

## **A Summer Dream Turned into a Nightmare for Migrants Waiting to Cross the Mediterranean**

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The tide of migrants mainly from African countries (Nigeria, Guinea, Eritrea and Mali) showed little signs of abating during the summer break. Italy, which is on the front line was bearing the brunt of receiving, fingerprinting and processing claims of people whose lives sometimes hang by a thread during the risky sea crossing. The pressure placed on the Italian government was overwhelming, even as the number of summer arrivals was not higher compared to the same period last year. The problem is that after four consecutive years the number of migrants from African countries reached almost 600.000. Italy has often been criticised for slow and inefficient asylum procedures especially when it comes to the Eritreans who often fulfill the condition for refugee status and should be relocated among EU Member States. If part of the blame has been attributed to the shortcomings of the Italian processing of asylum requests, a number of EU Member States falling behind with their obligations to implement the 2015 EU Council decision on relocation of migrants from Greece and Italy. As a result Italy has reached its reception limits and has been struggling to deal with new arrivals.

As several Member States continued to shun their obligations despite several warnings, others tightened their border controls, for fear of massive arrivals. In bid to prevent migrants crossing to the north, the Austrians threatened to close the Brenner Pass by deploying border troops. This brings into stark relief the gap between decisions taken in the EU Council and the subsequent implementation by EU Member States.

Amid rising political tensions, Italy, backed by the European Commission, has sent its navy to upgrade Libya's fleet and help to equip and train the Libyan coastal guards with the aim to prevent smugglers' boats from leaving Libya territorial waters. Furthermore, after NGO's and charitable organisations have been accused of facilitating smugglers' business by carrying search and rescue operations in the Mediterranean (despite NGO claims that they only comply with humanitarian and international obligations), the Italian ministry of interior devised the Code of conduct for NGO's requiring armed police presence on their vessels and asking aid boats to take migrants to ports instead of transferring them to other ships. Several NGO's refused (Médecins Sans Frontières among them), citing fear to see their neutrality and impartiality compromised. Sharp criticism was also voiced by IOM, the UN backed migration organisation.

Emboldened by the Italian support Libyan costal guards unilaterally extended control over their territorial waters above 12 nautical miles (contrary to the UN Convention on the Law of the Sea) and started to return people back to Libya, threatening aid organisations if they try to enter Libyan waters and meddle in their rescue operations. As a result the number of migrants reaching the Italian cost dropped by more than 50% in the second half of July and August. However, it we shouldn't jump to conclusions as it is still unclear whether the dip can be entirely attributed to the above cited measures.

What is clear is that the patchwork character of EU decision making has once again proved the lack of EU strategic planning for managing the migration and refugee crisis.

As the EU continues scrambling to implement a common migration policy, politicians from Member States took the lead, circumventing cumbersome common EU procedures. Such was the recent proposal of the ambitious French President Emmanuel Macron who after trying to make a diplomatic breakthrough in the stalled negotiations between two Libya warring factions proposed the setting up of hot spots on the territory of Libya, Niger and Chad, in order to grant asylum to genuine refugees seeking international protection and stopping economic migrants before they set foot on the European soil. This idea of the so called offshore asylum in the EU's neighbourhood is, however, not new. It has been floated several times in the past: by the then UK Prime Minister Tony Blair in 2003, by Otto Schily, former German Interior

Minister, today's German Minister Minister Thomas de Mazière in 2014, and more recently by Austrian Foreign Minister Sebastian Kurz and Austrian Defence Minister Hans Peter Doskozil, but also Victor Orban and the Maltese Prime Minister Joseph Muscat.

Discarded as a non-starter when it was first put forward, the externalisation of EU migration is however slowly making headway into the mainstream policy making. If the setting up of hot spots in African countries is still farfetched due to the enormous legal and institutional challenges, other measures such as boosting border management capacities of countries of origin and transit of migrants, providing better surveillance of the waters off the Libya's coast and increasing development aid for Africa are signs of shifting the responsibilities for controlling irregular migration by empowering African countries to stop migrant flows before they get on with their trip to Europe. In a nutshell that is what the head of states and governments of France, Germany, Italy and Spain decided at the mini migration summit meeting held at Macron's initiative in Paris on 28 August. Whereas the idea of establishing hot spots on the African territory was absent from the final agreement, the French mentioned the so called 'protection missions' consisting of EU immigration officials assigned to key African countries to pre-screen potential asylum seekers to prevent them from turning to smugglers to cross to Europe.

Still, the summit conclusions are sparse on details and are unlikely to provide the solution for the ongoing European migration crisis. Bigger financial envelope aimed at invigorating local economies to enable migrants to live and work decently in their home countries stopped short of promising a 'Marshall plan for Africa', the idea previously floated by Angela Merkel. Despite a few decades of EU efforts to accelerate poverty reduction, boost economic growth and sustainability in Africa, big gaps persist. According to the 2016 World Bank report Africa's growth slowed down from 4,5 to 2,5 % since 2014 due to the global decline on commodity prices and region specific risks. From that perspective, prospects for any significant improvement in short term seem illusionary.

The EU seems to be stymied over what to do next. It is caught between the obligations stipulated by law and moral duties reflecting EU values on the one hand and urgency to develop effective solutions which would bring down the number of arrivals on the other. It looks increasingly difficult to strike a balance between these two conflicting agendas.

With the pressure of domestic policy and national election timetables it becomes even harder to paint a realistic picture for fear of potential backlash from right wing parties whose ascendance has been temporarily put on hold.

Instability and structural problems accumulated in a number of African countries will continue to pushing migrants to revert to smugglers, who seem to be always a step ahead when it comes to finding alternative routes towards the European continent. The past summer spike in the number of arrivals to Spain is just an illustration of changing migration patterns and the ability of smugglers to adapt.