



MPC – MIGRATION POLICY CENTRE

Co-financed by the European Union

Migrants smuggled by sea to the EU: facts, laws and policy options

**Philippe De Bruycker, Anna Di Bartolomeo,
Philippe Fargues**

MPC Research Report 2013/0+



© 2013. All rights reserved.
No part of this paper may be distributed, quoted
or reproduced in any form without permission
from the MPC



**EUROPEAN UNIVERSITY INSTITUTE, FLORENCE
ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES
MIGRATION POLICY CENTRE (MPC)**

Migrants smuggled by sea to the EU: facts, laws and policy options

**PHILIPPE DE BRUYCKER, ANNA DI BARTOLOMEO,
PHILIPPE FARGUES**

Migration Policy Centre (MPC), RSCAS, European University Institute (EUI, Florence)

**MIGRATION POLICY CENTRE (MPC)
RESEARCH REPORT, MPC RESEARCH REPORT 2013/09
BADIA FIESOLANA, SAN DOMENICO DI FIESOLE (FI)**

© 2013, European University Institute
Robert Schuman Centre for Advanced Studies

This text may be downloaded only for personal research purposes. Any additional reproduction for other purposes, whether in hard copies or electronically, requires the consent of the Robert Schuman Centre for Advanced Studies.

Requests should be addressed to migration@eui.eu

If cited or quoted, reference should be made as follows:

Philippe De Bruycker, Anna Di Bartolomeo, Philippe Fargues, Migrants smuggled by sea to the EU: facts, laws and policy options, MPC RR2013/09, Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, 2013.

THE VIEWS EXPRESSED IN THIS PUBLICATION CANNOT IN ANY CIRCUMSTANCES BE REGARDED AS THE OFFICIAL POSITION OF THE EUROPEAN UNION

The Migration Policy Centre (MPC)

Mission statement

The Migration Policy Centre at the European University Institute, Florence, conducts advanced research on global migration to serve migration governance needs at European level, from developing, implementing and monitoring migration-related policies to assessing their impact on the wider economy and society.

Rationale

Migration represents both an opportunity and a challenge. While well-managed migration may foster progress and welfare in origin- as well as destination countries, its mismanagement may put social cohesion, security and national sovereignty at risk. Sound policy-making on migration and related matters must be based on knowledge, but the construction of knowledge must in turn address policy priorities. Because migration is rapidly evolving, knowledge thereof needs to be constantly updated. Given that migration links each individual country with the rest of the world, its study requires innovative cooperation between scholars around the world.

The MPC conducts field as well as archival research, both of which are scientifically robust and policy-relevant, not only at European level, but also globally, targeting policy-makers as well as politicians. This research provides tools for addressing migration challenges, by: 1) producing policy-oriented research on aspects of migration, asylum and mobility in Europe and in countries located along migration routes to Europe, that are regarded as priorities; 2) bridging research with action by providing policy-makers and other stakeholders with results required by evidence-based policy-making, as well as necessary methodologies that address migration governance needs; 3) pooling scholars, experts, policy makers, and influential thinkers in order to identify problems, research their causes and consequences, and devise policy solutions.

The MPC's research includes a core programme and several projects, most of them co-financed by the European Union.

Results of the above activities are made available for public consultation through the website of the project: www.migrationpolicycentre.eu

For more information:

Migration Policy Centre (MPC)
Robert Schuman Centre for Advanced Studies (EUI)
Via delle Fontanelle 19
50014 San Domenico di Fiesole
Italy
Tel: +39 055 46 85 817
Fax: + 39 055 46 85 770
Email: migration@eui.eu

Robert Schuman Centre for Advanced Studies

<http://www.eui.eu/RSCAS/>

On 3 October 2013, 366 migrants drowned when their boat sank less than a mile off the shore of the Italian island of Lampedusa¹. The magnitude of the disaster and the awareness it raised about the unacceptable risk faced by migrants smuggled by sea to Europe triggered unprecedented reactions. Italian and EU leaders as well as the media, civil society, the Catholic Church and public opinion all made their voices heard.

Just a few days later, 31 October, 2013, 92 persons were found dead in central Sahara on the route from Niger to Algeria. The immediate reaction was to denounce the² dangers of irregular migration across the Sahara to the EU, even though no one knows where these migrants had been headed. Was it Europe or, more probably, Algeria²? Migrants smuggled across the Mediterranean are mainly young men. Instead the Sahara dead were mostly women and children, a fact which suggests that they might have been hoping to reunite with their husbands and fathers in Algeria, a country that is host to some 100,000 migrant workers from Sub-Saharan Africa.

Beyond the death of so many innocent people, the pressure that those who survived the journey and those that undertook similar cross-Mediterranean voyages would put on a tiny Italian island became a worry at the Italian and also at the EU level. It sparked a drive to reform the EU immigration and asylum policies. The European Council of 25 October 2013 invited “The European Council invites the newly established Task Force for the Mediterranean, led by the European Commission and involving Member States, EU agencies and the EEAS, to identify -based on the principles of prevention, protection and solidarity - priority actions for a more efficient short term use of European policies and tools.”³

A number of questions must be addressed in finding the best policy response. Was the Lampedusa tragedy the sign of a new trend in irregular migration to the EU; or was it a sign of increased risks associated with smuggling? Do smuggled migrants resemble regular asylum seekers and migrants or do they represent a specific group? In other words do the Lampedusa events call for a drastic revision of EU asylum and migration policy or an *ad hoc* response?

Part 1: The Facts

Fact no.1: Sea smuggling to the EU is a structural phenomenon

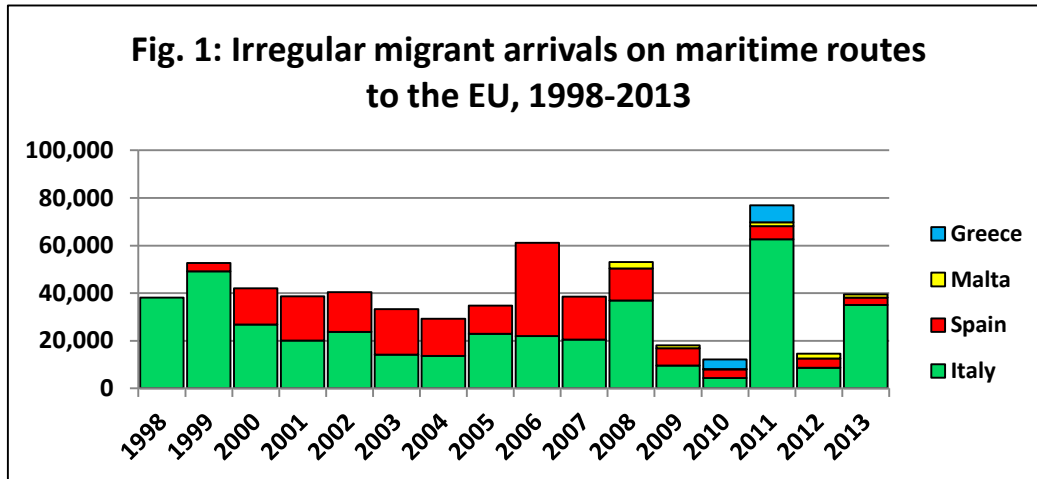
The numbers of migrants landing at Lampedusa in recent times may be impressive but they are not new. From 1998 till 2013, 623,118 migrants have been found to reach the sea shores of the EU irregularly, representing an average of almost 40,000 persons a year. From this point of view 2013, is just an average year, with 39,420 migrants having arrived by sea in the EU so far (Figure 1). Moreover, numbers of migrants smuggled by sea are relatively small compared with the numbers of immigrants admitted regularly to the EU, around 1.5 million new immigrants every year.

According to national police sources of the receiving MS, there is was no marked trend among total numbers of irregular entries by sea from 1998 till 2008. In addition, no significant shift in the countries of arrival has been observed, with most migrants destined for Italy, except in 2006 when the Canary Islands became the most popular destination. This does not mean, of course, that the routes are the same since we have no reliable data on their point of departure.

¹ http://www.tgcom24.mediaset.it/cronaca/2013/notizia/naufragio-lampedusa-morti-sono-366_2004586.shtml

² <http://www.reuters.com/article/2013/10/31/us-niger-migrants-idUSBRE99U0WF20131031>

³ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/139197.pdf



Source: see Appendix 3

The last five years show more erratic variations, with small numbers of arrivals in 2009, 2010 and 2012, and two peaks in 2011 and 2013. One may hypothesize that the reduction was attributable to a combinations of measures: Frontex action at sea gaining momentum; Italy cooperating with Libya before the fall of Col. Kaddafi; Spain closing the Canary Islands route and expanding its radar surveillance SIVE system; etc. Regarding the upsurge in 2011, it was clearly linked with the Tunisian revolution at the beginning of which a large number of Tunisians could leave their country by sea without being controlled by the police, security being in complete disarray⁴.

Fact no.2: The probability of dying at sea has increased in recent years

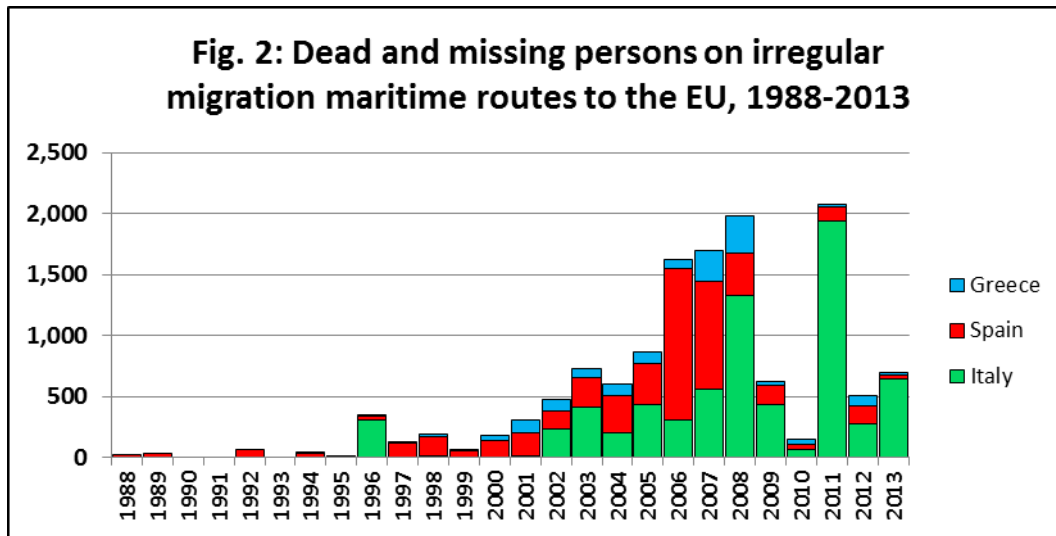
By contrast with arrivals, where there is no obvious trend, the numbers of those who die at sea showed a steady and worrying increase in the 2000s particularly from 2006 onwards (Figure 2). The ratio of those who died to all those who crossed whether they survived or died (Figure 3) provides a proxy of the probability of dying during the sea journey⁵.

This probability was, not only higher than any comparable probability in any other sort of journey (including, as far as one can know, the journey across the Sahara), but it is also sharply increasing. It stands constantly above 3% (30 dead per 1,000 persons crossing) except for a short-lived drop in 2010. In other words, the maritime route to Europe is amongst the most dangerous routes in the world. Moreover, the last section of the route, at the gate of the EU, is the most lethal, and mortality during the journey has increased considerably in the last decade. It has been argued that migration routes were regularly turned by new measures of surveillance. Route diversion would result in migrants continuously finding alternative, but longer and riskier routes. Our data do not include the point of departure of smuggled migrants and, therefore, do not allow us to support, or dispute, this argument.

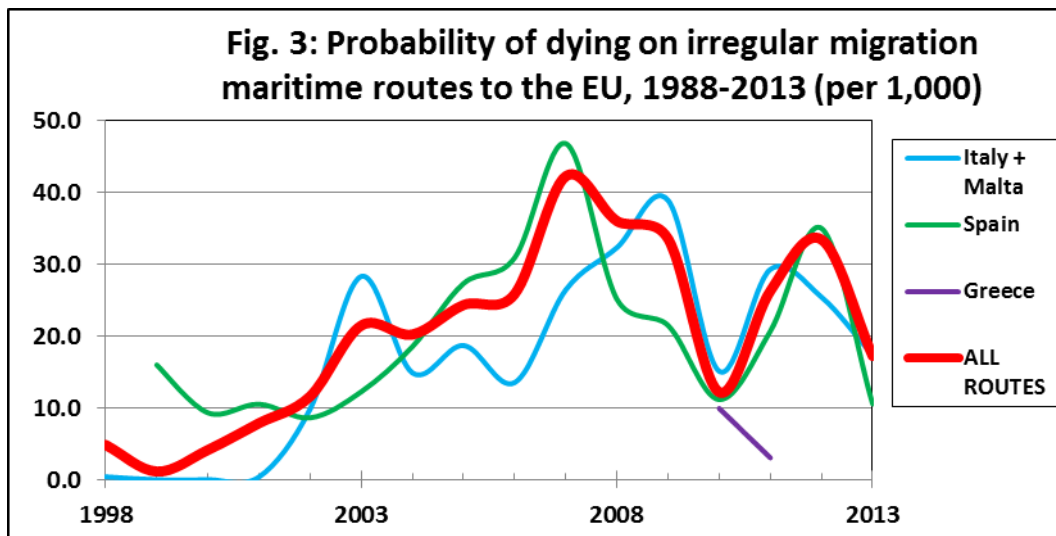
⁴ Boubakri, Hassan 2013, Revolution and International Migration in Tunisia, *MPC Research Report* 2013/04.

⁵ Both the numerator (number of missing or dead persons) and the denominator (the same plus number of safely arrived persons) are underestimated. It may be that underestimate occurs for both at the same level and then the ratio is not affected; it may also be that it differs between the numerator and the denominator and varies over time. Regarding the numerator, one might think that increased military surveillance has an impact, but what impact? It might be a reduced number (rescue by the military saves lives) or an increased number (sinking boats are better detected today than yesterday). Regarding the denominator (migrants arrived and apprehended plus those dead or missing) a decreasing underestimate as a result of increased surveillance of the shores is probable, in which case the probability of dying has been rising even more sharply than in Figure 3.

What our data show, however, is a sharp increase over time in risk of dying, whatever the destination (except for Greece).



Source: see Appendix 3



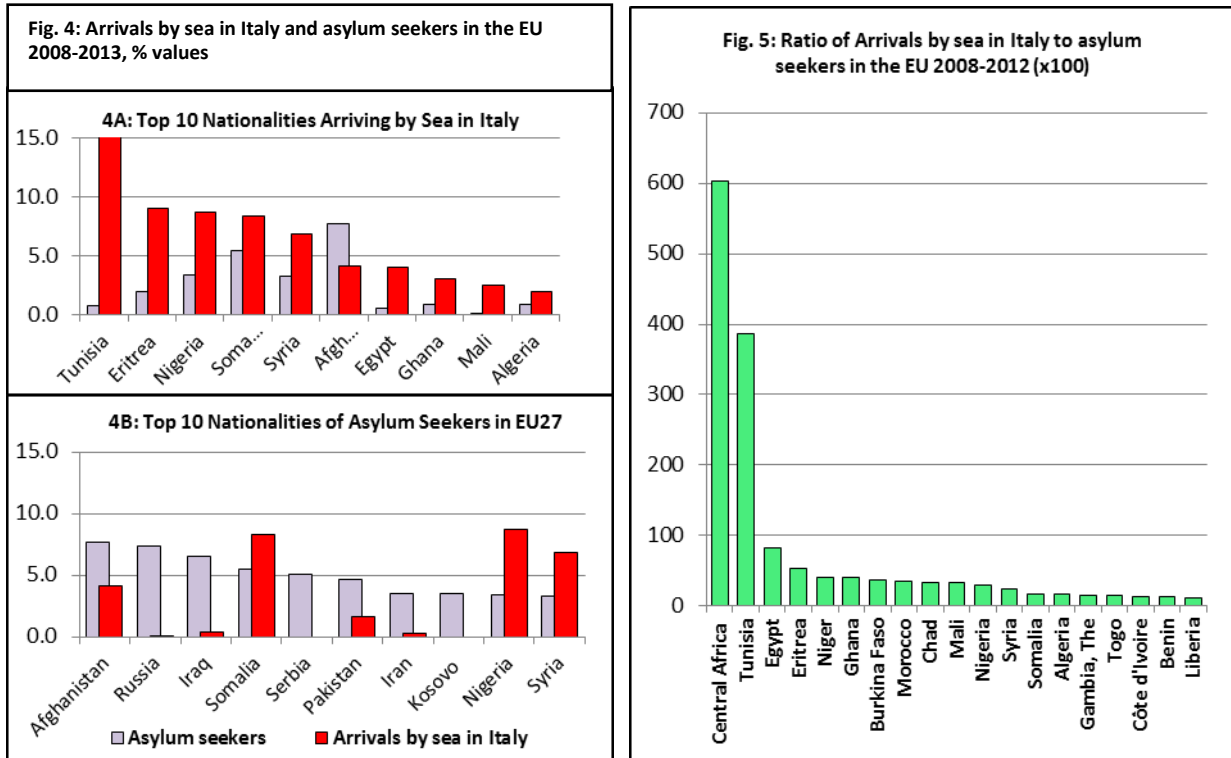
Source: see Appendix 3

Fact no.3: Persons smuggled by sea to the EU are NOT representative of registered asylum seekers, regular immigrants or other irregular immigrants

Migrants smuggled by sea are often said to represent a “mixed” population comprising de facto asylum seekers travelling alongside hidden economic migrants⁶. Therefore, does their profile fall somewhere between the two categories of asylum seekers and labour migrants? Available data on migrants smuggled by sea are produced by EU ministries of the interior and they do not provide all the information that would be necessary to draw their profile. The only available characteristic is, in the case of Italy, the declared nationality of irregular migrants detained at arrival. The only question we can, therefore, address is: do migrants smuggled by sea resemble – in terms of country of origin – other asylum seekers, other labour migrants, and other irregular migrants?

⁶ <http://www.unhcr.org/pages/4a16aac66.html>

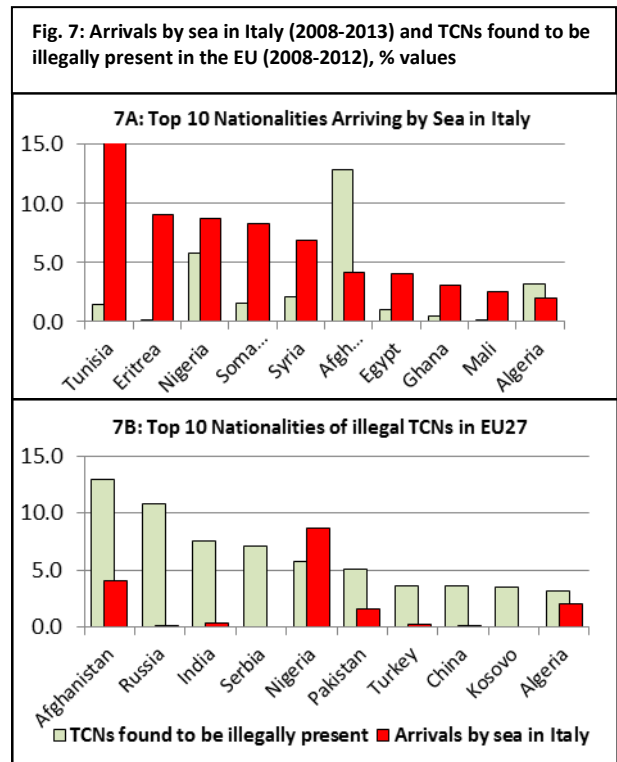
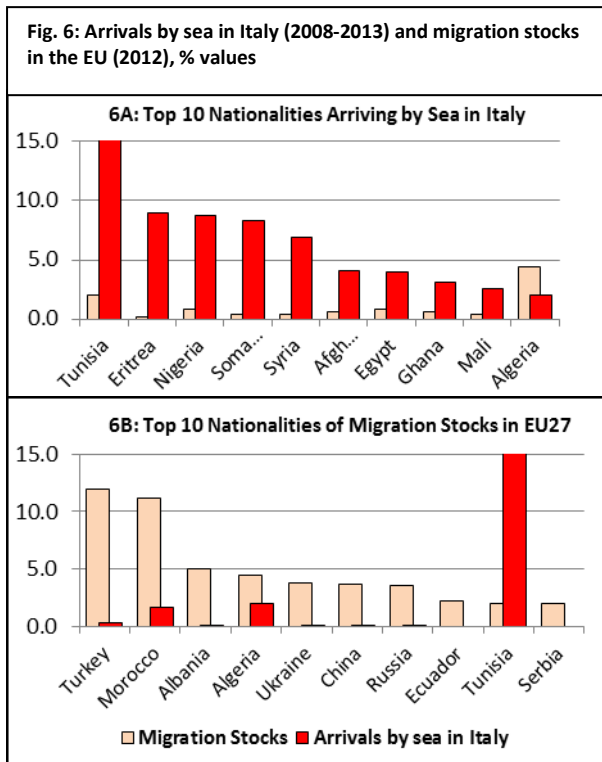
In 2008-2012, migrants smuggled by sea to the EU were mainly nationals of Sub-Saharan countries (32%), Tunisia (25%, most of them having arrived in the first half of 2011), Syria (7%) and Afghanistan (4%). These nationalities were not the dominant ones amongst either registered asylum seekers (Figures 4 and 5), or regular immigrants (Figure 6) or even immigrants found to be irregularly present in the EU (Figure 7).



Source: see Appendix 3

Only four countries — Nigeria, Somalia, Syria, and Afghanistan—are in the top 10 countries of origin on both lists of asylum seekers in the EU and migrants smuggled by sea to Italy (Figure 4). In addition, for all countries of origin save two – Tunisia and “Central Africa” – migrants smuggled by sea are in smaller numbers than asylum seekers (Figure 5). This may reflect the fact that arrival by sea is not the most frequent way for asylum seekers to reach the EU. In the case of Central Africa, however, a ratio of 604% suggests that many persons smuggled by sea to Europe from a French-speaking African country may have falsified their true nationality and declared they were from Central Africa in order to be eligible for refugee status. In the case of Tunisia, instead, a ratio of 386% reflects the predominance of irregular labour migrants among persons arrived by sea and the rarity of eligible refugees.

In the same vein, only two countries – Tunisia and Algeria – are in the top 10 countries of origin of regular migrants to the EU and migrants smuggled by sea to Italy (Figure 6), and only three countries – Afghanistan, Nigeria and Algeria – are in the top 10 countries of origin of irregular migrants in the EU and migrants smuggled by sea to Italy (Figure 7). This clearly demonstrates the specificity, in terms of provenance, of migrants smuggled by sea to the EU.

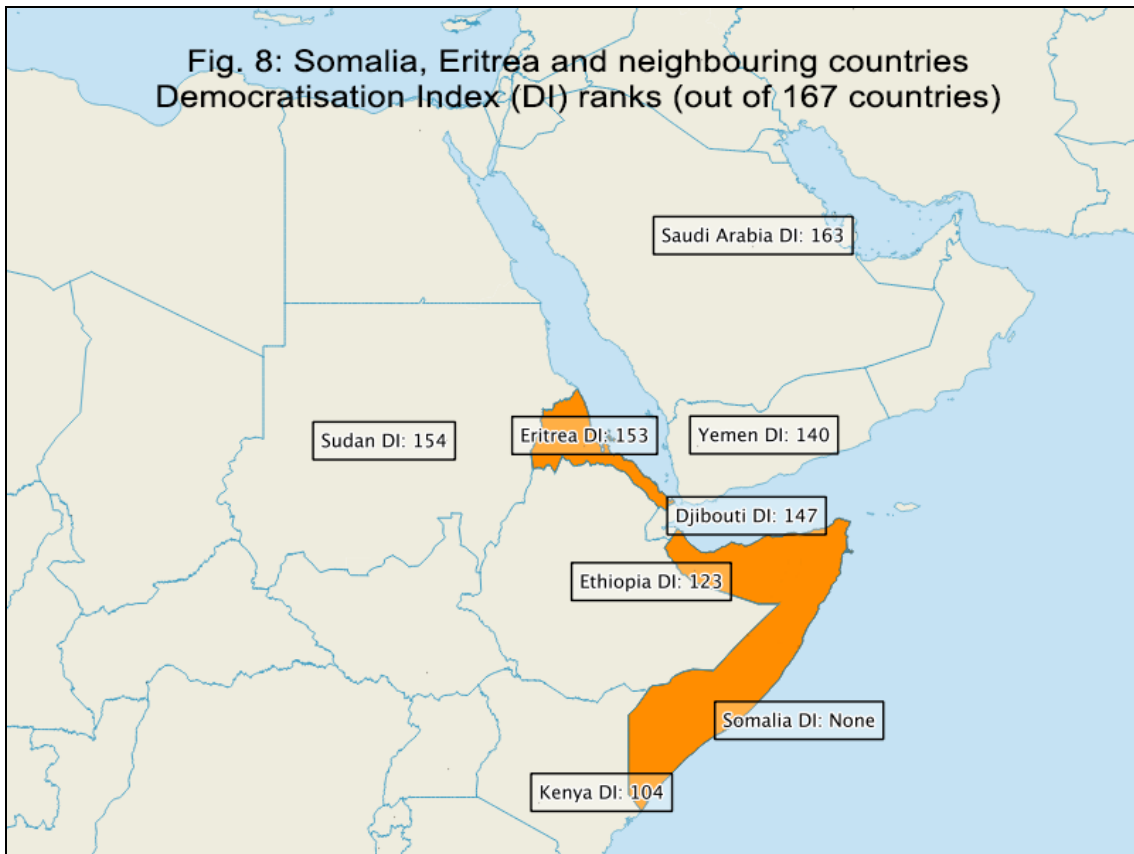
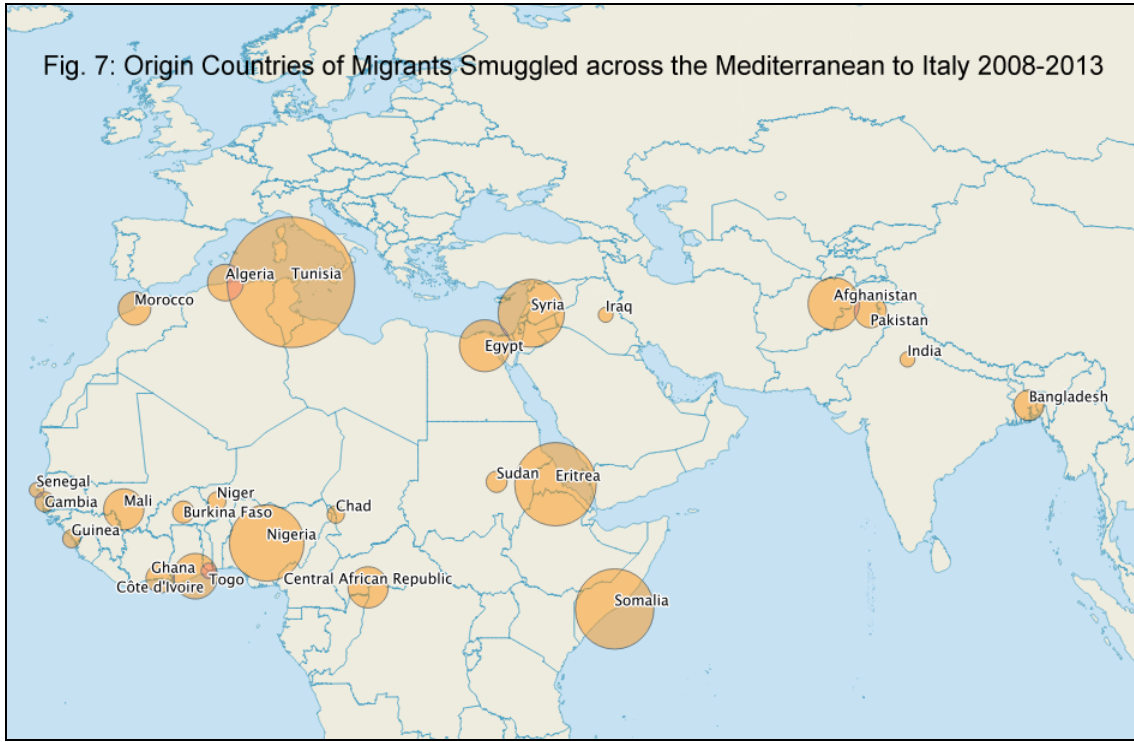


Source: see Appendix 3

Fact no.4: A Mediterranean issue with roots far away from the Mediterranean

The nationalities of migrants smuggled across the Mediterranean are not predominantly Mediterranean (Figure 8). Except for the short-lived wave of Tunisian nationals in the first months of 2011, their main countries of origin are far from the Mediterranean in Sub-Saharan Africa (Eritrea, Somalia, Nigeria, or Central Africa) or in Asia (Afghanistan or Pakistan).

They come from countries that are either themselves subject to extreme political conditions (absence of state, dictatorship, civil war, etc.) or neighbours of such countries (Fig. 9). In both cases, persons willing to emigrate or those needing to find international protection may simply lack the opportunity to do so in their own country or in neighbouring countries. They have no choice but to leave by land, most of the time with little hope of getting the documents that would allow them to reach a safe destination legally. Moreover, the countries they cross on their way to a safe place may be exactly as dangerous as the ones they are leaving, as shown by the numerous testimonies of migrants smuggled to Italy having been abused, raped and tortured in Libya.



Part 2: Laws and Policy Options

Cross-Mediterranean flows of migrants are revealed by geography and in particular by the fact that Europe and Africa are separated by a sea. Other irregular cross-border movements also happen within the European Union, in particular between northern France/Belgium in the Schengen Area and the UK outside the Schengen Area. These individuals are blocked for weeks or months before they manage to cross the Channel by hiding under a truck, inside a boat or on the Eurostar train. This is just one example of existing flows becoming suddenly more visible than others because of the obstacle represented by a sea, which is generally much more difficult than a land border. Moreover, the size of the phenomenon also deserves some attention. If the number of people who die at sea is shocking – an estimated 13,399 from 1988 till October 2013 (see Appendix 1) – the size of the migration flows is overall actually relatively limited. Finally, the tragedy of Lampedusa in 2013 mainly concerned individuals from Somalia, Eritrea and even Syria. Coming from such countries, many of the migrants had good reasons to seek asylum and would be eligible for international protection if they managed to arrive in the European Union.

EU objectives must be twofold. The first, short-term goal is to eliminate death at sea as much as possible. The second longer term goal would be to limit irregular migration across the Mediterranean.

Objective no.1: to eliminate death at sea

Italy has already paved the way by launching Mare Nostrum, an operation employing military vessels, helicopters, planes and drones and some 1500 persons to rescue and save migrants at sea. In line with international maritime law where persons in distress at sea must be succored independently of their nationality, status or circumstances, the Member States of the European Union must improve their capacities to save lives at sea.

EUROSUR

The regulation of “Eurosur” (European Border Surveillance System) was adopted by the European Union in October 2013. It is a European network that will facilitate and improve the exchange of information between EU Member States and possibly between third countries. More specifically the information relates to unauthorized border crossings and to the risks to the lives of migrants, cross-border crime, crisis situations and suspect vehicles and vessels at external borders. It will be applicable to the Southern and Eastern borders from 2 December 2013⁷ to the rest of external borders from 1 December 2014.

Eurosur has had a mixed reception. It has been welcomed by the European Commissioner for Home Affairs who called for a “Frontex search and rescue operation that will cover the Mediterranean from Cyprus to Spain”⁸ after the tragedy at Lampedusa. The European Parliament voted 80% in its favor, with the exception of Greens, who claimed that the measure would not save migrant lives at sea. NGOs went further and considered, in an open letter, 8 October, to the Council of Ministers for Justice and Home Affairs that *“enhanced border controls, including through the establishment of Frontex, and the elaboration of new tools, such as EUROSUR force more and more migrants and refugees to take increasingly dangerous routes, putting their lives at risk and that these measures, coupled with limited opportunities for regular migration and obstacles to seeking and obtaining asylum, are among*

⁷ Such a short deadline is possible because Eurosur was already implemented through a pilot project before the adoption of its regulation.

⁸ Memo 13/864 of the European Commission of 8 October 2013.

the causes of the ever increasing number of people dying on Europe's doorstep in an attempt to reach its shores”⁹.

It is quite clear that Eurosur is primarily a tool to fight illegal immigration. It was presented as such, though its usefulness to save life at sea was already clearly mentioned in the Commission proposal¹⁰. Eurosur will be what its users can make of it. It could, indeed, be used for detecting migrants' boats earlier and more quickly and so to increase the possibility of saving lives if rescue means are available. Eurosur raises then the question of what to do with people that have been rescued and in particular determines where they should have disembarked.

NON-REFOULEMENT

The European Court of Human Rights had already to deal with persons from Eritrea and Somalia who left Libya by sea in order to reach Europe in a famous case “Hirsi”¹¹. They were intercepted by Italian coast-guards on the high sea and handed-over to the Libyan authorities on the basis of bilateral agreements signed between Italy and Libya to fight illegal immigration. Some of them appealed to the Court of Strasbourg by arguing that they had been victims of violations of the European Convention of Human Rights by Italy (ECHR).

The Court had, first, to rule on the applicability of the ECHR and to check if it is applicable to the facts of the case. The fact that the interception happened on the high sea and so outside Italian territory is not relevant. The scope of applicability of the ECHR is not purely territorial but relates under article 1 ECHR to the notion of “jurisdiction”. It was in this case fulfilled because the persons were on board Italian boats managed by Italian soldiers. This preliminary point being clarified, the Court considered that Italy, indeed, breached several provisions of the ECHR: first, the right not to be subject to inhumane or degrading treatment (article 3 ECHR) because of the general situation of illegal migrants in Libya (in particular the risk of arrest and detention in inhumane conditions without any attention for the quality of asylum seekers), and also because of their risk of being sent back by Libya to their country of origin where they risk torture or detention in inhumane conditions or a situation of blind violence; second, the prohibition on collective expulsions as their cases were not individually assessed and they were sent back as a group (article 4 of protocol 4 to ECHR); finally, the right to an effective remedy as they did not have the possibility of appealing the decision of return to Libya (article 13 ECHR).

The main consequence that can be drawn from that landmark case for sea operations aiming at fighting illegal immigration is clear. Member States can only disembark persons in a third country of origin or of transit of migrants after having given them the possibility to oppose this decision with the introduction of an effective remedy. This means that this remedy must be able to prevent any act until a decision has been taken by the appeal authority, which must not necessarily be a judge but which must be independent and impartial. Furthermore, the Court insisted that the authorities should ascertain by themselves how a third country fulfils its international obligations in relation to the protection of asylum seekers, even if people do not explicitly ask for asylum. As it is extremely difficult, perhaps impossible, to offer those guarantees on a boat at sea, the only practicable solution in such a situation would be to disembark people in the European Union. This raises obviously the question about in which Member State disembarkations should take place.

DISEMBARKATION

Disembarkation is precisely the object of current discussions by the EU on the basis of a proposal of the Commission establishing rules for the surveillance of sea borders carried out in Frontex operations.

⁹ <http://www.lacimade.org/uploads/File/solidarites-internationales/Frontexit/FIDHOpenLetterLampedusa081013.pdf>

¹⁰ COM(2011)873 of 12 December 2011.

¹¹ ECHR, 23 February 2012, application n° 27765/09.

The problem comes from the fact that international law is not clear about the place of disembarkation of rescued persons. Article 1.3.2 of the Search and Rescue Convention (SAR) of 27 April 1979 states that the result of rescue must be “to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety”. But where, in which port and so on the territory of which State? Specialists in maritime law consider that “It is an international obligation for States to render assistance to persons in distress at sea. However, a comparable legally binding duty to disembark these rescued persons does not exist”. A kind of deadlock is also known in international immigration law where there is a human right to leave any State, but not a corresponding right to enter another country... Amendments to the SAR Convention were adopted in 2004 to clarify the issue, but the result is that article 3.1.6.4 now states that “Each party should organize its rescue co-ordination centres (RCC) to make the necessary arrangements in cooperation with other RCCs to identify the most appropriate place(s) for disembarking persons found in distress at sea”. States could once again, unfortunately, not agree on a place of disembarkation at the international level.

The European Union has tried to adopt rules completing the SAR Convention. After the adoption, 26 April 2010, of a decision supplementing the Schengen Borders Code as regards the surveillance of external sea borders in the context of Frontex operational cooperation¹² a new regulation was proposed, 12 April 2013¹³: the 2010 decision was cancelled by the Court of Justice for institutional reasons. Its article 10, §4 of the 2013 regulation foresees that, if disembarkation cannot take place in the country from which the ship departed: “the host Member State and the participating Member States shall as soon as possible ensure that a port or place of safety is identified taking into account relevant factors, such as distances to the closest ports or places of safety, risks and the circumstances of the case”; if this is not possible, the rescued persons shall be disembarked in the host member State.

The Commission proposal provoked an extremely strong reaction from Cyprus, France, Greece, Malta, Italy and Spain, not least because the EU does not have a competence to legislate on search and rescue and disembarkation in detail. This controversy shows that some Member States are still not ready to accept European rules on disembarkation. It is not a coincidence that the opponents are all Mediterranean States. This raises the issue of solidarity between Member States within the European Union.

Objective no.2: To limit irregular migration by sea

Finding answers to irregular migration is much more difficult than making proposals to eliminate deaths at sea. Identifying the nature of the phenomenon can nevertheless help us towards solutions. The problem comes from the fact that some media, NGOs and even academics considered that one solution, if not the solution, would be to reopen European borders to legal migration. Such a proposal partly rests upon confusion between refugees and migrants.

MAKING LEGAL ASYLUM CHANNELS MORE ACCESSIBLE

The recent tragedy at Lampedusa involved, for the most part, people coming from Somalia, Eritrea and even Syria. Many from such countries have good reasons to seek for asylum and would be eligible for international protection if they managed to arrive in the European Union. Proposing to welcome them through channels for legal migration is inappropriate. Most of these people are not ordinary migrants, but genuine refugees. They do not have to ask to be admitted as a special favour: they have a right to asylum, unless a safe third country can welcome them.

It is true that their hopes for applying for asylum in the European Union are rather limited. European policies prioritising the fight against irregular migration and based on the requirement of visas coupled

¹² OJEU, 4 May 2010, L 111/20.

¹³ COM(2013)197.

with sanctions against carriers transporting persons without the required documents, forces most of them to use other means: namely, the routes used by irregular migrants. Europe should think of opening legal channels for asylum. There is a real risk that the Common European Asylum System that the EU is building will be unreachable for legitimate asylum seekers from these countries, thereby preventing them from using legal channels to file their claims. Several solutions can be envisaged.

The main one is resettlement of those persons from countries of first asylum where they have no future or from transit countries where they cannot be protected as is the case, for instance, with Libya. The European Union has started to experiment along these lines. Progress is nevertheless limited because, as shown by a research project of the Migration Policy Centre¹⁴, the number of EU resettling Member States is rising, but the number of available places for resettlement is not increasing proportionally. More can quite easily be done if the political will to do so really exists.

The second one is “Protected Entry procedures” (PEPs). This is the possibility of applying for a special kind of visa that would better be named “asylum visa”, rather than humanitarian visas. However, all previous attempts by EU Member States have been abandoned during the last decade.

Finally, one last solution is “Regional Protection Programmes” (RPPs). These are capacity building programmes for third countries in order to enable these countries to welcome asylum seekers and to provide them with asylum. They are sometimes considered as bad cases of burden shifting by the EU, but there is nothing wrong in trying to increase the number of potential asylum countries in the world, if the assistance provided is sufficient. Their main problem is that RPPs belong to the category of long- rather than short-term solutions.

MAKING LEGAL CHANNELS OF ECONOMIC MIGRATION MORE ACCESSIBLE

The proposal to reopen channels for legal migration deserves to be considered for those who are not refugees. Indeed, irregular migration flows are often “mixed” as they comprise refugees and migrants trying to immigrate irregularly, these two groups travelling on the same boats and paying the same smugglers. Therefore, why not considering opening channels for legal migration in order to avoid people having to try to cross the Mediterranean irregularly?

The proposal seems simple, but it might actually be, rather, simplistic. From a general point of view, it reverses the main basis of immigration policies pursued by States. Immigration policies respond to the needs and preferences of destination countries, rather than those of migrants or of their countries of origin. Who can seriously imagine that EU immigration policies will be designed on the basis of the different crisis and conflicts that affect the near or remote neighbourhood of Europe and, if this is the rationale, why not of the entire world?

A sound counter-argument refers to the situation of labor markets in the EU and is based on the idea that their needs in terms of low qualified migrants are underestimated during a period of economic crisis and that many low-skilled migrants are irregularly employed. More should certainly be done to fight not only irregular migration, but irregular employment as the existence of a black labor market is, indeed, a pull factor attracting migrants towards Europe. However, responding to irregular migration across the Mediterranean with new channels of legal migration raises several questions.

Will the persons who would be chosen and authorised to immigrate to Europe be those who would otherwise decide to cross the Mediterranean? Even if policies can rarely be built on certainty, such solutions need to be seriously analysed before being envisaged. Characteristics of potential immigrants (their qualifications or competences) as well as their links with Europe (the language they speak, the presence of a diaspora from the country of origin in Europe) must be analysed. As suggested by the table below, migrants from Eritrea in OECD countries have received more education than the average migrants, while those from Somalia have received less than the average.

¹⁴ <http://www.know-reset.eu/>

Migrants aged 15+ by level of education and country of nationality in OECD countries 2006

Nationality	Low	Medium	High
Eritrea	26.3	45.9	27.8
Somalia	47.2	38.6	14.2
All migrants	35.3	37.0	27.7

Source: OECD, DIOC

Moreover, such legal migration channels designed to help migrants from certain countries of origin can only be *ad hoc* programmes that can complement but not form the basis of an immigration policy that the European Union has still to build.

IMPROVING SOLIDARITY BETWEEN MEMBER STATES

There is finally the issue of solidarity. The EU – this criticism should actually be addressed to Member States rather than to the European institutions – has been accused of a lack of solidarity. This lack of solidarity has effectively undermined its capacity to prevent tragedies like the latest shipwreck of Lampedusa or to manage immigration flows through the Mediterranean. This is once again a debate much more complex than it might, at first glance, seem.

Regarding death at sea: if the burden of rescue operations were better shared with the Northern and Eastern Member States of the EU would Mediterranean States do more to save persons in distress at sea? Would there not be a risk that the European budget substitutes rather than complements national budgets?

Regarding asylum, can we hope that more refugees would be welcomed to the EU if there was more solidarity between its Member States? First burden sharing would be about financial rather than physical solidarity. It is, indeed, difficult to distribute asylum seekers between States without taking into consideration their wishes and personal situations. The Dublin system, which is not a mechanism for solidarity but for responsibility allocation, shows that physical distribution cannot work efficiently.¹⁵ Moreover, the biggest receivers of asylum seekers in the EU are not the Mediterranean States with the exception of France, but Germany, Sweden, the United Kingdom and Belgium. Those States consider that they do more than the Mediterranean States, indeed, some would say that Mediterranean states do not fulfill their EU obligations.

Finally, regarding immigration, the debate would also be extremely difficult if the EU had to distribute immigrants crossing the Mediterranean between its Member States. Migrants will have their own preferences and, if they were not pleased by the assigned Member State, would have the possibility of moving irregularly in the Schengen Area where there are no internal border controls. What is more, as set out in the Treaty of Lisbon, defining immigration quotas is an exclusive national competence and Member States would never accept this in an EU framework. This would be done in an intergovernmental framework in which the European Commission could at best be accepted but not the European Parliament.

Solidarity is, nevertheless, an issue. It is a very relevant debate for certain policies, in particular for the control of external borders or the asylum policy. Moreover the EU has already made some efforts in terms of solidarity, for instance with the creation of agencies like Frontex or the European Asylum Support Office that help Member States in need. But more could and should be done as article 80 of the Treaty of Lisbon stipulates that “*the policies of the Union set out in this Chapter -precisely*

¹⁵ European Parliament (2009), Reflection Note on the Evaluation of the Dublin System and on the Dublin III Proposal [http://www.europarl.europa.eu/RegData/etudes/note/join/2009/410690/IPOL-LIBE_NT\(2009\)410690_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/note/join/2009/410690/IPOL-LIBE_NT(2009)410690_EN.pdf)

borders, immigration and asylum- and their implementation shall be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States. Whenever necessary, the Union acts adopted pursuant to this Chapter shall contain appropriate measures to give effect to this principle". Solidarity is not a purely political debate but also a legal obligation that has to be implemented by the European Union; it is, in part, about the sharing out, fairly, of responsibility, something which counterbalances the idea of solidarity.

Solidarity is a complicated, even technical debate requiring an objective analysis based on figures in order to overcome as much as possible the political passions that it generates. This is not what happened when around 20,000 Tunisians landed in Italy at the beginning of the revolution in their country. When Italy decided to give them humanitarian residence permits, knowing that most of them would go to France for obvious reasons (a common language, the presence of a diaspora and historical links), European governments launched a debate about reintroducing checks at the internal borders of the Schengen Area. This quickly blew up into a controversy between Member States in favor of an intergovernmental stance opposed to the European Commission and Parliament, which are, of course, in favor of a supranational stance. How would Member States control internal land borders that are so easy to cross when they have great difficulties in controlling their external borders? Reflecting on solidarity would first require that distrust between Member States be dispelled.

The preparation of the five-year programme for 2014-2019, which will replace the current Stockholm programme, must look at how to eliminate mortality at sea and how to reduce irregular migration along maritime routes.

Appendix 1

Tab. A1.1: Arrivals on irregular migration maritime routes to the EU by country of arrival, 1998-2013

Year	Country of arrival			
	Italy	Spain	Malta	Greece
1998	38,142	n.a.	n.a.	n.a.
1999	49,136	3,569	n.a.	n.a.
2000	26,817	15,199	n.a.	n.a.
2001	20,143	18,510	n.a.	n.a.
2002	23,719	16,670	n.a.	n.a.
2003	14,170	19,176	n.a.	n.a.
2004	13,635	15,671	n.a.	n.a.
2005	22,939	11,781	n.a.	n.a.
2006	22,016	39,180	n.a.	n.a.
2007	20,455	18,056	n.a.	n.a.
2008	36,951	13,424	2,704	n.a.
2009	9,573	7,285	1,173	n.a.
2010	4,406	3,632	28	4,084
2011	62,692	5,441	1,574	7,216
2012	8,717	3,804	2,010	n.a.
2013	35,085	3,000	1,335	n.a.

Tab A1.2: Arrivals on irregular migration maritime routes to Italy by region of arrival, 1998-2013

Year	Region of arrival						Total
	Sicily		Puglia	Calabria	Sardinia	Other regions	
	Sicily	<i>of which Lampedusa</i>					
1998	8,828	2,680	28,441	873	0	0	38,142
1999	1,973	356	45,618	1,545	0	0	49,136
2000	2,782	447	18,990	5,045	0	0	26,817
2001	5,504	923	8,546	6,093	0	0	20,143
2002	18,225	9,669	3,372	2,122	0	0	23,719
2003	13,851	<i>n.a.</i>	137	177	4	1	14,170
2004	13,594	10,497	18	23	0	0	13,635
2005	22,824	14,885	19	88	8	0	22,939
2006	21,400	18,096	243	282	91	0	22,016
2007	16,875	<i>n.a.</i>	61	1,971	1,548	0	20,455
2008	34,540	30,657	127	663	1,621	0	36,951
2009	8,282	2,569	308	499	484	0	9,573
2010	1,264	<i>n.a.</i>	1,513	1,280	318	31	4,406
2011	57,181	<i>n.a.</i>	3,325	1,944	207	35	62,692
2012	<i>n.a.</i>	<i>n.a.</i>	<i>n.a.</i>	<i>n.a.</i>	<i>n.a.</i>	<i>n.a.</i>	8,717
2013	<i>n.a.</i>	13,000	<i>n.a.</i>	<i>n.a.</i>	<i>n.a.</i>	<i>n.a.</i>	35,085

Tab A1.3: Arrivals on irregular migration maritime routes to Italy by country of declared nationality, 1999-2013

Country of declared nationality	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Afghanistan	334	613	491	135	1	1	1	41	8	62	364	1,699	2,175	1,280	879
Albania	7,156	5,804	4,018	1,247	62	18	20	9	14	53	n.a.	5	3	n.a.	n.a.
Algeria	147	316	500	716	163	148	426	540	1,762	2,019	521	297	328	n.a.	n.a.
Angola	n.a.	0	0	9	0	0	n.a.	n.a.	0	0	n.a.	0	3	n.a.	n.a.
Azerbaijan	n.a.	0	0	0	0	0	n.a.	n.a.	1	0	n.a.	0	0	n.a.	n.a.
Bangladesh	66	161	292	365	270	553	512	504	199	364	157	12	1,279	401	n.a.
Benin	n.a.	0	0	0	1	0	7	9	9	85	1	0	63	n.a.	n.a.
Birmania	n.a.	19	0	0	14	0	n.a.	n.a.	0	0	n.a.	6	3	n.a.	n.a.
Bulgaria	8	0	1	46	0	0	n.a.	n.a.	0	0	n.a.	0	1	n.a.	n.a.
Burkina Faso	1	0	10	0	6	0	16	21	133	526	43	0	589	n.a.	n.a.
Burundi	n.a.	0	0	1	0	0	n.a.	1	0	0	n.a.	0	0	n.a.	n.a.
Cambodia	n.a.	0	0	0	0	0	n.a.	n.a.	0	1	n.a.	0	0	n.a.	n.a.
Cameroon	n.a.	2	0	0	2	1	2	6	11	44	7	0	121	n.a.	n.a.
Canada	1	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Central Africa	n.a.	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	3,987	n.a.	n.a.
Central African Republic	n.a.	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Chad	n.a.	0	4	66	19	1	8	13	10	56	n.a.	0	678	n.a.	n.a.
China	288	609	260	41	0	82	68	n.a.	4	1	2	0	0	n.a.	n.a.
Colombia	3	1	0	0	1	3	3	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Congo	n.a.	0	1	124	23	17	7	14	4	58	3	0	106	n.a.	n.a.
Croatia	7	0	0	0	0	0	n.a.	n.a.	0	2	n.a.	0	0	n.a.	n.a.
Egypt	228	187	92	262	67	246	568	4,478	5,131	2,281	424	551	1,989	1,082	n.a.
Eritrea	2	16	322	1,076	1,087	1,247	1,974	2,859	3,007	3,943	925	55	386	410	8,443
Ethiopia	n.a.	8	70	159	223	336	718	479	493	283	22	2	42	n.a.	n.a.
Former Yugoslavia	29,488	2,416	615	5	1	0	n.a.	n.a.	47	6	n.a.	0	0	n.a.	n.a.
France	n.a.	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	1	n.a.	n.a.
Gabon	n.a.	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	7	n.a.	n.a.
Gambia	n.a.	0	0	1	2	2	10	15	50	422	94	1	315	118	n.a.
Georgia	n.a.	1	0	0	0	0	n.a.	n.a.	0	0	n.a.	3	2	n.a.	n.a.
Ghana	26	0	3	1	347	34	446	530	755	1,996	210	0	2,655	n.a.	n.a.
Greece	n.a.	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	4	7	n.a.	n.a.
Guinea	1	0	0	4	1	0	3	21	64	216	42	4	526	n.a.	n.a.
Guinea Bissau	n.a.	0	0	0	0	0	n.a.	4	0	16	3	0	30	n.a.	n.a.
Haiti	n.a.	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	1	n.a.	n.a.
Horn of Africa	n.a.	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	4,157	n.a.	n.a.
Hungary	n.a.	1	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
India	202	184	254	1,369	286	89	103	74	60	511	25	0	16	n.a.	n.a.
Iran	20	21	62	23	1	1	n.a.	2	13	30	28	159	153	n.a.	n.a.
Iran Kurds	366	509	53	0	0	0	n.a.	n.a.	0	0	29	47	0	n.a.	n.a.
Iraq	438	1,842	2,307	3,682	1,629	1,011	3,021	50	602	73	76	161	171	n.a.	n.a.

Migrants smuggled by sea to the EU: facts, laws and policy options

Iraq Kurds	5,097	5,197	2,586	1,564	188	0	n.a.	n.a.	504	223	95	46	12	n.a.	n.a.
Israel	n.a.	0	1	3	1	0	1	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Ivory Coast	1	0	1	74	163	100	511	168	480	618	126	16	1,232	n.a.	n.a.
Jordan	n.a.	2	0	1	0	2	7	8	2	1	n.a.	0	0	n.a.	n.a.
Kazakhstan	1	1	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Kenya	1	0	0	0	0	0	n.a.	n.a.	0	20	1	0	1	n.a.	n.a.
Korea	n.a.	0	2	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Kuwait	n.a.	0	0	1	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Lebanon	11	21	19	14	6	21	33	95	35	9	2	1	1	n.a.	n.a.
Leshoto	n.a.	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	1	n.a.	n.a.
Liberia	6	0	1	2,128	1,090	166	236	35	68	117	8	0	49	n.a.	n.a.
Libya	23	35	25	71	39	27	19	50	42	16	9	14	228	n.a.	n.a.
Malawi	n.a.	0	0	0	0	1	n.a.	1	0	0	n.a.	0	0	n.a.	n.a.
Maldives	1	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Malesya	1	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Mali	n.a.	0	0	2	18	0	35	94	214	397	125	1	2,393	n.a.	1,058
Malta	n.a.	0	0	0	1	0	n.a.	n.a.	0	0	3	0	0	n.a.	n.a.
Mauritania	1	6	10	4	2	1	19	16	17	11	2	0	52	n.a.	n.a.
Mauritius	n.a.	1	2	0	0	0	n.a.	n.a.	1	0	n.a.	0	0	n.a.	n.a.
Moldova	78	60	24	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Morocco	657	1,208	1,199	1,856	800	471	3,624	8,146	2,341	1,800	456	54	299	n.a.	n.a.
Mozambico	1	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Nepal	n.a.	0	0	0	0	0	n.a.	n.a.	0	13	1	2	0	n.a.	n.a.
Niger	n.a.	0	0	0	0	1	60	98	71	203	21	1	603	n.a.	n.a.
Nigeria	7	3	1	19	121	45	197	491	913	6,373	1,663	0	5,480	160	n.a.
Oman	n.a.	1	0	0	0	3	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Others	6	0	0	0	0	0	31	18	0	0	3	0	0	758	11,760
Pakistan	63	388	253	787	553	296	479	183	85	251	1	55	1,423	799	n.a.
Palestine	31	379	538	1,053	3,450	7,535	6,699	n.a.	152	0	46	128	137	n.a.	n.a.
Peru	4	2	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Philippines	n.a.	19	10	1	1	0	n.a.	2	0	0	n.a.	0	2	n.a.	n.a.
Poland	10	0	2	1	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Romania	31	43	14	4	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Russia	1	12	3	2	0	0	n.a.	n.a.	0	0	n.a.	1	2	n.a.	n.a.
Rwanda	5	1	0	1	0	0	n.a.	n.a.	0	1	n.a.	0	2	n.a.	n.a.
Saudi Arabia	n.a.	0	0	0	0	7	3	2	0	0	n.a.	0	0	n.a.	n.a.
Senegal	2	22	13	15	7	1	1	7	37	76	11	0	448	n.a.	n.a.
Sierra Leone	142	98	122	366	226	7	76	24	17	56	9	0	70	n.a.	n.a.
Slovenia	n.a.	1	1	0	0	0	n.a.	n.a.	0	1	n.a.	0	0	n.a.	n.a.
Somalia	77	48	186	628	2,075	202	107	121	892	5,258	2,245	61	1,092	1,295	3,140
South Africa	2	1	0	0	0	0	1	2	0	2	n.a.	0	2	n.a.	n.a.
Sri Lanka	94	241	1,553	2,642	0	2	2	4	15	1	6	3	22	n.a.	n.a.
Sudan	12	19	139	1,351	535	599	732	352	469	377	19	4	683	n.a.	n.a.
Syria	5	18	11	8	12	10	48	36	49	21	40	100	328	389	9,805

Syria Kurds	9	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	91	0	n.a.	n.a.
Taiwan	n.a.	0	3	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Tanzania	n.a.	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	0	2	n.a.	n.a.
Thailand	n.a.	0	2	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Togo	n.a.	0	0	3	7	3	478	62	148	369	11	0	178	n.a.	n.a.
Tunisia	337	522	607	1,183	591	307	1,596	2,312	1,417	7,633	1,522	650	28,047	2,025	n.a.
Turkey	975	1,515	1,535	481	25	16	28	8	61	33	53	48	71	n.a.	n.a.
Turkey Kurds	2,641	4,213	1,909	113	51	12	n.a.	n.a.	44	0	119	112	16	n.a.	n.a.
Uganda	n.a.	0	0	3	2	0	n.a.	n.a.	0	0	n.a.	0	3	n.a.	n.a.
Ukraine	21	17	15	2	0	0	n.a.	n.a.	0	0	n.a.	11	17	n.a.	n.a.
UAE	n.a.	0	0	0	0	1	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
United Kingdom	n.a.	0	0	0	0	0	n.a.	n.a.	0	0	n.a.	1	0	n.a.	n.a.
Uzbekistan	n.a.	0	1	0	0	0	n.a.	n.a.	0	0	n.a.	0	0	n.a.	n.a.
Yemen	n.a.	3	0	0	0	0	1	n.a.	1	0	n.a.	0	0	n.a.	n.a.
Zaire	n.a.	8	0	2	0	4	1	3	0	0	n.a.	0	0	n.a.	n.a.
Zambia	n.a.	2	0	2	0	1	n.a.	7	1	1	n.a.	0	0	n.a.	n.a.
Zimbabwe	n.a.	0	0	2	0	4	1	1	2	22	n.a.	0	2	n.a.	n.a.

Tab A1.4: Arrivals on irregular migration maritime routes to Spain by region of arrival, 1999-2013

Year	Region of arrival		
	Canary Islands	Rest of Spain	Total
1999	875	2,694	3,569
2000	2,410	12,789	15,199
2001	4,105	14,405	18,510
2002	9,875	6,795	16,670
2003	9,388	9,788	19,176
2004	8,426	7,245	15,671
2005	4,715	7,066	11,781
2006	31,678	7,502	39,180
2007	12,478	5,578	18,056
2008	9,181	4,243	13,424
2009	2,246	5,039	7,285
2010	196	3,436	3,632
2011	340	5,101	5,441
2012	173	3,631	3,804
2013	n.a.	n.a.	3,000

Tab A1.5: Dead (D) and missing (M) persons on irregular migration maritime routes to EU countries by destination, 1988-2013

Year	Destination														
	Sicily			Spanish coast + Ceuta & Melilla			Canary Islands			Egean sea			All routes		
	D	M	Total	D	M	Total	D	M	Total	D	M	Total	D	M	Total
1988	0	0	0	10	9	19	0	0	0	0	0	0	10	9	19
1989	0	0	0	30	0	30	0	0	0	0	0	0	30	0	30
1990	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1991	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1992	0	0	0	29	37	66	0	0	0	0	0	0	29	37	66
1993	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1994	0	0	0	8	26	34	0	0	0	0	9	9	8	35	43
1995	0	2	2	6	1	7	0	0	0	0	0	0	6	3	9
1996	284	19	303	8	24	32	0	0	0	0	3	3	292	46	338
1997	6	0	6	50	57	107	0	0	0	0	18	18	56	75	131
1998	14	2	16	90	67	157	0	0	0	9	4	13	113	73	186
1999	0	0	0	35	5	40	8	10	18	0	2	2	43	17	60
2000	0	0	0	80	47	127	16	0	16	16	16	32	112	63	175
2001	8	0	8	75	82	157	33	7	40	80	22	102	196	111	307
2002	127	109	236	79	27	106	34	5	39	56	38	94	296	179	475
2003	90	323	413	90	18	108	74	56	130	71	10	81	325	407	732
2004	111	95	206	19	45	64	156	76	232	43	60	103	329	276	605
2005	78	359	437	58	88	146	86	99	185	33	65	98	255	611	866
2006	96	206	302	135	80	215	625	410	1,035	20	53	73	876	749	1,625
2007	146	410	556	121	21	142	86	659	745	96	161	257	449	1,251	1,700
2008	203	1,122	1,325	51	154	205	68	73	141	53	260	313	375	1,609	1,984
2009	51	384	435	36	86	122	37	1	38	27	4	31	151	475	626
2010	7	61	68	11	30	41	0	0	0	35	6	41	53	97	150
2011	287	1,653	1,940	50	65	115	0	0	0	18	4	22	355	1,722	2,077
2012	50	230	280	66	64	130	1	7	8	78	7	85	195	308	503
2013	406	237	643	16	16	32	0	0	0	10	7	17	432	260	692

Tab A1.6: Probability of dying on irregular migration maritime routes to the EU by destination, 1998-2013

Year	Destination			
	Italy + Malta	Spain	Greece	All routes
1998	0.4	n.a.	n.a.	4.9
1999	0.0	16.0	n.a.	1.1
2000	0.0	9.3	n.a.	4.1
2001	0.4	10.5	n.a.	7.9
2002	9.9	8.6	n.a.	11.6
2003	28.3	12.3	n.a.	21.5
2004	14.9	18.5	n.a.	20.2
2005	18.7	27.3	n.a.	24.3
2006	13.5	30.9	n.a.	25.9
2007	26.5	46.8	n.a.	42.3
2008	32.3	25.1	n.a.	36.0
2009	38.9	21.5	n.a.	33.6
2010	15.1	11.2	9.9	12.2
2011	29.3	20.7	3.0	26.3

2012	25.4	35.0	n.a.	33.5
2013	17.3	10.6	n.a.	17.3

Tab A1.7: Arrivals at sea in Italy (2008-2013), asylum seekers in EU (2008-2012) and migration stocks in EU (2012) by country of nationality

Country of nationality	I- Arrivals at sea in Italy 2008-2013	II - Asylum seekers in EU 2008-2012	III. Migration stocks in EU 2012	Ratio I/II (* 100)
Central Africa	3,987	660	11,827	604
Tunisia	39,877	10,325	380,648	386
Egypt	6,327	7,715	161,819	82
Others	12,521	16,750	384,423	75
Eritrea	14,162	26,760	30,722	53
Niger	828	2,060	6,419	40
Ghana	4,861	12,215	109,644	40
Burkina Faso	1,158	3,240	23,095	36
Morocco	2,609	7,685	2,124,282	34
Chad	734	2,225	4,651	33
Mali	3,974	12,270	86,109	32
Nigeria	13,676	46,885	158,143	29
Syria	10,774	45,985	76,792	23
Somalia	13,091	75,895	68,656	17
Algeria	3,165	19,150	835,394	17
Gambia, The	950	6,170	30,101	15
Togo	558	3,950	38,040	14
Côte d'Ivoire	1,992	15,010	96,073	13
Benin	149	1,220	19,556	12
Liberia	174	1,595	5,093	11
Lesotho	1	10	166	10
Sudan	1,083	11,770	12,794	9
Senegal	535	7,550	230,238	7
Bangladesh	2,213	32,710	129,930	7
Palestine	311	5,095	2,026	6
Afghanistan	6,459	107,245	109,816	6
Ethiopia	349	6,610	35,753	5
Libya	267	6,590	11,809	4
Pakistan	2,529	64,995	249,891	4
India	552	14,475	320,803	4
Sierra Leone	135	4,005	8,315	3
Gabon	7	210	13,418	3
Guinea-Bissau	49	1,525	29,155	3
Guinea	788	24,870	30,739	3
Congo	167	6,185	66,606	3
Cameroon	172	7,745	109,784	2

Migrants smuggled by sea to the EU: facts, laws and policy options

Turkey	452	33,170	2,256,948	1
Iran	446	49,270	128,248	1
Kenya	22	2,910	22,222	1
Mauritania	65	8,725	27,044	1
Ukraine	28	4,725	725,445	1
Iraq	537	90,695	190,305	1
Zambia	1	170	1,643	1
Cambodia	1	190	54,829	1
Nepal	16	3,145	15,383	1
Albania	61	15,665	955,627	0
South Africa	4	1,070	20,134	0
Myanmar	9	3,040	7,432	0
Philippines	2	800	258,450	0
Lebanon	13	5,715	87,633	0
Tanzania	2	950	4,829	0
Zimbabwe	24	12,665	3,497	0
Uganda	3	2,880	5,293	0
Sri Lanka	32	33,795	164,634	0
Jordan	1	1,195	18,241	0
Rwanda	3	4,100	12,593	0
Angola	3	6,060	56,178	0
Former Yugoslavia	6	24,455	6,862	0
Georgia	5	40,270	68,441	0
China	3	25,230	703,106	0
Haiti	1	9,725	66,919	0
Russia	3	102,325	670,329	0
Argentina	0	75	133,202	0
Armenia	0	29,570	65,316	0
Australia	0	40	31,865	0
Azerbaijan	0	11,455	25,645	0
Bahamas	0	5	127	0
Bahrain	0	200	238	0
Barbados	0	20	280	0
Belarus	0	5,505	88,938	0
Belize	0	5	155	0
Bhutan	0	580	1,007	0
Bolivia	0	540	201,761	0
Bosnia and Herzegovina	0	12,830	340,121	0
Botswana	0	95	499	0
Brazil	0	480	371,903	0
Burundi	0	1,790	7,339	0
Canada	0	75	54,131	0
Cape Verde	0	55	75,763	0
Chile	0	215	69,748	0

Colombia	0	2,720	310,263	0
Comoros	0	4,530	25,908	0
Costa Rica	0	25	4,065	0
Cuba	0	2,025	92,200	0
Djibouti	0	500	3,824	0
Dominica	0	60	7,832	0
Dominican Republic	0	1,065	132,637	0
DR Congo	0	29,230	101,135	0
Ecuador	0	185	420,197	0
El Salvador	0	615	18,815	0
Equatorial Guinea	0	170	34,776	0
Fiji	0	10	666	0
Grenada	0	20	120	0
Guatemala	0	165	8,072	0
Guyana	0	265	4,284	0
Honduras	0	310	34,744	0
Indonesia	0	445	38,013	0
Israel	0	540	29,212	0
Jamaica	0	950	2,503	0
Japan	0	30	88,764	0
Kazakhstan	0	4,045	71,549	0
Kosovo	0	48,660	8	0
Kuwait	0	490	1,287	0
Kyrgyzstan	0	3,285	15,159	0
Laos	0	85	35,937	0
Madagascar	0	805	54,800	0
Malawi	0	1,055	596	0
Malaysia	0	315	13,527	0
Maldives	0	5	107	0
Mauritius	0	370	48,165	0
Mexico	0	250	56,558	0
Moldova	0	3,855	233,370	0
Mongolia	0	7,935	17,099	0
Montenegro	0	2,840	22,894	0
Mozambique	0	50	6,030	0
Namibia	0	95	1,007	0
Nauru	0	5	6	0
New Zealand	0	5	8,474	0
Nicaragua	0	210	17,691	0
North Korea	0	845	2,137	0
Oman	0	10	550	0
Panama	0	20	3,184	0
Papua New Guinea	0	10	121	0
Paraguay	0	25	80,288	0

Migrants smuggled by sea to the EU: facts, laws and policy options

Peru	0	845	255,029	0
Saint Kitts and Nevis	0	5	30	0
Saint Lucia	0	30	234	0
Saint Vincent and the Grenadines	0	20	128	0
São Tomé and Príncipe	0	45	11,117	0
Saudi Arabia	0	150	6,771	0
Serbia	0	69,970	374,705	0
Seychelles	0	20	957	0
Singapore	0	20	6,087	0
South Korea	0	95	62,212	0
South Sudan	0	40	0	0
Stateless	0	11,785	45,429	0
Suriname	0	80	29,256	0
Swaziland	0	45	127	0
Taiwan	0	155	12,955	0
Tajikistan	0	860	1,623	0
Thailand	0	255	154,131	0
Timor-Leste	0	15	235	0
Tonga	0	10	82	0
Trinidad and Tobago	0	100	1,024	0
Turkmenistan	0	230	2,095	0
United Arab Emirates	0	25	1,864	0
United States	0	355	264,297	0
Uruguay	0	15	41,134	0
Uzbekistan	0	3,285	21,586	0
Venezuela	0	405	73,407	0
Vietnam	0	9,965	252,498	0
Western Sahara	0	420	0	0
Yemen	0	1,590	4,216	0
Andorra	0	0	985	-
Anguilla (UK)	0	0	46	-
Antigua and Barbuda	0	0	68	-
Aruba (NL)	0	0	5	-
Bermuda (UK)	0	0	20	-
British Virgin Islands (UK)	0	0	111	-
Brunei Darussalam	0	0	107	-
Cayman Islands (UK)	0	0	2	-
Falkland Islands (UK)	0	0	3	-
Former Netherlands Antilles	0	0	8	-
French Polynesia (FR)	0	0	7	-
French Southern Territories (FR)	0	0	8	-
Gibraltar (UK)	0	0	11	-
Iceland	0	0	17,510	-
Horn of Africa	4,157	0	0	-

Jersey	0	0	6	-
Kiribati	0	0	97	-
Liechtenstein	0	0	811	-
Marshall Islands	0	0	15	-
Melanesia	0	0	794	-
Micronesia	0	0	172	-
Monaco	0	0	3,132	-
Montserrat (UK)	0	0	5	-
Norway	0	0	84,924	-
Palau	0	0	24	-
Pitcairn Islands (UK)	0	0	1	-
Polynesia	0	0	270	-
Qatar	0	0	399	-
Saint Helena, Ascension and Tristan da Cunha (UK)	0	0	3	-
Samoa	0	0	146	-
San Marino	0	0	1,485	-
Solomon Islands	0	0	22	-
Switzerland	0	0	143,581	-
Turks and Caicos Islands (UK)	0	0	1	-
Tuvalu	0	0	38	-
Vanuatu	0	0	23	-
Vatican City State	0	0	26	-
Wallis and Futuna (FR)	0	0	3	-

Appendix 2 – Frontex and national sources

Table A2.1 Arrivals on irregular migration maritime routes to the EU according to Frontex (F) and National Sources (NS), 2008-2013 (*)

Country of declared nationality	2009		2010		2011		2012		2013		2009-2013		(a/b) *100
	F	NS	F	NS	F	NS	F	NS	F	NS	F(a)	NS(b)	
Albania	1,365		203	5	291	3	109		65		2,033	8	25,413
Palestine	5,356	46	976	128	363	137	141		0		6,836	311	2,198
Algeria	3,532	521	253	297	395	328	768		386		5,334	1,146	465
Cameroon	118	7	1	0	70	121	168		0		357	128	279
Iraq	633	76	29	161	51	171	189		0		902	408	221
Afghanistan	10,016	364	341	1,699	627	2,175	1,340	1,280	766	879	13,090	6,397	205
Morocco	705	456	66	54	88	299	273		213		1,345	809	166
Iran	178	28	40	159	60	153	110		0		388	340	114
Somalia	5,656	2,245	380	61	61	1,092	62	1,295	14	3,140	6,173	7,833	79
Congo	0	3	0	0	2	106	21		22		45	109	41
Guinea	0	42	0	4	0	526	128		51		179	572	31
Egypt	255	424	116	551	33	1,989	272	1,082	292		968	4,046	24
Ethiopia	10	22	2	2	0	42	2		0		14	66	21
Pakistan	199	1	48	55	57	1,423	61	799	37		402	2,278	18
Eritrea	810	925	413	55	10	386	82	410	2	8,443	1,317	10,219	13
Bangladesh	76	157	26	12	76	1,279	30	401	9		217	1,849	12
Ivory Coast	0	126	3	16	19	1,232	83		37		142	1,374	10
Ghana	0	210	10	0	61	2,655	50		86		207	2,865	7
Chad	0		0	0	6	678	31		7		44	678	6
Syria	180	40	35	100	110	328	152	389	33	9,805	510	10,662	5
Tunisia	388	1,522	34	650	191	28,047	416	2,025	70		1,099	32,244	3
Nigeria	0	1,663	9	0	17	5,480	111	160	59		196	7,303	3
Mali	0	125	1	1	4	2,393	10		8	1,058	23	3,577	1
Angola				0		3					0	3	0
Benin		1		0		63					0	64	0
Birmania				6		3					0	9	0
Bulgaria				0		1					0	1	0
Burkina Faso		43		0		589					0	632	0
Central Africa				0		3,987					0	3,987	0
China		2		0		0					0	2	0
France				0		1					0	1	0
Gabon				0		7					0	7	0
Gambia	0	94	0	1	0	315	0	118	0		0	528	0
Georgia	0		0	3	0	2	0		0		0	5	0
Greece				4		7					0	11	0
Guinea Bissau		3		0		30					0	33	0

Haiti				0		1					0	1	0
Horn of Africa				0		4,157					0	4,157	0
India	0	25	0	0	0	16	0		0		0	41	0
Iran Kurds		29		47		0					0	76	0
Iraq Kurds		95		46		12					0	153	0
Kenya		1		0		1					0	2	0
Lebanon		2		1		1					0	4	0
Leshoto				0		1					0	1	0
Liberia		8		0		49					0	57	0
Libya		9		14		228					0	251	0
Malta		3		0		0					0	3	0
Mauritania		2		0		52					0	54	0
Nepal		1		2		0					0	3	0
Niger		21		1		603					0	625	0
Philippines				0		2					0	2	0
Russia				1		2					0	3	0
Rwanda				0		2					0	2	0
Senegal		11		0		448					0	459	0
Sierra Leone		9		0		70					0	79	0
South Africa				0		2					0	2	0
Sri Lanka	0	6	0	3	0	22	0		0		0	31	0
Sudan		19		4		683					0	706	0
Syria Kurds				91		0					0	91	0
Tanzania				0		2					0	2	0
Togo		11		0		178					0	189	0
Turkey		53		48		71					0	172	0
Turkey Kurds		119		112		16					0	247	0
Uganda				0		3					0	3	0
Ukraine				11		17					0	28	0
United Kingdom				1		0					0	1	0
Zimbabwe				0		2					0	2	0
Not specified	287	0	104	0	148	0	28	0	8	0	575	0	-
Others	5,111	3	277	0	325	0	425	758	601	11,760	6,739	12,521	54
Total (all destinations)	48,381	18,031	14,260	12,150	71,172	76,923	7,999	14,531	13,924	39,420	155,736	161,055	97

Notes: (*) figures on detailed countries of nationality as reported from national sources (blue columns) only refer to Italian data, while the total (orange row) refers to all destinations.

As showed by Table A2.1, statistics on arrivals on irregular migration maritime routes to the EU migrants are retrievable either from national sources or Frontex (see appendix 3 for more details). However, since significant discrepancies are observed between these sources, this paper makes use of national sources (mainly Ministry of Interior data) which seem – at least in more recent years – to capture the phenomenon better. For instance, in 2012 and 2013, national estimates give values that are almost double or triple Frontex’s estimates.

Appendix 3 - Data sources and notes

Population	Source	Notes
Arrivals on irregular migration maritime routes to Italy	Ministry of Interior	In 2012, data refer to the period 1/1/2012 - 20/09/2012. In 2013, data refer to the period 1/1/2013 - 14/10/2013.
Arrivals on irregular migration maritime routes to Spain	Ministry of Interior	In 2013, data refer to the period 1/1/2013 - 17/09/2013.
Arrivals on irregular migration maritime routes to Malta	Frontexwatch Malta (http://www.crimemalta.com/frontexwatch.htm)	In 2013, data refer to the period 1/1/2013 - 28/08/2013
Arrivals on irregular migration maritime routes to Greece	geostrategy.gr (http://geostrategy.gr/pdf/20120225%20PRESENTATION%20-%20Arab%20Spring%20&%20Migration.pdf)	Data only refer to "Apprehended irregular foreign nationals coming from Arab countries where severe unrest occurred"
Dead and missing persons on irregular migration maritime routes to EU countries	Fortress Europe (http://fortresseurope.blogspot.it/p/la-strage.html)	-
Asylum seekers in the EU	Eurostat	-
Migration stocks in EU	Eurostat and national statistical institutes	-
Frontex statistics on "detections at the EU external sea borders by country of nationality"	Frontex - FRAN Quarterly Report, various years	-