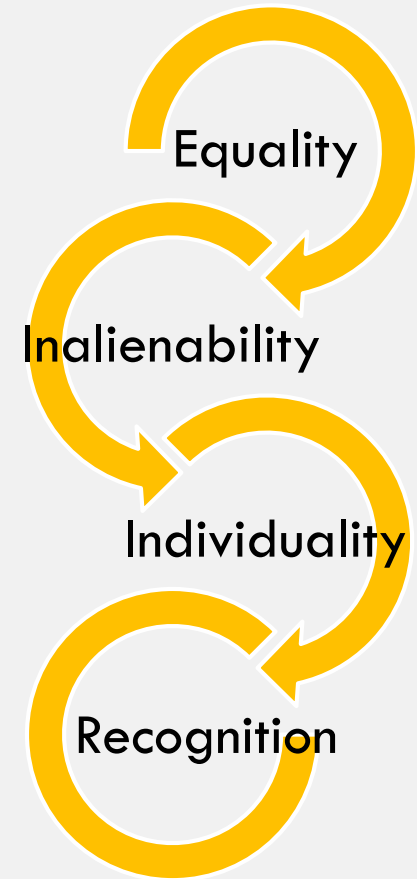
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OPERATIONAL REALITY



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A multi-pronged strategy is needed

This calls for the construction of a multipronged approach to address such situations where there are ‘cumulative’ threats to human rights.

My project seeks to contribute to this by analysing what happens on the ground: the daily practices that take place on the border between on the one hand, the migrants, and on the other hand, state/EU officials and NGOs.

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