

Country: Italy

Commission: International Court of Justice

Issue: Respect of international obligations in the protection of migrants and in maritime border control operations

Italy is a founding member of the European Union and serves as a vital frontline country for the security of Europe's external borders. Due to our strategic position in the Central Mediterranean, Italy has managed a disproportionate share of irregular migration flows, with nearly 330 000 irregular crossings recorded in 2022 alone. Italy recognizes the serious danger caused by these migration routes, which have taken the lives of 34 266 people since 2014. Our migration policy is governed by: The 1951 Geneva Convention, the UN Convention on the Law of the Sea, regarding Search and Rescue (SAR) obligations, the EU Charter of Fundamental Rights and the New Pact on Migration and Asylum (2024). Between 2023 and 2028, Italy plans to regularize the status of nearly 500 000 foreign workers. Italy intends to make many regularizations like the one in 2020 which allowed 600 000 people to obtain work permits.

1. Sovereignty and the fight against human trafficking: Italy maintains the sovereign right to secure its borders. Our cooperation with Frontex and transit countries is essential to stop criminal groups networks and manage flows that increased by 64% in 2022.

2. History of humanitarian commitment: Contrary to the applicants claims of negligence, Italy prioritizes life at sea. Operations such as "Mare Nostrum" saved over 150 000 lives, proving that Italy acts far beyond its strict legal requirements when there is a lack of solidarity from other countries of the EU.

3. Innovative cooperation: Italy has made a lot of cooperatives efforts to deal with the migration issue such as the Mattei Plan, a partnership between Italy and many African countries such as Ethiopia focusing on economic development and root causes in Africa, the goal of the Mattei Plan is to develop and create jobs in the African countries so the people doesn't feel the need to migrate to European countries, this project has a budget of 5,5 billions of euros.

4. The lack of EU solidarity: Italy claims that any difficulties are the result of a lack of solidarity within the EU. The refusal of certain countries, specifically Visegrad group members such as Poland, to accept relocation quotas places a burden on frontline countries.

The Italian Republic respectfully requests the International Court of Justice to:

1. Recognize Italy's efforts in saving lives at sea and building partnerships with Africa.
2. Encourage greater EU coordination in Search and Rescue operations to enhance the protection of life at sea and create a solidarity fund to support frontline countries in managing arrivals.
3. Support a balanced partnership with countries of origin and transit that focuses on sustainable economic development to address the root causes of migration such as the Mattei Plan.

The Italian Republic is a frontline country that manages a major share of migration for the entire EU. Our increasing work in Africa shows that we are moving beyond a simple security approach. Through initiatives like the Mattei Plan, we are investing in jobs and education to give youth a better future in their own countries. Italy is committed to changing migrants lives by solving the root causes of their journey, such as poverty and lack of hope. We believe that protecting human dignity is a shared responsibility and no frontline country should be left to face this crisis alone without the help of other countries, member of the Frontex agency but who denies all responsibility based on their geographical position and leaves us frontlines countries alone.