

# Italy's Migration Policy: A Self-Defeating Approach Spells Marginalisation in Europe

by Anja Palm and Luca Barana

Italy's coalition government led by Giuseppe Conte and composed of the Five Star Movement (*Movimento 5 Stelle* – M5S) and the League party is celebrating itself as a transformational force on migration policy compared to its predecessor. While Italy had witnessed a progressive hardening of migration-related policies even before the present government, there have been a number of divergences compared to the past that deserve attention and analysis.

Migration has dominated Italian politics over the past years. Matteo Salvini, League party leader and present Interior Minister and Deputy Prime Minister, made migration a centre-piece of his tenure. This strategy seems to have been successful in electoral terms, as the League was rewarded with 34,3 per cent of the vote in the May 2019 European elections compared with 17,3 per cent in the March 2018 national elections.

However, one can observe both continuity and change compared to the migration policy of the previous Interior Minister, Marco Minniti.

Salvini's policies have hardened many traits of Minniti's tenure (December 2016–June 2018), which had been characterised by harsher measures aimed at stemming the flow of migrants from North Africa. Minniti's signature policies included deeper international engagement with migration-origin and transit countries, through the signing of a Memorandum of Understanding with the Libyan government in Tripoli and stronger ties with Niger;<sup>1</sup> support for European missions in the Mediterranean Sea, among them Operation Sophia; the imposition of a restrictive Code of

<sup>1</sup> For an analysis of the main features of Minniti's external migration policy, see: Anja Palm, "Leading the Way? Italy's External Migration Policies and the 2018 Elections: An Uncertain Future", in *IAI Commentaries*, No. 18|12 (February 2018), <https://www.iai.it/en/node/8799>.

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Conduct on NGO search and rescue activities in the Mediterranean; and a decree which streamlined judicial procedures, removing the possibility to appeal in the event that asylum claims are rejected, while expanding the number of repatriation centres from four to twenty.<sup>2</sup>

By early 2018, these initiatives were largely successful in terms of declining migrant arrivals: in 2017, arrivals fell by 34 per cent compared to the previous year.<sup>3</sup> Nevertheless, during the March 2018 national elections, migration remained a central theme, with the League taking aim at the allegedly insufficient results of Minniti's policies.

Once in office, the Salvini-led Interior Ministry built on the legacy of Minniti's policies, neglecting certain aspects, while strengthening others. The greatest divergence is identifiable in the internal and border dimensions, while external migration policy has remained ostensibly the same, although far less emphasis has been put thereon. In particular, Salvini seems to have concentrated less on relations with countries of origin or transit.

While Italy has stayed rhetorically on course with the avowed goal of signing repatriation agreements, no major deal was concluded or concretely debated under the present government.

<sup>2</sup> Open Migration, *Why the New Italian Law on Immigration and Asylum Is Not Good News at All*, 28 April 2017, <https://openmigration.org/en/analyses/why-the-new-italian-law-on-immigration-and-asylum-is-not-good-news-at-all>.

<sup>3</sup> For further information on migration flows towards Italy, see IOM website: *Flow Monitoring: Europe: Arrivals*, <https://migration.iom.int/europe?type=arrivals>.

Indeed, readmissions remain low in comparison to electoral promises, and broadly in line with the numbers of the previous government.<sup>4</sup>

The Conte government has also been less active than the previous executive in seeking cooperation with stakeholders at the mayoral level in Libya, both on the Mediterranean coast and in the southern region of Fezzan.<sup>5</sup> For instance, Tebu representatives had gathered in Rome in March and June 2017, so as to be involved in the management of Libya's southern border.<sup>6</sup> Under Italy's current government, and well before the situation in Libya further deteriorated in April 2019, engagements with local stakeholders and tribal groups have apparently been toned down.

On the border dimension, a degree of continuity in the prolonged effort to externalise the management of borders can be observed, particularly with regards to cooperation with the Libyan coast guard. Nonetheless, Rome does not consider this sufficient to stem migration towards Europe and has therefore substantially hardened policy in this dimension.

<sup>4</sup> Milena Gabanelli and Simone Ravizza, "Migranti irregolari: quanti ne ha rimpatriati Salvini in 8 mesi di governo?", in *Corriere della Sera Dataroom*, 3 March 2019, <https://www.corriere.it/dataroom-milena-gabanelli/migranti-irregolari-quando-ne-ha-rimpatriati-salvini-8-mesi-governo/accb467e-3c37-11e9-8da9-1361971309b1-va.shtml>.

<sup>5</sup> International Crisis Group, "How Libya's Fezzan Became Europe's New Border", in *ICG Middle East and Africa Reports*, No. 179 (31 July 2017), <https://www.crisisgroup.org/node/5607>.

<sup>6</sup> Ibid.

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Going beyond Minniti's restrictive code of conduct for NGOs, Salvini announced a policy of total closure of Italian ports to NGO ships, threatening to arrest crew members and confiscate vessels. Italy has also recently withdrawn its support for the EU naval mission Operation Sophia, contributing to its scaling down and removal of all naval assets upon the mandate's renewal in March 2019.<sup>7</sup>

While this shut-off of the Italian (and European) external frontier in the middle of the Mediterranean has proved difficult to implement, it has nevertheless had serious consequences: not only does it contradict principles of humanitarian assistance and international law, but it directly impacts the human security of migrants trying to reach Italian shores and of those remaining or being sent back to inhuman detention conditions in Libya.

However, it is at the internal level that the greatest deviations have taken place. Indeed, this progressive hardening of the external dimension has not been counterbalanced by more integration-oriented policies.

On the contrary, a more restrictive and criminalising approach has also been adopted internally, impacting the management of Italy's integration system for asylum seekers and refugees as well as social workers and civil society. The main legislative tool approved by the ruling coalition, the

October 2018 Security Law (*Decreto Sicurezza*),<sup>8</sup> has limited access to humanitarian protection while dismantling significant components of Italy's reception system.<sup>9</sup>

While these policies are clearly an expression of the League's hard stance on migration, the role of the M5S, which is still the senior partner in the government coalition, has remained marginal. Often ambiguous and contradictory, the M5S has nonetheless approved and defended Salvini's migration measures, even contributing in Parliament to shield the Interior Minister from judicial proceedings for the unlawful detention of migrants stranded at sea and denied disembarkation rights.<sup>10</sup>

The M5S has tentatively sought to reposition itself during recent months, sometimes adopting a more conciliatory tone by calling for the disembarkation of women and children stranded on NGO ships.<sup>11</sup> Yet,

<sup>7</sup> Giulia Mantini, "A EU Naval Mission Without a Navy: The Paradox of Operation Sophia", in *IAI Commentaries*, No. 19|33 (May 2019), <https://www.iai.it/en/node/10334>.

<sup>8</sup> Law Decree No. 113 of 4 October 2018: *Disposizioni urgenti in materia di protezione internazionale e immigrazione...*, <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2018-10-04;113>.

<sup>9</sup> For further information on the Italian protection system, and especially on the SPRAR system, which developed reception activities at the local level, see the SPRAR official website: <https://www.sprar.it/english>.

<sup>10</sup> Nicola Barone, "Diciotti, respinta dal Senato l'autorizzazione a procedere per Salvini", in *Sole 24Ore*, 20 March 2019, <https://www.ilsole24ore.com/art/mare-jonio-porto-lampedusa-35-uomini-e-15-minori-bordo-notificato-sequestro-nave--ABZOh8fB>.

<sup>11</sup> "Migranti, M5S e Lega ancora divisi, Fico plaude Di Maio", in *ANSA*, 6 January 2019, [http://www.ansa.it/sito/notizie/cronaca/2019/01/04/migranti-mediterranea-in-rotta-verso-sea-watch-3\\_619782f7-e1bc-43aa-9384-72ad1dcecdf6.html](http://www.ansa.it/sito/notizie/cronaca/2019/01/04/migranti-mediterranea-in-rotta-verso-sea-watch-3_619782f7-e1bc-43aa-9384-72ad1dcecdf6.html).

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such ambiguity, among other policy domains, has contributed to the M5S's dismal results at the European elections (17 per cent compared with 32.7 per cent in March 2018).

These policy choices, combined with a broader nationalist push and a neglect of careful diplomacy in relations with traditional allies and neighbours, have caused Italy to progressively lose influence and credibility at both the European and multilateral level. It is also a self-defeating approach, given that ultimately Italy will need external support in order to address migratory flows.

In parallel, even at the European level, increased politicisation and ideological clashes have led to less agreement and common action. In recent years, while official documents and summits called for closer cooperation, in practice a progressive de-Europeanisation of responses has taken place.

This is particularly evident in the internal dimension, with the weakening of the Schengen system and major disagreements on disembarkation, relocation and the broader reform of the common asylum system. A stark discrepancy has also affected the external dimension, resulting in the collapse of common actions, as the recent and paradoxical renewal, without naval assets, of the EU Mediterranean mission Operation Sophia demonstrates.

After years of progressively Europeanising the external dimension, a shift towards bilateral initiatives is now crystallising. The agreements

the previous Italian government signed with Libya and Niger, later reinforced by EU funded projects and engagements by other member states, is a *modus operandi* that is also shared by the current coalition government in Rome.

Yet, more than being an example of the complementarity principle, such initiatives represent a unilateral reaction to the lack of European engagement.

These approaches are deepening political divides and undermining common responses, not only at the European, but also the global level, as the widespread disagreements on the Global Compact on Migration demonstrated.<sup>12</sup>

The lack of serious responses to the UN High Commissioner for Human Rights' accusations against Italy of, *inter alia*, denying international protection and potentially violating the *non-refoulement* principle, is another example of the waning respect for international institutions and the norms and values they promote.<sup>13</sup>

<sup>12</sup> Ferruccio Pastore, "Not So Global, Not So Compact. Reflections on the Shitstorm Surrounding the Global Compact for Migration", in *IAI Commentaries*, No. 19|02 (January 2019), <https://www.iai.it/en/node/9868>.

<sup>13</sup> UN High Commissioner for Human Rights, *Joint Communication from Special Procedures*, 15 May 2019, <https://www.avvenire.it/c/attualita/Documents/ONUdirittiViolati.pdf>; Natalino Ronzitti, "Diritti dell'uomo: rilievi Onu a Italia e risposte inadeguate", in *AffarInternazionali*, 30 May 2019, <https://www.affarinternazionali.it/?p=74229>.



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With European elections having confirmed and even reinforced Salvini's League party within Italy, not only has the balance of power within the League-M5S government changed, but Italy's marginalisation within Europe has also increased.<sup>14</sup>

The two coalition parties will be in the political minority of an increasingly fragmented European Parliament and in a weak position to influence the agenda and appointment of the EU's top institutional figures. Instead of furthering this self-defeating marginalisation, Italy should finally abandon the emergency mind-set, de-politicise migration policy and move from short-term fixes to more durable approaches at both the national and European level.

Resuming negotiations on the reform of the Dublin system and finally opening discussion on balanced partnerships with third countries, including through regular migration channels, represent a necessary stepping-stone towards a more effective Italian and European response to the migration phenomenon.

*2 July 2019*

<sup>14</sup> Nathalie Tocci, "How Italy Lost the European Elections", in *Politico*, 28 May 2019, <https://www.politico.eu/article/how-italy-lost-european-election-2019-national-maginalization>.

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