



## Lampedusa in Focus: Migrants caught between the Libyan desert and the deep sea

Rutvica Andrijasevic<sup>1</sup>

It is the last day of August and on the airport of Lampedusa, a small Italian island situated south of Sicily, yet another deportation of 'undocumented' migrants is taking place. The incident appears as wrapped in the mantle of ordinariness that exacerbates even more the violence of the event. Two planes parked approximately twenty meters away from each other are waiting for passengers. A group of tourists pours out of the airport building and strolls towards the airplane of AirOne, an Italian tourist carrier. The adjacent plane of AirAdriatic, a private Croatian air company, is boarded by a group of passengers walking in a fixed formation behind each other. Four police officers (one officer in the back, one in front and two on the side of the row) wearing civilian clothes and large black protection gloves lead the group of ten migrants from the detention camp to the airplane. The distance between the AirAdriatic plane and the detention camp is rather short. In fact, the plane is parked only fifteen meters or so away from the barbed wire that separates the runaway from the camp. Migrants boarding the plane are dressed all the same: they wear dark blue sports trousers with a matching jacket and carry a white plastic shopping bag. Seven groups of ten men are lead to the plane. Behind the barbed wire there are several hundreds of migrants seated in small groups on the soil. When the plane takes off most of them are on their feet, waving.

Earlier the same day another group of migrants was taken to the port and transferred by the Siremar run ferry to Porto Empedocle first and then to the detention centre in Crotona in Southern Italy. The port lays just down the hill from the airport and the adjacent detention camp. While the tourists were boarding the ferry the police escorted a group of fifty migrants from the detention camp to the port. Dressed once more in dark blue sport outfits and carrying a white plastic bag migrants reached the port after a twenty minutes march –walking rigorously one behind the other—and were made to sit on the ground behind a large van for the tourists to complete the embarkation and have a last unperturbed glimpse of the town of Lampedusa. As the transferal of migrants from the pier to the isolated space in the lower part of the ferry went on, the police blocked access to the port and prohibited any filming or photographing.

The operations of detention and deportations from the detention centre in Lampedusa came to a larger public attention in the fall of 2004 when between October 3 and October 7, more than thousand 'irregular' migrants were expelled from Lampedusa to Libya on military airplanes. These collective deportations occurred in a politically highly charged atmosphere surrounding the proposal to set up refugee processing centres in North Africa. The proposal advanced by German Minister of Interior Otto Schily and Italian Minister Giuseppe Pisanu saw Germany, Italy and United Kingdom (UK) in favour of the project and France and Spain against it. Initially put forward by the UK and rejected during the 2003 Thessaloniki Summit the proposal envisioned the establishment of 'regional protection zones' and 'transit processing centres' located outside the external borders of the EU.<sup>2</sup> Under this proposal, asylum-seekers and refugees would submit their asylum claims and wait in these centres until their applications for the asylum in the EU are being processed.<sup>3</sup> Even through the proposal for 'processing centres' was rejected by France and Spain (and Sweden), in October 2004 the EU informal Justice

<sup>1</sup> Rutvica.Andrijasevic@compas.ox.ac.uk. This was first published in Feminist Review no. 82:1, pp. 119-124. Rutvica Andrijasevic was an International Policy Fellow 2004-05. More details of the work carried out during this year can be found at <http://www.policy.hu/andrijasevic>

<sup>2</sup> The letter from Blair to Greek presidency proposing transit processing centres can be downloaded at <http://www.statewatch.org/news/2003/apr/blair-simitis-asile.pdf>

<sup>3</sup> For a brilliant analysis of legal and theoretical issues raised by transit processing centres and protection zones see Noll 2003

and Home Affairs Council considered five pilot projects proposed by the European Commission (EC) and co-funded by the Netherlands. These projects aim at upgrading the existing 'processing' facilities and developing asylum laws in Algeria, Libya, Mauritania, Morocco and Tunisia.<sup>4</sup>

Due to the pressure from the Italian government, on the 11th of October 2004 the EU lifted the arms embargo on Libya, thus allowing Libya to purchase (from Italy) technological surveillance equipment and speedboats, and initiate Italian-policemen run training programs. As it emerged only recently following the EC's report on its technical mission to Libya in December 2004, Italy is moreover financing the construction of three detention camps in Libya as well as deportations of 'irregular' migrants from Libya further to Sub-Saharan Africa and Egypt.<sup>5</sup> The deportation from Italy to detention camps in Libya followed the signing in August 2004 of an agreement between the two countries on combating illegal migration into the EU. Despite European Parliament, UN Human Rights Committee, and NGOs' requests to make it public, the content of the agreement remains still undisclosed.

The collective deportations from Lampedusa to Libya resumed in March, April, and June 2005. In August 2005 they acquired almost a weekly regularity after the International Organization for Migration (IOM) signed an agreement with Libya aimed at deterring irregular migration from and into the country.<sup>6</sup> As deaths of migrants increased at sea during the crossover to Italy and in the desert as a consequence of deportations from Libya, social movements, several NGOs and European institutions mobilized in order to spread information and put an end to these collective deportations. La Rete antirazzista Siciliana (The Sicilian Antiracist Network) video-recorded and circulated images of deportations at the Lampedusa camp,<sup>7</sup> and a number of activists organized on 2nd of April 2005 --the European Day for Freedom of Movement-- a protest in front of the offices of a charter carrier Blue Panorama in Rome that resulted in company's retraction from running the deportation flights.<sup>8</sup> The NGOs working in the field of migrants' rights organized joined actions and following the October 2004 events ten European associations filed a complaint with the European Commission against Italy's collective expulsions of migrants to Libya.<sup>9</sup> Moreover, Amnesty International urged the Commission on several occasions to halt the deportations and to investigate the detention practices of Italian authorities as well as briefed the MEPs on the human rights situation of migrants and asylum-seekers in Lampedusa.<sup>10</sup>

On the 15th and 16th September 2005, a delegation of twelve MEPs part of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (LIBE) arrived to the island of Lampedusa to assess the actual procedures, the treatment of the detainees and the running of the Lampedusa centre. In its 'Resolution on Lampedusa' in April 2005,<sup>11</sup> the European Parliament already called on Italy to refrain from collective expulsions, grant UNHCR access to the Lampedusa centre and guarantee the individual examination of the asylum. As regards to the detention condition, the Lampedusa camps has been denounced for inadequate accommodation, poor hygienic conditions and use of coercive and violent police methods towards migrants during police-run removal operations to Libya. . The inadequate accommodation situation is due to permanent overcrowding of the centre whose maximum legal capacity is 180 places but where the average number of migrants

<sup>4</sup> For a more in-depth overview of the events and actors see Schuster 2005

<sup>5</sup> European Commissions' report on Technical Mission to Libya on Illegal Migration 27 Nov - 6 Dec 2004 is found on <http://www.state-watch.org/news/2005/may/eu-report-libya-ill-imm.pdf>

<sup>6</sup> IOM, commonly mistaken for a branch of United Nations or for being a humanitarian organization, has recently come under attack of several NGOs such as Amnesty International and Human Rights Watch for managing detention centres, running return programmes for irregular migrants and asylum seekers and implementing EU border-regimes. For a study of IOM's activities in Eastern Europe in the field of migration see my research at <http://www.policy.hu/andrijasevic>

<sup>7</sup> The video entitled Lampedusa Scoppia can be downloaded at <http://www.ngvision.org/mediabase/487>

<sup>8</sup> When Blue Panorama retracted from running the deportation flights, the private Croatian company Air Adriatic (AA) took over the business. For a press briefing on activists' protests against Blue Panorama see <http://www.meltingpot.org/articolo5133.html>

<sup>9</sup> The complaint and the accompanying dossier is available at <http://www.gisti.org/doc/actions/2005/italie/complaint20-01-2005.pdf>

<sup>10</sup> An overview of AI's documents and reports in available at <http://www.amnesty-eu.org>

<sup>11</sup> P6\_TA(2005)0138

On the during the summer months was between 300 and 400, reaching occasionally up to 1000.<sup>12</sup> Of particular concern is moreover the fact that migrants do not have access to asylum procedure in Lampedusa and that they are expelled to Libya, a country that is not their country of origin but of transit and that does not have a functioning asylum system, has not signed Geneva Convention on Refugees and practices large-scale expulsion of undocumented migrants in which 106 people recently lost their lives.

Several European Governments consider the expulsions to Libya a necessary measure to counter 'the emergency' represented by the influx of boat-people from Libya and to deter 'a million' waiting in Libya from reaching Italian shores.<sup>13</sup> Detention and deportations are indispensable, as the European Commission claims, in order to counter undocumented migration and to ensure a credible and effective Europe-wide immigration policy. The data so far available raise serious doubts about the validity of these claims.

Since Libya's migrant population is constituted by labour migrants from neighbouring African countries who have been a key factor of country's informal economy for several decades already, and irregular migrants who transit through Libya on their way to Europe represent a rather small segment of country's migration, it is erroneous and misleading to reduce Libya's current migratory patterns to a matter of 'illegal' migration (Pliez 2005). Moreover, the terms such as 'the emergency' recap the fantasy of 'invasion' played out in relation to Eastern Europe. As for the migration from Eastern Europe during the 1990s so for the current migration to Italy from Sub-Saharan Africa via Libya, the existing data confute the claims of massive 'illegal' influx of migrants and shows that the majority of irregular migrants have entered Italy with the valid visa and become undocumented after the visa expired or after they overstayed their permit of residence. Only 10% of undocumented migrants currently residing in Italy has entered the country 'illegally' via sea.<sup>14</sup> The existing data on the number of deportations from the detention centers further question the argument that detention is indispensable to assure an effective removal policy. A recent report shows in fact that out of 11 883 irregular migrants detained in Italian 'temporary stay and assistance centres' (CPTs) in 2004, less than half were deported while the rest was released or escaped.<sup>15</sup>

However, the current EU discourse on Libya and EU's immigration policies of detention and removal of undocumented migrants should not be dismissed due to inconsistencies in their logic and functioning. On the contrary, they point to a series of on-going transformations in Europe that are crucial for academics, activists and policy makers alike.

The proposal to establish extraterritorial processing centers and the construction of Italy-funded detention centers on Libyan territory, deportations to and from Libya, and joint Italian-Libyan police patrolling of Libyan coastline are all instances that de-localize the EU's external border from South Italy beyond the Libyan coastline into its territory. They consequently all challenge the idea of the EU's external border as a firm border between Italy and Libya and show that southern EU border rather than being a linear and stable geographical demarcation is a discontinuous and porous space encompassing the area between southern Italy and Sub-Saharan Africa. Furthermore, this reading of the border calls into question the common assumption that the state regulates people's entry/stay into its territory. States certainly play a crucial role but the example of current migration projects in Libya suggests that non-state actors such as IOM partake, shape and determine states' take on migration. The question arises here on the ways and the degree in which non-state actors' schemes that regulate the entry and stay of migrants in a state's territory - functions traditionally pertaining to a nation-state - bring about transformations of state's sovereignty by managing of migratory movements.

<sup>12</sup> These data were collected by ARCI (Associazione Ricreativa e Culturale Italiana), the Italian NGO signatory of the complaint with the EC against Italy's collective expulsions and presented to the MEPs during their September mission. Since no official data exist so far, ARCI dossier is a unique source of information as to numbers of migrants arrived via sea, those removed to other camps or to Libya, and the descriptions of police practices towards migrants. These data were gathered during a permanent monitoring ARCI held in Lampedusa during the months of June, July and August 2005. See <http://www.tesseramento.it/immigrazione/documenti/index.php>

<sup>13</sup> This number was given by Italian Ministry of Interior G. Pisanu. See il manifesto 22nd April 2005, p. 9 <http://www.ilmanifesto.it/Quotidiano-archivio/22-Aprile-2005/art74.html> (consulted on 25/04/2005) International Center for Minority Studies and Intercultural Relations, Sofia 2001, p. 339.

<sup>14</sup> Ministry of Internal Affairs, quoted in Cuttitta (2005) <sup>9</sup> Edward Said, *Orientalism*, London: Routledge and Kegan Paul, 1978, p. 265.

<sup>15</sup> The exact percentage is 48,1. Quoted in the 2005 report by Corte dei Conti available at <http://www.corteconti.it/Ricerca-e-1/Gli-Atti-d/Controllo-/Documenti/Sezione-ce1/Anno-2005/Adunanza-c/allegati-d3/Relazione.doc> (consulted on 12 September 2005)

There is by now a rather larger consensus among scholars, activists and policy analysts that tightening of immigration policies and strengthening of the border controls reduced legal channels of migration into the EU so that in contemporary times illegality has become a structural characteristic of migratory flows. Seen from this point of view the detention camps for undocumented migrants in Italy (and in Europe) are not to be thought as institutions geared towards deportations but rather as sites that produce the conditions of 'deportability' and function as filter mechanism that selectively include certain groups of migrants (Karakayali and Tsianos 2004, Mezzadra 2004). An effective scholarly scrutiny as well as policy interventions will thus depend on the development of analytic frameworks better able to grasp the ways in which detention centers create and uphold the conditions for hierarchization of access to labour and citizenship in Europe.

### **Acknowledgments:**

My current research on migration and transformation of governance in Mediterranean and Eastern European areas is funded through the International Policy Fellowship Program of the Open Society Institute in Budapest and supported by the Centre for European Policy Studies in Brussels.

### **References:**

Cuttitta, Paolo (2005), 'Delocalization of migration controls to North Africa', paper presented at the workshop The Europeanisation of National Immigration Policies – Varying Developments across Nations and Policy Areas, European Academy, 1-3 September 2005, Berlin.

Karakayali, Serhat and Tsianos, Vassilis (2004) 'Wilde Schafsjagd in Aigais und die transnationalen "muja-hideen". Rastanski Lojia Über Grenzregime an der Südostgrenze Europas', Springerin n. 4

Mezzadra, Sandro. (2004) (ed), *I confini della libertà*. DeriveApprodi, Roma.

Noll, Gregor (2003), 'Visions of the Exceptional: Legal and Theoretical Issues Raised by Transit Processing Centres and Protection Zones', in *European Journal of Migration and Law* 5: 303-341.

Pliez, Olivier (2005), 'La troisième migratoire, les conséquences de la politique européenne de lutte contre les migrations clandestines', paper written for Asia-Europe Foundation workshop The Management of Humanitarian Aids and of Transnational Movements of Persons in the Euro-Mediterranean Area and in South-East Asia, 28-30 August 2005, Lampedusa.

Schuster, Liza (2005), 'The Realities of a new Asylum Paradigm', Working Paper No. 20, Centre on Migration, Policy and Society, University of Oxford.