

DETENTION UNDER THE SPOTLIGHT

JRS visits people in immigration detention across Europe. We witness detention's negative impact on detainees and the effects of flawed migration systems. By exposing some of it, we hope to gain support in our call to end immigration detention. Stories are real. Names and other details were adapted for people's protection.

DETENTION OF MINORS IN ITALY

In Italy, as in other Mediterranean countries where migrant boats disembark daily, national authorities—whether police or coast guard—employ a strategy of accusing the captains of these vessels of facilitating the **irregular entry** of individuals into European territory. In most cases, the accused individuals are **unaccompanied minors**. This offense carries a penalty of **imprisonment**, with sentences reaching up to **16 years**, alongside hefty fines. If any deaths occur on the boat, minors can even face charges of **murder**.

This policy fails to address the root cause of **human trafficking**, namely the lack of **safe and legal pathways** into the EU. Despite this, European legislators present it as such. The goal appears to be the identification of **scapegoats**, often vulnerable individuals such as **unaccompanied migrant children**.

A. AND M.'S STORIES

Upon their arrival at the Italian coast, A. and M. were accused of **smuggling**. Despite being **minors**, they were not identified as such and consequently were imprisoned with adult men. Both received **documents in Italian**, which they could not understand. A. was sentenced to a **2-year penalty**. Later, when his father, a **legal resident of Italy**, applied for a **family residence permit**, the application was **rejected** due to his son's **criminal record**.

When M. was appointed with a lawyer, he applied for **probation** to complete an **educational programme** and was eventually granted a **judicial pardon**, as soon as he completed it.



*AI generated image

RECOMMENDATIONS

Centro Astalli – JRS Italy urges the authorities and personnel involved in the first reception of migrants to pay greater attention to the **age assessment processes** and to comply with legal requirements, such as ensuring **effective linguistic and cultural mediation** as well as providing **legal assistance**.

We call for **channels of communication** to be established with civil society present in **countries of origin of migrant minors** to facilitate the cooperation with their families and the retrieval of documents.

Safe and legal pathways for studies and vocational training in European member states must be created for migrant minors.

Centro Astalli calls on **all actors** involved to proceed with a **radical reform** of the mechanism **prosecuting** migrant minors as “irregular”, which proves to be **ineffective in punishing** the real perpetrators of **human trafficking** and exploitation of the vulnerable migrant population and addressing the root causes of the phenomena.