

Agreement between the Ministry of Interior and the United Nations High
Commissioner for Refugees (UNHCR)
Regarding
The joint activities of the Ministry of Interior and UNHCR in Lampedusa

Whereas:

The United Nations High Commissioner for Refugees (UNHCR) is the Agency of the United Nations with the mandate of protecting asylum seekers and refugees;

The Ministry of Interior invited the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and the Italian Red Cross (IRC) to ensure their presence on the island of Lampedusa, where normally illegal migrants arrive by sea;

The Ministry of Interior, together with UNHCR, IOM and IRC, submitted to the European Commission the project “Praesidium - strengthening of reception capacity in respect of migration flows reaching the island of Lampedusa”, in order to obtain funds within the ARGO 2005 programme.

Article 1
(Object of the Agreement)

The Ministry of Interior and UNHCR agree to cooperate in order to strengthen the reception system for irregular migrants landing on the island of Lampedusa (Agrigento), and in particular to contribute to an effective method of identifying asylum seekers so as to guarantee their access to the asylum procedure in accordance with international principles and the national legislation.

UNHCR will carry out the activities foreseen in this Convention in line with its mandate and in order to ensure adequate protection for refugees and asylum seekers arriving in Lampedusa.

UNHCR’s activities will be carried out in the context of those foreseen by the project “Praesidium”, which is attached to this Agreement, of which it is an integral part.

Article 2
(Undertakings of UNHCR)

UNHCR undertakes to contribute to strengthening the system of reception and identification of asylum seekers. To this end, one or more UNHCR officials, along with one or more cultural mediators/interpreters, will, subject to available funds and in line with UNHCR Mandate, carry out the following activities:

1. provide information of a general nature on asylum in Italy to persons arrived within mixed flows in Lampedusa; such information will be provided through group counselling, to persons grouped according to the language spoken, through cultural mediators/interpreters, and by written informational material;
2. provide to potential asylum seekers specific information through individual interviews to be carried out in conditions ensuring confidentiality;
3. contribute to training activities on asylum and other related issues;
4. intervene on behalf of individual cases in need of protection, with particular regard to gender/age and vulnerability, in agreement with those working on the island;

Article 3 (Undertakings of the Ministry of Interior)

The Ministry of Interior undertakes to provide the logistical support which is necessary to enable UNHCR's representatives in Lampedusa to carry out their activities in accordance with this Agreement.

The Ministry of Interior undertakes, with the support of the Police Forces present in Lampedusa, to:

1. ensure the carrying out by UNHCR representatives of activities foreseen for asylum seekers under art.2.1, in areas which are outside the migrants' residential area of the Reception Centre, if this is possible based on public order and public security considerations, also taking into account the number of migrants who landed;
2. ensure, in particular, the possibility to carry out the activities under art. 2.2 inside the Centre, and interviews, if necessary, in conditions of confidentiality;
3. provide to UNHCR a summary report, containing only the number of irregular migrants landed in Lampedusa, broken down in women, men and minors;
4. inform UNHCR on the subsequent destinations of asylum seekers.

Article 4 (Coordination)

Parties undertake to resolve any possible controversy arisen in the implementation of this Agreement amicably, with the involvement of the Ministry of Foreign Affairs.

Progress in the activities foreseen by the project "Praesidium", mentioned in the preamble, will be regularly reviewed at a Coordination Board, created at the Ministry of Interior by the Head of the Department for Civil Liberties and Immigration.

Article 5
(Entry into force)

This Agreement will become effective on 1st March 2006 and can be modified and/or integrated only with the agreement of both parties.

For the Ministry of Interior
The Head of Department for
Civil Liberties and Immigration

UNHCR Representative in Italy

Prefetto Anna Maria D'Ascenzo

Walter Irvine