

From: [REDACTED]
Sent: 17 October 2024 11:17
To: [REDACTED]
Subject: RE: Flash news: Up-date on the IT-ALB migration agreement

Sure no rush!

I will be on leave next week but [REDACTED] and [REDACTED] are available.

Best, [REDACTED]

From: [REDACTED]
Sent: Thursday, October 17, 2024 10:36 AM
To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: RE: Flash news: Up-date on the IT-ALB migration agreement

Dear [REDACTED],

Thank you for your email.

Unfortunately [REDACTED] is in the FROMs training in [REDACTED] this week. But we can organise the meeting once she is back.

Best, [REDACTED] sensitive operational information
[REDACTED] personal data x 6

From: [REDACTED]
Sent: Wednesday, October 16, 2024 10:31 AM
To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: RE: Flash news: Up-date on the IT-ALB migration agreement

Dear [REDACTED] and [REDACTED],

Thank you for your email and for the very useful information provided.
human resources

From an operational point of view one of the issues [REDACTED] is looking into is the following: *whether after the rescue operation is conducted, Frontex will receive a follow up about how many people will be disembarked in Italy and possibly how many will be transferred on the HUB ship (with disaggregated data)*

to be included in [REDACTED] and/or other reporting system for migrant's boats that have been detected by a Frontex MAS service and rescued by the IT authorities within the framework of [REDACTED]. sensitive operational information

In case you want to brainstorm on this, we can schedule a meeting this Friday.

Best, [REDACTED] personal data x 5

From: [REDACTED]

Sent: Friday, October 11, 2024 5:57 PM

To: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Subject: Flash news: Up-date on the IT-ALB migration agreement

Dear [REDACTED],

As the practical application of the IT-ALB agreement goes ahead, we drafted a summary of its key points and potential thorny issues. The info you find below is based on multiple exchanges with FX operational team and [REDACTED] as well as extensive desk research of written sources.
international relations

Hope you will find it informative.

Best – [REDACTED] personal data +
human resources

When will the deal kick start?

The Italian ambassador to Albania [announced](#) that centers are operational as of today. According to the UNHCR Italy, depending on the weather conditions, the first transfers are expected early next week.

Which categories of migrants will be eligible?

- Only adult and non-vulnerable male migrants originating from the so-called 22 “safe countries of origin” (as designated in the [decree](#) of 7th May 2024) intercepted by the Italian or other EU MS assets (*note: people rescued by NGO assets are excluded*) in the international waters will be transferred to Albania.
- In practice, Tunisians, Bangladeshis and Egyptians will be the most targeted groups (top nationalities among sea arrivals from the ‘safe country origin’ list). Only readmission agreement with Tunisia is well functioning though (with two return flights scheduled each week).

How is the process organised?

- Migrants intercepted in the international waters will be first transhipped to the ‘hub ship’ (with rather small capacity, most probably about 70-80 people, including crew etc.) which belongs to the Italian Navy and will be stationed in the southwest of Lampedusa (in a small patch of sea outside territorial waters but within the IT SRR zone so [REDACTED]).

The following migrants will not be ideally transhipped to the ‘hub ship’ in the first place: migrants with visible/evident vulnerabilities, e.g. minors, elderly, women, people with serious health condition, migrants who carry travel/ID documents (*note: according to the Italian law, if a migrant submits passport or other valid equivalent document ID, he/she is excluded from the detention during asylum border procedure so he/she could not be detained in Albania anyway*).

- Migrants transhipped to the ‘hub ship’ will receive medical assistance and will undergo a pre-identification led by the police in order to further identify the most eligible migrants.
- The ‘hub ship’ few times per month will navigate towards Shengjin port (~20 hrs navigation), where it will disembark migrants for which migration-related procedures (both asylum and return-related) will continue

Operational
area

directly in Albania. Should new vulnerabilities emerge at the early stages of the registration process, those people would re-embark the 'hub ship' that will wait at anchor for up to 12 hours.

- Upon arrival to Shengyin port, migrants will undergo further health checks and identification/screening procedures in the designated facility which will function like a hotspot but with no reception capacity (see: [picture](#)). They will also most probably register their applications for international protection. The same day, they will be transferred to the Gyader facilities located 20 km away (see: [video](#)).
- The Gyader camp is divided into three sections: the largest will accommodate migrants who have applied for international protection and are awaiting decision (880 places); the second is a pre-removal detention center (CPR with 144 places) where people whose asylum application has been rejected will be housed, and the third section dedicated to a small penitentiary for those who commit crimes within the facility (80 places).
- Migrants eligible for one of the forms of protection will be ultimately transfer to Italy. Same will apply if Italy is unable to carry out the return of people hosted by Albania.

How long will migrants stay in Albania?

- In principle, according to the Italian law, migrants awaiting their asylum applications being examined under the so-called border procedure can be detained for not more than 28 days (up to the judicial decision on the suspensive effect in case of appeal), whereas people held in pre-removal detention centers, can be detained for up to 18 months (maximum initial period of 6 months, with possibility of 3-month extensions if necessary, up to 18 months in total).
- Importantly, each time detention order has to be validated by the court (Regional Administrative Court in Rome). If this is not the case, the migrant should be transferred to Italy for further processing of his application.

What is the role of UNHCR?

Upon request of the Italian authorities, the UNHCR Italy has agreed to undertake a role of monitoring and counselling during initial three-month period whereupon it will make available its recommendations to the Italian government. [REDACTED]

[REDACTED] international relations

Which other external partners will be involved?

IOM will also be engaged in medical screening and provision of cultural mediation services (*note: [REDACTED] is to arrange a meeting [REDACTED]*). Internal decision-making

Will Frontex be involved?

- In one of his official [statements](#), the ED stated that Frontex will not be able to support return operations from Albania envisaged under the deal as it is not allowed to do it from the territory of the territory of TC. It however stayed silent on the possible FX involvement in other stages of the process.
- Based on exchanges ^{human resources} [REDACTED] had with both and [REDACTED], the Italian authorities [REDACTED] [REDACTED] sensitive operational information
- Frontex assets (both naval under [REDACTED] and aerial under [REDACTED] and MAS) will be most probably indirectly affected by the deal, e.g. by initially intercepting migrants and subsequently transshipping them to the 'hub ship' or by contributing to the detection of migrant boats by means of aerial surveillance.

Modus Operandi (Cooperation with Member States)

What are the most contentious issues so far?

- Efficient handling of vulnerabilities/certain characteristics which are most difficult to identify/assess: age, family links, nationality.
- Validation of detention by the court: courts often refuse to validate the detentions adopted regarding asylum seekers from safe countries of origin, e.g. out of 74 detention decisions [issued](#) by the Agrigento police so far, only 10 were validated by the judiciary. It is therefore pivotal for the successful implementation of the agreement how judges in Rome will approach detention orders.
- 'Safe country of origin' concept applied by Italy: there are a lot of polemics within the Italian judiciary on designation of certain countries as safe countries of origin, especially those mainly targeted under the agreement. The [CJEU in its recent judgement](#) has also established that there cannot be territorial exceptions

or exceptions for certain categories of people to designate a country as "safe". This criterion clashes with the Italian practice of indicating some states, such as Tunisia, Egypt, and Bangladesh, as only partially safe.