



**Ad-Hoc Query on Measures implemented / planned by EU Mediterranean Member States  
to prevent irregular migration by means of boats departing from North-Africa**

**Requested by COM on 30<sup>th</sup> April 2014**

**Compilation produced on 25<sup>th</sup> July 2014**

**Responses from [Cyprus](#), [France](#), [Italy](#), [Malta](#), [Portugal](#), [Slovenia](#), [Spain](#), (6 in Total)**

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**1. Background Information**

Every year many hundreds of migrants cross the Mediterranean in an attempt to reach Europe's shores in particularly risky conditions which have often cost the lives of many. This Ad Hoc Query aims to gather evidence on the use made by facilitators ("smugglers") and/or organised criminal groups (OCGs) of different type of boats to facilitate irregular migration ("smuggling") to Europe, with a specific focus on the route from North Africa. It also aims to increase the understanding of the use of fishing boats for these purposes, which constitutes a rather under-reported area of research.

EMN NCPs from Mediterranean Member States are requested to provide information on **the scale and scope of the facilitation of irregular migration by means of boats departing from North-Africa** and on any national legal / policy or practice measures, currently implemented or

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planned to be implemented, that have the potential to **reduce irregular migration by means of boats across the Mediterranean**, by answering the following questions:

1. What is the (estimated) number of facilitated (smuggled) migrants apprehended while attempting to cross the EU sea border illegally by boats? What is their share on the total number of facilitated (smuggled) migrants (relative to those facilitated by air and land)?
  - Please also indicate, where possible, the (estimated) number of immigrants who were employed in the fishing industry in their country of origin;
2. What is the (estimated) number of facilitators using boats apprehended, arrested and convicted by the national authorities?
  - In case of fishing boats, please indicate, where possible, the facilitators' position (i.e. owner, pilot/captain, crew member, none)
  - Please indicate also what possible role fishermen played in the smuggling action (pilot/captain, smuggled migrant, boat's owner, none).
  - Were the facilitators part of an organised criminal group (OCG)?
  - Were the facilitators involved also in other types of smuggling activities (e.g., drugs, counterfeited goods, etc.)?
3. What is the number of boats used by facilitators / OGCs intercepted and confiscated by the national authorities?
  - In case of fishing boats, please indicate, where possible, the (estimated) number (including information on country of registration, flag, size, capacity, etc.<sup>1</sup>);
  - Please indicate how the boats were supplied to facilitators (for example, if they were formally bought, stolen, used with the owner's consent, etc.).
4. What specific measures aimed at stopping the provision / use of boats to smugglers in North African countries have been planned or implemented? Were these in conformity with the 1974 International Convention for the Safety of Life at Sea, the United Nations 1951 Convention and the 1967 Protocol Relating to the Status of Refugee? Examples include:



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<sup>1</sup> See Appendix in <http://www.imo.org/OurWork/Facilitation/IllegalMigrants/Documents/MSC.1-Circ.896-REV1.pdf>

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- Actions to involve countries of departure in maritime surveillance operations or monitoring of out-of-market fleets (including fishing boats);
  - Awareness raising campaigns on the risks and dangers faced by facilitators and migrants attempting to reach the EU through irregular sea crossings;
  - Measure to apply for asylum or other forms of international protection from abroad, to discourage migrants from perilous journeys to reach Europe;
  - Actions to deploy liaison officers in relevant third countries with the aim (amongst others) of reducing the numbers of maritime crossings in the Mediterranean;
  - Any other specific action that have been undertaken / planned.
5. Is there any evidence of the impact of the fishery policies (depleted fish stocks, fishing quota restrictions, etc.) on the oversupply of fishing vessels made available to migrant smugglers;
6. Please provide any additional information related to the issue of migrants' smuggling by boats in the Mediterranean Sea Basin (accompanied by available sources and including, where possible, information on fishing boats).


## 2. Responses<sup>2</sup>

		Wider Dissemination? <sup>3</sup>	
	<b>Cyprus</b>	<b>Yes</b>	Regarding question (1) we have not registered any incidents of illegal entry of "facilitated (smuggled) migrants" to the area under the control of the Republic of Cyprus for the period 01/01/2013-30/06/2014. There are no information available regarding incidents of illegal entry from the area which is not under the control of the Republic of Cyprus. Consequently we are not in position to answer questions (2) and (3).
	<b>France</b>	<b>Yes</b>	1. In 2013, 11 migrants were apprehended on a cargo ship by the border police of Marseille while attempting to cross the EU sea border illegally.

<sup>2</sup> If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

<sup>3</sup> A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."


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	Italy	Yes	What is the (estimated) number of facilitated (smuggled) migrants apprehended while attempting to cross the EU sea border illegally by boats?
			number of facilitated (smuggled) migrants intercepted and rescued while attempting to cross the EU sea border illegally by boats - by Operazione Mare Nostrum
		Period	Mare Nostrum events rescued
		10/17 - 12/31/2013	34 4.323
		01/01 – 06/29/2014	229 41.603
		<b>Totale</b>	<b>263 45.926</b>
			Source: Direzione Centrale dei servizi civili per l'immigrazione e l'asilo
			number of facilitated (smuggled) migrants intercepted and rescue while attempting to cross the EU sea border illegally by boats - by FRONTEX (Hermes/Aeneas)
		events	rescued
		64	8.379
			Source: Direzione Centrale dei servizi civili per l'immigrazione e l'asilo
			number of facilitated (smuggled) migrants intercepted and rescue while attempting to cross the EU sea border illegally by boats – 01/01/2014 – 06/29/2014
		Migrants intercepted on shores	merchant ships intercepted by port authorities
		events rescue	events rescue
		33 1.090	59 10.513
			Source: Direzione Centrale dei servizi civili per l'immigrazione e l'asilo
			Arrivals according regions, sex and age 01/01/2014 – 06/29/2014
		Regione	Uomini Donne Minori Totale
		Calabria	990 207 287 1484
		Puglia	4195 271 368 4834
		Sardegna	17 0 0 17
		Sicilia	40603 4991 7545 57585
		Totale	45805 5469 8200 63920
			Source: Direzione Centrale dei servizi civili per l'immigrazione e l'asilo
			What is their share on the total number of facilitated (smuggled) migrants (relative to those facilitated by air and land)?

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			<p>The share on the total number of facilitated (smuggled) migrants (relative to those facilitated by air and land) is hard to calculate, because of the nature of the entry visas by air and land borders, obtained for tourism or other purposes: once expired, those produce overstaying corresponding to many irregular migrants who become undocumented or apply for asylum, or change country within the EU regular entry point is the airports, etc.</p> <p>With the this necessary premise, we can identify an estimated share of latter on number of facilitated (smuggled) migrants (relative to those facilitated by air and land) as roughly between 10 ÷ 20. But we have to stress another time, that the denominator number of these migrants not regards only migrants apprehended while attempting to cross the EU border illegally by air.</p> <p>As it is explained in report to the <i>Parliamentary committee on the realization of the Schengen agreement, activities of Europol and on control and activities regarding immigration held</i> on 8th of April 2014: the Italian Minister on Foreign affairs Mrs. Mogherini has declared that «In 2013, around 70% of the arrivals via sea in Europe have happened following the Central Mediterranean Route, starting from Lybia and heading to Italy, towards 12% of the western route and 18% of the eastern route»</p> <p>What is the (estimated) number of facilitators using boats apprehended, arrested and convicted by the national authorities?</p> <table border="1" data-bbox="607 702 1344 869"> <thead> <tr> <th>Period</th> <th>apprehended</th> <th>confiscations</th> </tr> </thead> <tbody> <tr> <td>10/17- 12/31/2013</td> <td>17</td> <td>0</td> </tr> <tr> <td>01/01/2014 - 06/29/2014</td> <td>136</td> <td>3</td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>153</b></td> <td><b>3</b></td> </tr> </tbody> </table> <p>Please provide any additional information related to the issue of migrants' smuggling by boats in the Mediterranean Sea Basin (accompanied by available sources and including, where possible, information on fishing boats).</p> <p>According to data provided by ISMU, in 2014, starting from the 1<sup>st</sup> of January until 19<sup>th</sup> of May, boats have departed mainly from Lybia (214), but also from Tunisia (17) , Egypt (9), Greece (9), Turkey (5), and only one from Algeria.</p> <p>On the table below and are listed the sending Countries of the boats, the landings and the number of people for <b>2012</b> and <b>2013</b>:</p> <table border="1" data-bbox="607 1149 2087 1399"> <thead> <tr> <th rowspan="2">Country</th> <th colspan="2">2012</th> <th colspan="2">2013</th> </tr> <tr> <th>landings</th> <th>TCNs</th> <th>landings</th> <th>TCNs</th> </tr> </thead> <tbody> <tr> <td>Algeria</td> <td>1</td> <td>4</td> <td>2</td> <td>24</td> </tr> <tr> <td>Egypt</td> <td>19</td> <td>1.401</td> <td>80</td> <td>9.215</td> </tr> <tr> <td>Greece</td> <td>89</td> <td>2.782</td> <td>59</td> <td>1.892</td> </tr> <tr> <td>Lybia</td> <td>51</td> <td>5.087</td> <td>230</td> <td>27.314</td> </tr> <tr> <td>Morocco</td> <td>-</td> <td>-</td> <td>1</td> <td>7</td> </tr> </tbody> </table>	Period	apprehended	confiscations	10/17- 12/31/2013	17	0	01/01/2014 - 06/29/2014	136	3	<b>TOTAL</b>	<b>153</b>	<b>3</b>	Country	2012		2013		landings	TCNs	landings	TCNs	Algeria	1	4	2	24	Egypt	19	1.401	80	9.215	Greece	89	2.782	59	1.892	Lybia	51	5.087	230	27.314	Morocco	-	-	1	7
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			Montenegro	-	-	1	8
			Syria	-	-	13	1.480
			Tunisia	112	2.294	68	908
			Turkey	26	1.699	29	2.077
			<b>Totale</b>	<b>298</b>	<b>13.267</b>	<b>483</b>	<b>42.925</b>
			Source: <a href="http://www.ismu.org/irregolari-presenze/">http://www.ismu.org/irregolari-presenze/</a>				
			Main nationalities of migrants and refugees smuggled are as follows:				
			Nationalities of migrants and refugees smuggled	2011		2012	2013
			*				
			Afghanistan	2.175		1.741	n.d.
			Egypt	1.989		1.221	2.728
			Eritrean	n.d.		1.431	9.834
			Pakistan	1.423		1.248	1.753
			Syria	n.d.		582	11.307
			Somalia	1.092		2.180	3.263
			Tunisia	28.047		2.268	833
			* Declared at the moment of landing; Source: <a href="http://www.ismu.org/irregolari-presenze/">http://www.ismu.org/irregolari-presenze/</a>				
	Malta	Yes	<p><b>1. What is the (estimated) number of facilitated (smuggled) migrants apprehended while attempting to cross the EU sea border illegally by boats? What is their share on the total number of facilitated (smuggled) migrants (relative to those facilitated by air and land)?</b></p> <p>So far, 227 persons crossing irregularly towards the EU have been rescued.</p> <ul style="list-style-type: none"> <li>- Please also indicate, where possible, the (estimated) number of immigrants who were employed in the fishing industry in their country of origin;</li> </ul> <p>Unknown</p> <p><b>2. What is the (estimated) number of facilitators using boats apprehended, arrested and convicted by the national authorities?</b></p> <p><b>a. In case of fishing boats, please indicate, where possible, the facilitators' position (i.e. owner, pilot/captain, crew</b></p>				

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			<p>member, none)</p> <p>Not applicable</p> <p><b>b. Please indicate also what possible role fishermen played in the smuggling action (pilot/captain, smuggled migrant, boat's owner, none).</b></p> <p>Not applicable</p> <p><b>c. Were the facilitators part of an organised criminal group (OCG)?</b></p> <p>No facilitators discovered amongst migrants</p> <p><b>d. Were the facilitators involved also in other types of smuggling activities (e.g., drugs, counterfeited goods, etc.)?</b></p> <p>Not applicable</p> <p><b>3. What is the number of boats used by facilitators / OGCs intercepted and confiscated by the national authorities?</b></p> <p><b>a. In case of fishing boats, please indicate, where possible, the (estimated) number (including information on country of registration, flag, size, capacity, etc.<sup>4</sup>);</b></p> <p>The only boats intercepted in 2014 were rubber dinghies. The extensive use of rubber dinghies in previous years was also noted.</p> <p><b>b. Please indicate how the boats were supplied to facilitators (for example, if they were formally bought, stolen, used with the owner's consent, etc.).</b></p> <p>N/A</p> <p><b>4. What specific measures aimed at stopping the provision / use of boats to smugglers in North African countries have been planned or implemented? Were these in conformity with the 1974 International Convention for the Safety of Life at Sea, the United Nations 1951 Convention and the 1967 Protocol Relating to the Status of Refugee? Examples include:</b></p> <p><b>a. Actions to involve countries of departure in maritime surveillance operations or monitoring of out-of-market</b></p>
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<sup>4</sup> See Appendix in <http://www.imo.org/OurWork/Facilitation/IllegalMigrants/Documents/MSC.1-Circ.896-REV1.pdf>

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			<p>fleets (including fishing boats);</p> <ul style="list-style-type: none"> <li>b. Awareness raising campaigns on the risks and dangers faced by facilitators and migrants attempting to reach the EU through irregular sea crossings;</li> <li>c. Measure to apply for asylum or other forms of international protection from abroad, to discourage migrants from perilous journeys to reach Europe;</li> <li>d. Actions to deploy liaison officers in relevant third countries with the aim (amongst others) of reducing the numbers of maritime crossings in the Mediterranean;</li> <li>e. Any other specific action that have been undertaken / planned.</li> </ul> <p>There is nothing which can avoid departure of boats from North Africa, except with initiatives taken in that part of the region. Initiatives should include use of technical equipment such as patrol boats, surveillance equipment, drones and vehicles equipped with radar and sophisticated identification equipment for land use, amongst others.</p> <p>Most important is the training of the proper personnel in carrying surveillance duties as well as personnel who can be deployed on intelligence duties with a view to suppress the trafficking and smuggling possibilities and to uncovered organised rings. Coupled with such initiatives there should also be education possibilities to persons who generally escape, at the countries of origin and transit, as well as possible assistance to improve their education and possibility to embark on jobs in their homeland.</p> <p><b>5. Is there any evidence of the impact of the fishery policies (depleted fish stocks, fishing quota restrictions, etc.) on the oversupply of fishing vessels made available to migrant smugglers;</b></p> <p>N/A</p> <p><b>6. Please provide any additional information related to the issue of migrants' smuggling by boats in the Mediterranean Sea Basin (accompanied by available sources and including, where possible, information on fishing boats).</b></p> <p>N/A</p>
	<p><b>Portugal</b></p>	<p><b>Yes</b></p>	<p>1. In recent years PT has not registered a migration pressure by sea. PT only has evidence of illegal persons onboard, which have been monitoring due under maritime law.</p> <p>2./3. Given the fact that this it is a reality that Portugal does not arise we do not have any observations/data to present.</p> <p>4. PT participates in the Frontex and Eurosur actions, holding a system of coastal control (SIVICC - Integrated Surveillance System, Command and Control); and participates also in the Project Seahorse.</p>



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			<p>Also placed an immigration liaison officer for security matters in Morocco, Senegal and Guinea-Bissau. Through the Unit for Risk Analysis and Situation Center Border of the Portuguese Immigration Border Service this issue shall monitor all incidents relating to illegal immigration in Portugal.</p> <p>5. In PT there is no evidence of the impact of fishing policies on irregular migration.</p>
	Slovenia	Yes	We have had no such cases.
	Spain	Yes	<p><b>1. In 2013, 3237, 196 in the Canary islands and 3041 (94%) in the rest of Spain. For the first quarter of 2014, 448, of which 39 (9%) in the Canary islands and 409 (91%) in the rest of Spain.</b></p> <ul style="list-style-type: none"> <li>– Please also indicate, where possible, the (estimated) number of immigrants who were employed in the fishing industry in their country of origin;</li> </ul> <p style="text-align: center;"><b>Not available, but probably none of them, except maybe the pilots.</b></p> <p><b>2. Not available.</b></p> <ul style="list-style-type: none"> <li>– In case of fishing boats, please indicate, where possible, the facilitators' position (i.e. owner, pilot/captain, crew member, none)</li> </ul> <p style="text-align: center;"><b>The main facilitator doesn't travel. Collaborators are set in as pilots.</b></p> <ul style="list-style-type: none"> <li>– Please indicate also what possible role fishermen played in the smuggling action (pilot/captain, smuggled migrant, boat's owner, none).</li> </ul> <p style="text-align: center;"><b>None or pilots.</b></p> <ul style="list-style-type: none"> <li>– Were the facilitators part of an organised criminal group (OCG)?</li> </ul> <p style="text-align: center;"><b>Yes.</b></p> <ul style="list-style-type: none"> <li>– Were the facilitators involved also in other types of smuggling activities (e.g., drugs, counterfeited goods, etc.)?</li> </ul> <p style="text-align: center;"><b>Sometimes drugs are smuggled along, but normally drug smuggling is a separate activity, with different types of boats.</b></p>

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			<p>3. Boats arriving to the Canary islands are in 70% of the cases “cayuco” or “patera” type (used by local Moroccan, Mauritanian or Senegalese fishermen), and in 30% of the cases inflatable or rigid-hull inflatable. In 2014, all have been “pateras” so far.</p> <p>For the rest of Spain (Strait of Gibraltar, Mediterranean and Ceuta and Melilla), 57% were “toys” (inflatable, small size, with an average of 7 people on board), 19% “patera” and 24% inflatable, rigid hull inflatable or fiberglass boats.</p> <ul style="list-style-type: none"> <li>– In case of fishing boats, please indicate, where possible, the (estimated) number (including information on country of registration, flag, size, capacity, etc.<sup>5</sup>);</li> </ul> <p><b>See numbers above. Pateras and cayucos are normally only registered at local level, and have no flags. In 2013, the biggest boats arrived with 40-60 migrants (72 was the maximum). These were either pateras or inflatable boats. The average in 2013 was 11 occupants per boat and in 2014 16 occupants.</b></p> <ul style="list-style-type: none"> <li>– Please indicate how the boats were supplied to facilitators (for example, if they were formally bought, stolen, used with the owner’s consent, etc.).</li> </ul> <p><b>Not available.</b></p> <p>4. - <b>Joint investigation teams in countries of departure to dismantle smuggling organizations.</b></p> <p>- <b>Joint patrolling of the coast to prevent departures.</b></p> <ul style="list-style-type: none"> <li>– <b>Joint patrolling of territorial waters of countries of departure, helping their law enforcement agencies to prevent unseaworthy boats from heading to high seas.</b></li> <li>– <b>Reinforcing third countries’ border control systems providing equipment and training</b></li> </ul> <p>5. <b>Only very indirectly may this be the case, since we are dealing with boats used for traditional coastal fisheries.</b></p> <p>6. n/a</p>
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<sup>5</sup> See Appendix in <http://www.imo.org/OurWork/Facilitation/IllegalMigrants/Documents/MSC.1-Circ.896-REV1.pdf>