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## The Mediterranean Sea: a front door to irregular migration

### Report<sup>1</sup>

Committee on Migration, Refugees and Displaced Persons

Rapporteur: Ms Daphné DUMERY, Belgium, Members not belonging to a Political Group

### *Summary:*

A sharp increase in mixed migratory flows along the eastern Mediterranean from Turkey to Greece since the beginning of 2015, adding to a constant flow along the central Mediterranean route from Libya to Italy, has resulted in an unprecedented migratory and refugee crisis in Europe. Almost 1 million people arrived on the European shores of the Mediterranean in 2015 as compared to 219 000 in 2014 and 60 000 in 2013.

Regrettably, the number of deaths at sea was growing proportionally until April 2015. The death toll in the first four months of 2015 exceeded 2 500. Despite commendable joint international efforts and large-scale rescue operations launched by a number of countries in May 2015, deaths at sea still occur albeit on a considerably lower scale.

Only a common European response based on principles of solidarity, responsibility and human rights standards as enshrined in the European Convention on Human Rights accompanying strategic migration management at European and national levels can address the present migratory and refugee crisis. However, the debate cannot be limited to the question of quotas and their compulsory or voluntary nature. While it is necessary to address the immediate humanitarian emergency without further delay, long-term measures and solutions should be identified and implemented as soon as possible. Several questions are worth exploring further, including the idea of identifying people in need of international protection and the external processing of asylum applications through hotspots set up outside Europe and measures aimed at tackling the root causes of the Mediterranean refugee and migration crisis.

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1. Reference to committee: [Doc. 13442](#), Reference 4056 of 27 June 2014.



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## A. Draft resolution<sup>2</sup>

1. The Parliamentary Assembly refers to its [Resolution 2050 \(2015\)](#) “The human tragedy in the Mediterranean: immediate action needed”, [Resolution 2072 \(2015\)](#) “After Dublin – the urgent need for a real European asylum system”, [Resolution 2073 \(2015\)](#) “Countries of transit: meeting new migration and asylum challenges”, Resolution ... (2016) on organised crime and migrants, as well as its other relevant resolutions.
2. A sharp increase in mixed migratory flows along the eastern Mediterranean from Turkey to Greece since the beginning of 2015, adding to a constant flow along the central Mediterranean route from Libya to Italy, has resulted in an unprecedented migratory and refugee crisis in Europe. An estimated total of 1 million people arrived on all European shores of the Mediterranean in 2015 as compared to 219 000 in 2014 and 60 000 in 2013.
3. Regrettably, the number of deaths at sea was growing proportionally until April 2015. The death toll in the first four months of 2015 exceeded 2 500. Despite commendable joint international efforts and large-scale rescue operations launched by a number of countries in May 2015, deaths at sea still occur albeit on a considerably lower scale. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), approximately 70% of those who arrive can be considered as refugees in terms of the 1951 Convention relating to the Status of Refugees and are entitled to international protection. The majority are Syrians but there are also Iraqis, Afghans, Somalis, Eritreans, Nigerians, Senegalese and Gambians.
4. The majority of those now arriving in Greece are people who, at different stages of the armed conflict in Syria, had fled to Turkey, Lebanon or other neighbouring countries where in many cases they had stayed for several years. Turkey alone has been hosting 2 million refugees from Syria. After years of increasing pressure and insufficient international support, the economies of the host neighbouring countries are struggling to cope making it increasingly difficult for refugees to find shelter and jobs and get access to health care and education. This is what pushes them to undertake the dangerous journey across the Mediterranean.
5. The spike in arrivals in Greece and the continuous migratory flows in Italy have put enormous pressure on the reception capacities of both countries. It is clear that neither of them can cope with the migration flows on their own.
6. The Assembly is convinced that only a common European response can address the present migratory and refugee crisis. A comprehensive political debate based on principles of solidarity, responsibility and the highest human rights standards (as enshrined in the European Convention on Human Rights (ETS No. 5)) should accompany strategic migration management policies at European and national levels.
7. In this context, the Assembly welcomes the European Union’s efforts to elaborate a common European response involving internal and external stakeholders, including non-European Union countries of transit and origin. In particular, it looks forward to the implementation of a Joint Action Plan with Turkey. It commends a number of emergency measures put in place such as largely increased save and rescue operations, agreement on the relocation of 220 000 people and the resettlement of 40 000.
8. At the same time, the Assembly regrets the absence of a global comprehensive vision of the phenomenon of migration in a modern world including all of its implications and consequences for society. It has to be acknowledged that the challenge largely exceeds the measures agreed upon so far and that there are currently no clear prospects for a sustainable solution.
9. The Assembly points out that the debate cannot be limited to the question of quotas and their compulsory or voluntary nature. While it is necessary to address the immediate humanitarian emergency without further delay, long-term measures and solutions should be identified and implemented as soon as possible.
10. The idea of identifying people in need of international protection and organising external processing of asylum applications through hotspots set up outside Europe deserves support, provided human rights of refugees and migrants are guaranteed. It would certainly contribute to saving the lives of many potential candidates who would otherwise attempt to cross the sea.
11. Tackling the root causes of the Mediterranean refugee and migration crisis is the most important and unavoidable long-term measure. It implies adequate enhanced development co-operation between Europe and countries of origin and transit, including not only considerably increased financial support, but more

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2. Draft resolution adopted unanimously by the committee on 15 December 2015.

importantly, viable economic projects which will contribute to sustainable development. The peaceful settlement of the hostilities in Syria, Iraq and Afghanistan is a necessary condition for ending the human exodus and making possible the return of refugees to their countries.

12. The Assembly calls on member States:

12.1. with regard to rescue at sea and lives lost, to:

12.1.1. continue search and rescue operations in the Mediterranean Sea on a scale at least as important as at present;

12.1.2. create a centralised register and introduce unified procedures for recording and identifying the dead with a view to enabling the tracing of missing persons throughout all European countries;

12.1.3. step up investigations and action to disrupt and prosecute smugglers' networks;

12.2. with regard to reception conditions, to:

12.2.1. substantially increase specific financial support aimed at the immediate creation of large-scale emergency facilities in Greece and Italy;

12.2.2. provide emergency response assistance to Serbia and "the former Yugoslav Republic of Macedonia";

12.2.3. support, financially and institutionally, the establishment of hotspots to receive, assist, register and screen arrivals, with a view to identifying those in need of international protection;

12.2.4. implement agreements on the relocation of refugees from Greece and Italy to other European countries and put in place a permanent relocation mechanism;

12.2.5. demonstrate a spirit of solidarity as well as respect for human rights in compliance with the European Convention on Human Rights and the 1951 Convention relating to the Status of Refugees with a view to reaching an agreement in the European debate on sharing of responsibilities with regard to migratory flows;

12.3. with regard to legal channels of entry, to:

12.3.1. increase access to legal migration channels to Europe, including enhanced resettlement and humanitarian admissions, family reunification for the beneficiaries of subsidiary protection and student visas for refugees from countries neighbouring Syria;

12.3.2. consider the establishment of hotspots and the processing of asylum applications outside Europe with a view to identifying those in need of protection before they undertake a dangerous journey at the risk of their lives;

12.3.3. raise awareness of the situation of refugees and ensure the elimination of all types of discrimination, intolerance or xenophobia against them;

12.3.4. reflect on the emerging challenges faced by integration policies which have been confronted with unprecedented numbers of migrants;

12.3.5. support grass-roots initiatives in the field of integration and education;

12.4. with regard to reducing the incentives for irregular migration, to:

12.4.1. align return practices and implement them when appropriate;

12.4.2. expand Frontex's mandate so that the agency can upscale its support to member States in order, *inter alia*, to facilitate, organise and fund return operations;

12.4.3. establish a European border guard system;

12.4.4. establish a stronger partnership with countries of departure with a view to preventing irregular crossings;

12.5. with regard to addressing the root causes, to:

12.5.1. step up development co-operation between Europe and countries of origin, including not only financial support but also economic projects which would contribute to sustainable development;

12.5.2. engage in a meaningful and comprehensive dialogue with the African and Asian countries of origin and transit in order to jointly manage migration and asylum flows in a spirit of shared responsibility;

12.5.3. make full use of the Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced people in Africa;

12.5.4. establish, in co-operation with the UNHCR and the International Organization for Migration (IOM), multipurpose centres similar to the one which was set up in Niger.

## B. Explanatory memorandum by Ms Dumery, rapporteur

### 1. Introduction

1. When, in December 2014, the Committee on Migration, Refugees and Displaced Persons tasked me with the preparation of a report based on two merged motions for resolutions relating to large inflows of refugees, asylum seekers and migrants to Greece and Italy, the idea was to adopt a comprehensive approach to what at that time seemed to be the biggest refugee and migration challenge in Council of Europe member States.

2. Indeed, migration across the Mediterranean Sea had been steadily growing over the last years; the numbers of arrivals and tragic incidents were on the rise and the situation in receiving countries was becoming increasingly alarming. The debates on the repartition of responsibilities, solidarity, human rights of refugees and migrants, the need to save lives at sea and to combat networks of smugglers had only just been launched in many European countries which until then had not felt directly concerned by this phenomenon.

3. Starting from the first half of 2015, however, the developments in the migration area relevant to my mandate acquired an unprecedented level of attention from political leaders and public opinion. The main trigger of that change was the deadly incident at sea which took place on 18 April 2015, surpassing all previous tragic records, when over 700 men, women and children lost their lives in a single shipwreck.

4. Since then, the migration and refugee crisis remains at the top of the political agenda throughout Europe. Regrettably, despite repeated efforts of political leaders, no clear and comprehensive consensus on the management of short-term consequences, the elaboration of medium and long-term solutions and the means of addressing the causes of the increased migratory flows has been agreed upon so far.

5. The Parliamentary Assembly, for its part, had been following the question of irregular migration across the Mediterranean in its various aspects for a long time, as reflected in a number of adopted resolutions,<sup>3</sup> including [Resolution 2050 \(2015\)](#) “The human tragedy in the Mediterranean: immediate action needed” adopted under urgent procedure as an immediate reaction to tragic deaths at the sea. The Assembly also held two current affairs debates on “The need for a common European response to migration challenges” during the 2015 third part-session and on “A Comprehensive humanitarian and political response to the migration and refugee crisis in Europe” during the 2015 fourth part-session.

6. The committee’s past and current work directly relevant to the subject of the present report has rendered my task particularly difficult by obliging me to find a way to prepare a comprehensive report without duplicating the work of my colleague rapporteurs. I tried to carry out this task in the best possible way, by aiming to give a well-defined focus to the report. The objective of my work is to analyse the evolving trends of migration across the Mediterranean Sea in a broader context of migration and refugee challenges in Europe, define problems facing the countries of entry, identify shortcomings in the protection of human rights of those who undertake the journey, and finally to formulate recommendations aimed at improving the situation in its broader context.

7. I will systematically refer to the work of my colleagues wherever appropriate, in particular with regard to the distribution of responsibilities, challenges faced by transit countries and the efforts undertaken by the international community to combat criminal networks smuggling migrants and the humanitarian plight of Syrian refugees in Syria’s neighbouring countries, including Turkey. I invite all those interested in a more detailed analysis of these questions to consult the relevant reports.

8. In the process of the preparation of this report, I carried out two fact-finding visits: to Italy (Catania and Rome, 6-7 July 2015) and to the Headquarters of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) in Warsaw (28 August 2015). In Catania, one of the main points of entry to Europe of migrants and refugees arriving by sea, I met all the major stakeholders involved in the reception process, including Prefetto Maria Guida

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3. See also [Resolution 1805 \(2011\)](#) “The large-scale arrival of irregular migrants, asylum seekers and refugees on Europe’s southern shores”; [Resolution 1872 \(2012\)](#) “Lives lost in the Mediterranean Sea: who is responsible?”; [Resolution 1971 \(2014\)](#) “Syrian refugees: how to organise and support international assistance?”; [Resolution 1999 \(2014\)](#) “The ‘left-to-die’ boat: actions and reactions”; [Resolution 2000 \(2014\)](#) on the large-scale arrival of mixed migratory flows on Italian shores; [Resolution 2047 \(2015\)](#) on the humanitarian consequences of the actions of the terrorist group known as “Islamic State”; [Resolution 2072 \(2015\)](#) “After Dublin – the urgent need for a real European asylum system”; [Resolution 2073 \(2015\)](#) “Countries of transit: meeting new migration and asylum challenges” and the report on organised crime and migrants, [Doc. 13941](#).

Federico, representatives of local authorities and services, in particular the Chief Police Officer, the Chief Commander of the Coast Guard, the Extraordinary Commissioner of Port Authorities, the State Prosecutor, the Public Prosecutor, the Head of Health Emergency Service, the Maritime Sanitary Trans-border Office and the Welfare Commune of Catania Officer, as well as international organisations including the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), Save the Children and the International Committee of the Red Cross. I visited the biggest reception centre in Europe, Cara Mineo, accommodating almost 4 000 people. In Rome, I held a series of meetings in the Ministry of the Interior with Under-Secretary Manzione, Prefetto Mario Morcone from the Department of Immigration and Border Police, and Prefetto Sandra Sarti from the Department of Immigration and Civil Liberty. I would like to express my gratitude to the Italian Delegation, and its Head, Mr Michele Nicoletti, for the excellent organisation of the visit.

9. At Frontex Headquarters, I met the Executive Director, Mr Fabrice Leggeri and his collaborators, including the Director of the Operations Division and the Fundamental Rights Officer. Here again, I would like to thank all involved for the very informative and useful discussions.

10. I also used the conclusions of the ad hoc sub-committee of the Committee on Migration, Refugees and Displaced Persons which, at the invitation of the local authorities of Kos (Greece) and with the support of the Greek Parliament, visited the reception facilities of the island on 24 and 25 October 2015.

## **2. Overview of irregular migration across the Mediterranean Sea**

11. The phenomenon of irregular crossing of the Mediterranean Sea has been observed for many years but for a long time the numbers were relatively small. It has been estimated that over the period of fifteen years, between 1998 and 2013, approximately 623 000 refugees and migrants reached the shores of the European Union, which means an average of less than 40 000 a year.<sup>4</sup>

12. The last figure, however, may be a little misleading as the numbers have been growing steadily. In 2013, they amounted to 60 000 people.

13. The numbers suddenly exploded in the second half of 2014. By the end of April of that year, the Italian Ministry of the Interior alone had registered 26 644 arrivals. By the end of that year, the relevant number was 170 000 arrivals in Italy and this figure should be increased by 30 000 other arrivals to Europe's southern shores (mainly Greece and Malta).

14. The increase in the number of arrivals was confirmed and intensified in the first months of 2015 and in the course of the year an estimated one million people arrived on all European shores of the Mediterranean.

15. Over the last three months, we have witnessed an unprecedented increase in irregular crossings, particularly into Greece. The shift in migration routes led to over 368 000 arrivals by sea on Greek islands, particularly Lesbos, Kos, Chios, Samos and Leros between January and the end of August 2015. The average number of daily arrivals almost doubled from 1 600 in July to 2 900 in August. In August alone there were around 81 000 arrivals – almost twice as many as for the whole of 2014. In September, a minimum of 5 000 to 6 000 arrivals a day was reported.

16. The situation is evolving and at the time of preparation of the present report, it is difficult to predict future events. Unfortunately, until recently, the number of deaths at sea was increasing proportionally. According to the UNHCR, in 2011 there were around 1 500 deaths; in 2012, when save and rescue operations were intensified, there were around 500, in 2013, the number grew to 600. There was a dramatic increase in 2014, to 3 500 deaths.

17. In 2015, between 1 January and 8 July, there were 1 892 deaths at sea. The number rose to record levels in April 2015, and then dropped dramatically as of May 2015. Between January and March, 479 people drowned or went missing (as compared to 15 during the first three months of the year before). In April alone, in a number of concurrent shipwrecks, an unprecedented 1 380 people lost their lives (compared to 42 in April 2014). In May 2015, the number of drowned and missing fell to 68, a quarter of the figure one year earlier (226 in May 2014). The downward trend continued in June 2015 (12 deaths as opposed to 305 in the same month one year earlier) and the following months. However, the total number of deaths widely recognised as at 31 December 2015 was 3 771.

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4. Source of statistics: UNHCR unless indicated otherwise.

18. The decrease in fatal accidents can be explained by the intensification of save and rescue operations following the tragedy of 18 April 2015. However, regrettably, deaths cannot be entirely prevented as is sadly illustrated by the sadly famous photo of a three-year-old boy drowned between Turkey and Greece. I will come back to this question in the next chapter.

19. The UNHCR report stated that one third of those who had arrived by sea in Italy and Greece over the reference period were from Syria, whose nationals were almost universally deemed to qualify for refugee status or another form of humanitarian protection. The second and third most common countries of origin were Afghanistan and Eritrea, whose nationals are also mostly considered to qualify for refugee status.

20. Among the migrants setting off from the Libyan coast, there are also Nigerians (3 300 in 2014 and 7 900 between January and June 2015), Somalians (2 300 and 6 300 respectively), Gambians (3 500 and 3 500), Sudanese (730 and 3 500) and Senegalese (1 800 and 2 800).

21. Overall, according to public statements by UNHCR officials, the majority of those who arrive (an estimated up to 70%) can be considered as refugees and not economic migrants, and should qualify for some form of humanitarian protection. And according to the UNHCR report released in July 2015, the large majority of all migrants who crossed the Mediterranean Sea during the first six months of 2015 were fleeing war, conflict or persecution and qualified for international protection under the 1951 Convention relating to the Status of Refugees. In other words, the Mediterranean crisis is primarily a refugee crisis.

22. There are several maritime routes to Europe which change very rapidly in order to respond to external circumstances such as migration control measures and conditions in the countries of origin, transit and destination.

23. In 2014, the main maritime route was called the Central Mediterranean Route. The main departure points were Libya (90%) and Egypt; and the main arrival points were Italy and Malta. Thus in 2014, Italy received 170 100 migrants in this way and Malta and Greece 30 000 out of a total of 210 000 arrivals in Europe by sea. The Central Mediterranean Route was used even by Syrians and other refugees and migrants from Asia.

24. In 2015, the trend has changed and the eastern Mediterranean route from Turkey into Greece has now surpassed the central route. By 1 July 2015, 69 000 people had reached Italy by the sea since the start of the year according to the IOM. As already mentioned above, at the same time Greece received over 205 000 arrivals.

25. The majority of those arriving now in Greece are refugees from Syria. They had first fled to Turkey, Lebanon or other neighbouring countries and in many cases had stayed there for several years. Turkey alone has been hosting 2 million refugees from Syria. However, after years of increasing pressure and insufficient international support, the economies of host neighbouring countries are struggling to cope, making it increasingly difficult for refugees to find shelter and jobs and get access to health care and education. This is why some of them decide to undertake the dangerous journey across the sea.

26. The overwhelming proportion of those who arrive head for northern Europe, mainly to Germany, Austria and Sweden, transiting the western Balkans along the routes which are adapting to changing circumstances. One of the reasons for this is that the reception capacities of the countries of arrival, Greece and Italy, have reached saturation point. But there are other elements, including greater attraction of some countries in terms of social benefits, prospects for jobs and existing refugee communities. The rapporteur on "Transit countries: meeting new migration and asylum challenges", Ms Tineke Strik, prepared an addendum to her report giving a detailed overview of these new developments; I refer all those interested to her work.<sup>5</sup>

27. Passage across the Mediterranean Sea is almost entirely controlled by well-organised criminal networks. Smuggling of migrants has become a very lucrative business. It is a commonly known fact that migrants and refugees pay between €1 000 and €2 000 per person for a journey to Europe. I was told by Frontex that the inflatable boats currently used by smugglers have been imported from China. Their price, together with a motor, is less than €1 000. This illustrates the level of profit made by smugglers.

28. In his report on "Organised crime and migrants", my colleague, Mr Irakli Chikovani, analyses this phenomenon and seeks possible solutions to combat it. I will not interfere with his work and I refer all those interested in the subject to his report.

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5. [Doc. 13867 Addendum](#).



### 3. Fatal accidents – action taken to save lives

#### 3.1. Action taken by individual countries

29. Much of the loss of life in the Mediterranean is due to the ruthless methods used by the smugglers who organise maritime transport. To minimise costs and maximise profits, they systematically use unseaworthy vessels which are dangerously overloaded. They often set sail in dangerous weather. Safety equipment is insufficient, inadequate or completely lacking. Passengers have insufficient food and water. My interlocutors from Frontex and from the Italian Coastguard in Sicily have shared with me dramatic descriptions of exhausted people and dead bodies of those who have suffocated in overcrowded holds, discovered following a rescue operation.

30. The methods of smugglers differ and they have evolved over time. In the past, they have abandoned the vessel on the high seas after having issued the signal of distress. Before Operation Mare Nostrum was introduced, such vessels were sometimes floating for a long time without anyone having the skills to navigate them; that is why they were called “ghost vessels”. There was a period when smugglers, running out of vessels, tried to recuperate them once the migrants had disembarked, and cases of violence against passengers and rescuers was reported. Smuggling boats were often simply fishing boats bought in the days prior to a trip and kept in civilian harbours until their departure.

31. On 23 April 2015, several days after the tragic shipwreck of 18 April in which more than 700 people lost their lives, the European Council stressed that the European Union would escalate all its efforts to prevent further loss of lives at sea by increasing rescue operations and would fight migrant smugglers and traffickers.

32. It should be pointed out that the April tragedy occurred when the Operation Mare Nostrum, launched in October 2013 by the Italian authorities following the Lampedusa shipwreck taking the lives of 366 people, had terminated. In the framework of Operation Mare Nostrum, the Italian Navy had deployed a significant number of its maritime forces with the task of rescuing migrants in international waters. Between October 2013 and September 2014, the Italian Navy rescued over 100 000 people and brought them safely to the Italian coasts in Sicily.

33. For months, Italian authorities pressed the European Union to take over the Operation or at least provide it with the substantial financial contribution needed. Faced with no positive reaction, the Italian authorities terminated Operation Mare Nostrum in November 2014.

34. The European Commission, for its part, launched its own rescue operation in the Mediterranean, named Triton, in August 2014. The Triton Operation was implemented by Frontex. However, at that time, Frontex’s capacity to respond to search and rescue needs in the Mediterranean was of an incomparably smaller level to that of Mare Nostrum in terms of equipment as well as financial and human resources. Moreover, its area of operation at that time was much smaller.

35. It has to be recognised that the rise in the death toll in the first four months of 2015 was partly as a consequence of this diminished level of search and rescue operations.

36. As already mentioned in the previous chapter, the European Union’s decision to increase rescue operations as from May 2015 had immediate positive results. Several European navies have provided ships to Mediterranean search-and-rescue missions under the co-ordination of the Italian Coastguard. The budget of Frontex was tripled with immediate effect. Humanitarian organisations like Moas, which charters vessels, and Médecins sans Frontières also participate in save and rescue operations.

37. My interlocutors from the Italian Coastguard and from Frontex described to me the *modus operandi* of smugglers on the central Mediterranean route. Distress signals are emitted as soon as the vessel leaves an 11 nautical mile-long strip of Libyan territorial waters. Increasingly, signals are sent out even before the boat leaves the territorial waters. There have been at least two cases of signals being sent out before the boats left the Libyan coast.

38. Once the signal is emitted, it is received by the emergency response control room of the Italian Coastguard’s headquarters in Rome which has ultimate responsibility for managing the rescue response and co-ordinating actions of the Coastguard, navy and merchant vessels of all nationalities. With sometimes many different signals received at the same time, the rescue operation may not be immediate and tragic incidents cannot be entirely prevented. It has to be stressed that the area covered by rescue operations is huge and even with a significant number of active rescue vessels, it may sometime take several hours before the boat in distress is reached. It is particularly dangerous in bad weather conditions.

39. To illustrate the challenge facing the rescuers, I would like to refer to the announcement by the Italian Coastguard made on 29 June 2015. In the previous 48 hours alone, they had rescued 4 400 migrants off the coast of Libya and taken them to Sicily. In particular, on 28 June, the Coastguard co-ordinated the rescue of 21 vessels in difficulty and on 29 June, eight vessels carrying 1 500 migrants had been assisted. This is just an example of the enormous work carried out on an everyday basis.

40. I was also told that lack of experience of commercial vessels' crews in rescue operations constitutes another serious risk factor. Indeed, some tragedies could have been avoided if a boat full of migrants had been approached in a different way. In particular, the capsizing of the boat on 18 April 2015 which caused the death of more than 700 people took place in the close proximity of a commercial vessel responding to the SOS signal and was a result of migrants hastening to one side of the boat. While one cannot blame inexperienced commercial vessels' teams obliged to carry out rescue operations, one has to acknowledge that given the huge surface of the sea to be monitored, one cannot totally discard the need to rely on their help.

41. The clear message which emerged from my discussions with the Italian Coastguard and Frontex was as follows: there is no way to guarantee full protection of human lives and prevent all deaths at sea. As long as smugglers continue their activities, people will die in the Mediterranean.

42. It is also clear that smugglers unscrupulously take advantage of the rescue operations by increasingly using unseaworthy, decrepit and overcrowded vessels, and fully depending on rescue operations. Neither navy ships nor the Italian Coastguard are authorised to enter Libyan territorial waters. I was informed of one case when a rescue ship chartered by a humanitarian organisation entered Libyan territorial waters and took on board the migrants with the help of people who claimed to be the Libyan Coastguard. My interlocutors considered it a very worrying precedent.

43. Needless to stress that while the elimination of the smuggling process will not solve the problem of migration, it still may save many lives. Therefore the fight against smugglers should be given priority as a complementary measure in a common European response to the migration and refugee crisis. In order to be efficient, it should be carried out in co-operation with the countries of departure. Once again I refer to the report of my colleague Mr Chikovani and I draw attention to the recommendations he has formulated. That said, I would like to stress that in the present situation rescue operations are necessary and should be sustained.

44. In my discussions in Italy, I raised the delicate question of dead and missing persons. While the Italian authorities should be commended for their efforts to recover and bury dead bodies from the sea, it is a matter of urgency to create a centralised data base, a register which would enable the tracing of missing persons throughout all European countries. I think that the Assembly should launch an initiative to establish such a centralised register and this recommendation is included in the draft resolution.

#### **4. Arrivals in European countries – a general overview**

45. Last year, Italy, with 170 000 arrivals – amounting to 90% of all arrivals –, was by far the main destination for refugees and migrants travelling across the Mediterranean Sea. In the first nine months of 2015, 131 000 new arrivals were noted. While Lampedusa had been a sad symbol of migration in the past years, at present almost all refugees and migrants are using the central Mediterranean route to arrive in Sicily.

46. During my visit to Catania, I had an opportunity to get acquainted with different stages of the reception process in one of four ports of disembarkation. Indeed, Catania, along with three other Sicilian ports, namely Pozzalo, Augusta and Syracuse, receives almost all refugees and migrants arriving in Italy. All my interlocutors stressed the heavy burden that these mass arrivals constitute for the local population of 5 million people in terms of its economic impact.

47. Catania, like the three other ports concerned, has had to decrease levels of their usual economic activity. The Commissioner of the Catania Port explained that Catania used to treat 40 million tons of products yearly. Furthermore, as a harbour for cruises, it receives thousands of tourists. The reception of huge numbers of refugees and migrants inevitably hampers these ordinary activities. As a result, the whole community contributes to the reception of migrants against its economic interests.

48. When the rescue ship arrives with intercepted refugees and migrants, it is a serious organisational challenge. All passengers have to undergo a primary health check before they disembark in order to prevent the spread of possible infectious diseases which would constitute a threat to public health. Once the

passengers are on land, they are provided with food, drinks and clothes; they are also given a more comprehensive health check. At this stage those who need medical care are taken directly to hospitals. Between January and June 2015, 61 people were taken to hospital upon arrival.

49. The registration which follows involves taking a photo and scanning fingerprints. The whole process takes place in compliance with humanitarian guidelines and under judicial supervision. Those who refuse to be fingerprinted (approximately 2% of the total number) are not forced to do so. On this point, Italy has been repeatedly criticised by other European countries, and indeed by the Parliamentary Assembly, for non-compliance with the Dublin Regulation's requirements. I recall here Mr Christopher Chope's report on "The large scale arrival of mixed migratory flows to Italian shores". All my Italian interlocutors stressed that the revision of the Dublin Regulation was inevitable in the light of the mass arrivals and it would only contribute to the increase in security. Indeed, if refugees and migrants were not afraid that fingerprinting would jeopardise their chances of submitting an application in another country, they would not object to it. The question of the revision of the Dublin Regulation is a subject of the report prepared by my colleague Mr Nicoletti, so I will not dwell on it.

50. Minors, who constitute approximately 15% of the total figure, and vulnerable people (young women susceptible to exploitation, the elderly) are directed to specialised services.

51. Everybody has access to the asylum procedure. The UNHCR is present at arrivals. It offers legal counselling to refugees and migrants. Other intergovernmental and non-governmental relevant organisations (IOM, Save the Children, International Committee of the Red Cross) are also present.

52. The whole procedure outlined above is further complicated if several rescue ships arrive at the same time. It is not unusual that over 1 000 people disembark simultaneously.

53. The recognition rate is high. Rejected asylum seekers can appeal. I was told that approximately 40% of appeals are accepted. Deportation is very rare. Usually rejected asylum seekers qualify for subsidiary protection on humanitarian grounds.

54. At present, there are 20 000 asylum seekers in Sicily in reception centres. The others have been sent to other regions of Italy or moved to northern Europe. The local population in Sicily has until now had a welcoming attitude towards migrants and refugees. No cases of violence or discrimination have been reported.

55. During my stay in Sicily, I visited the biggest reception centre in Europe called Caro Minea. It is located in a former US military camp composed of 404 buildings of 160 square meters each. Up to 12 people are accommodated in each building, which contain beds and wardrobes. Special protected houses are allocated to vulnerable people (families, women). A canteen provides the residents with meals. The whole population of the centre amounts to 3 400 people, mainly Nigerians and Gambians. The average stay is 12 months. In case of a negative decision, there is a six-month permit to stay before leaving.

56. The residents cannot work but they can participate in different activities, including Italian language courses and sport. They receive a small amount of money every day which they can use for telephone cards and cigarettes. They can leave the premises as they wish, but the neighbouring villages are several kilometres away.

57. There has been a lot of criticism in Italy of the management of migration centres in general, and this facility in particular. The critics point out that centre communities are cut off from the rest of the world and are governed by their own rules imposed by the strongest inhabitants. In this context, there are accusations of violence, intimidation, bullying, prostitution, drug trafficking and black markets. Furthermore, according to some non-governmental organisations (NGOs), tenders for services which State funding should provide are rigged and many residents see little of them. There is a police investigation under way on the system of corruption in the management of migrant centres. In a wire-tap recording published by the Italian media, the president of a co-operative consortium that manages a reception centre near Rome is heard saying: "Do you have any idea how much we earn off migrants? Drugs are less profitable."

58. In Greece, a limited infrastructure providing less than 2 000 reception places means there are completely inadequate reception conditions for new arrivals. The recent shift in the migration routes and the flow of over 821 000 new arrivals on Greek islands in 2015, has put an enormous strain on Greek reception capacities. The comparison of the two above figures illustrates the scope of the problem.

59. The Greek asylum system, which even in the past has been criticised for its deficiencies, now has become completely saturated. Given the countries' economic difficulties, it is not surprising that the situation has entirely surpassed the authorities and the population.

60. There is practically no registration of new arrivals. People are accommodated in non-adapted empty buildings such as hotels and schools, provided with basic food and transported to the mainland in special ferry services in order to alleviate the burden imposed on the local population. These dramatic conditions of reception and frequent delays in transport to the mainland have resulted in open hostility between refugees and migrants on the one side and sections of the local population on the other, but also among refugees and migrants themselves.

61. The vast majority of refugees and migrants continue their journey across the “former Yugoslav Republic of Macedonia” and Serbia to Hungary and further north. According to estimates, in early September 2015 approximately 30 000 people were transiting Greece. This new phenomenon was the subject of the report on transit countries which was debated in the Assembly during the 2015 fourth part-session; I will therefore not dwell on it in the present report.

62. However, the situation seems far from being settled. New refugees and migrants continue to arrive from Turkey, and there are no signs of a foreseeable improvement of the situation.

63. This overview of arrivals should be supplemented with two more figures: in 2015, 3 845 new arrivals noted in Spain and 106 arrivals in Malta.

64. There is no doubt from this picture that neither Greece nor Italy can cope with the problem on their own and that the Dublin Convention needs to be revised.

65. Without wishing to interfere in Mr Nicoletti’s report, I have to mention here the efforts undertaken so far by European leaders to address this huge challenge facing European countries. In May 2015, the European Agenda on Migration defined immediate measures needed to prevent human tragedies and to strengthen emergency responses. It included a mechanism called “hotspot teams” aimed at helping in the processing of asylum requests and returning of irregular migrants. As part of “hotspot teams” rolled out in Italy and Greece, experts from Europol, the European Asylum Support Office (EASO) and Frontex deploy on the ground facilities for registering, fingerprinting and interviewing the migrants to make sure that all asylum requests are genuine.

66. The first hotspots have just become operational in Italy and Greece. However, a hotspot cannot be considered as a solution in itself to the massive migration crisis. At best, it can help to manage an increasingly out-of-control situation.

67. At the European Council meeting on 26 June 2015, the emergency relocation of 40 000 asylum seekers was agreed. The distribution mechanism was supposed to begin only in the autumn. The Commission’s proposal to set obligatory quotas on member States was rejected and replaced by voluntary commitments by States on the number of people to be taken. European Union leaders also agreed to resettle 20 000 currently living in United Nations camps in third countries, essentially countries neighbouring Syria.

68. At the European Council meeting on 14 September 2015, the majority of member States were in agreement with a wider relocation proposal involving 120 000 people, but a final consensus on it could not be reached. There is an ongoing discussion on the system of distribution of migrants, possibly involving quotas, and their voluntary or obligatory nature.

69. On 15 October 2015, the European Commission reached an agreement with Turkey on a Joint Action Plan to step up their co-operation on migration management in a co-ordinated effort to tackle the refugee crisis. It identifies a series of urgent measures aimed at supplementing Turkey’s efforts in managing the large number of people in need of protection in Turkey. Later that day, the European Summit, while endorsing the Joint Action Plan, committed to increasing its political engagement with Turkey, providing Turkey with significant financial support, accelerating the fulfilment of the visa liberalisation road map and re-energising the accession process with Turkey.

70. I would like to share several reflections on prospects and possible solutions.

## **5. Conclusions and recommendations**

71. It is clear that only a common European response can address the present refugee and migration crisis. Individual measures by individual States, including generous gestures, will not solve the problem and may result in more chaos, suffering of refugees and migrants misled by false hopes, and tensions between States. Similarly, individual restrictive measures with regard to access to the territory will not solve the problem in the long term and may have disastrous effects on the future of European integration.

72. European migration policy is hampered by structural and institutional limits for co-operation between member States. This is particularly significant when the challenge is so serious and requires a comprehensive approach.

73. Indeed, the challenge largely exceeds the issue of relocation of a few hundred thousand people which seems to be the ultimate goal of many political leaders. With an estimated rate of new arrivals in mid-September at 6 000 a day (5 000 through the eastern Mediterranean route and 1 000 through the central Mediterranean route), the proposed figures seem to be completely inadequate. Therefore, the debate should not focus on quotas and their compulsory or voluntary nature. While it is necessary to address the immediate humanitarian emergency without further delay, long-term measures and solutions should be identified and implemented as soon as possible.

74. We should call on European leaders to adopt a comprehensive, multifaceted approach. Saving lives of refugees and migrants at sea should continue to be a priority.

75. This approach should be accompanied by the immediate creation of large-scale emergency facilities in Greece and Italy to receive, assist, register and screen incoming people with a view to identifying people in need of protection. In order to achieve this objective, not only should a major increase in specific financial and human resources support for the Greek and Italian authorities be implemented, but also institutional solutions which would allow for the implementation of this unique procedure. The involvement of all relevant European agencies including EASO and Frontex as well as national authorities, international organisations (UNHCR, IOM) and civil society would be essential in this process.

76. The above measures should be enhanced by reducing the incentives for irregular migration, and in particular by investigating, disrupting and prosecuting smugglers' networks and securing external borders. When deemed necessary, effective return practices should be established for those who do not qualify for international protection and strengthening the role of Frontex could be given consideration in this respect.

77. The process of relocation of 120 000 refugees from Greece and Italy, as already agreed by the participating European Union countries, should be stepped up. Further relocations should follow without any further delay.

78. Furthermore, there is an urgent need to substantially increase the opportunities for Syrian refugees hosted in countries neighbouring Syria. This will require fresh major financial support for Turkey, but also for Jordan and Lebanon. After five years of worsening living conditions there is no other way to prevent people from risking their lives to get to Europe.

79. It is imperative to increase access to legal migration channels to Europe, including enhanced resettlement and humanitarian admissions, and the implementation of existing legislation concerning family reunification and humanitarian and student visas for refugees from countries neighbouring Syria.

80. This way of identifying people for legal entry to Europe would save the lives of many potential candidates for illegal crossing of the sea. It could be considered as a step towards external processing of requests for protection. I fully realise that the establishment of a unique status determination procedure outside European borders requires serious institutional and policy changes both in member States and at a European level, and cannot be decided in a hasty manner. However, a considerable increase in the selection of people eligible for legal entry based on humanitarian grounds could be a big step in this direction.

81. In this context, the idea of the establishment of hotspots outside Europe should be given serious consideration.

82. Tackling the root causes of the Mediterranean crisis is the most important and unavoidable long-term measure which has to be introduced as quickly as possible. This implies adequate development of co-operation between Europe and countries of origin, including not only financial support but economic projects which will contribute to sustainable development. The peaceful settlement of the hostilities in Syria, Iraq and Afghanistan is a necessary condition for ending the human exodus from these countries.

83. It is important to engage in a meaningful and comprehensive dialogue with the African countries of origin and transit in order to jointly manage migration and asylum flows in a spirit of shared responsibility. The European Union's recent decision to set up an Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced people in Africa is certainly a move in the right direction.

84. In this context, I also welcome the recent decision of the Council of Europe Development Bank to create a new "Migrant and Refugee Fund" to finance transit and reception centres in affected countries. I also commend the Cypriot Government which was the first contributor to the fund by offering €100 000.

85. A comprehensive response to refugee situations requires diplomacy, political will and concerted action for the prevention as well as the resolution of conflicts that force populations to flee. We cannot afford to fail this time.